



GREATER LAWRENCE SANITARY DISTRICT

RULES AND REGULATIONS

COVERING

- **DISCHARGE OF WASTEWATER**
- **DRAINAGE**
- **SUBSTANCES OR WASTE**

REVISED April 2, 2008

GREATER LAWRENCE SANITARY DISTRICT
RULES AND REGULATIONS
COVERING

DISCHARGE OF WASTEWATER, DRAINAGE, SUBSTANCES OR WASTE

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SECTION 1.0 GENERAL PROVISIONS:

1.1 Purpose and Policy

These Rules and Regulations set forth requirements for direct and indirect contributions into the wastewater collection systems (sewer system) of the City of Lawrence, Town of Andover, Town of North Andover, City of Lawrence, Town of Andover, Town of North Andover, City of Methuen, Massachusetts and the Town of Salem, New Hampshire and the wastewater treatment system of the Greater Lawrence Sanitary District. These Rules and Regulations enable the District to comply with all applicable Local, State and Federal laws including the Clean Water Act (33 United States Code § 1251 et seq.) of 1987, the Federal Water Quality Act of 1987 (33 United States Code § 125/et seq.), and the General Pretreatment Regulations (40 CFR Part 403). The regulations apply to all Users of the District POTW, whether inside or outside of the District.

The Objectives of These Rules and Regulations Are:

- (a) To prevent the introduction of pollutants into the POTW which, will interfere with The operation of the POTW or contaminate the resulting sludge generated;
- (b) To prevent discharge of pollutants that would pass through the POTW, inadequately treated into the receiving waters or the atmosphere or otherwise be incompatible with the treatment plant;
- (a) To improve the opportunity to reduce, recycle, and reclaim wastewater and or sludges;
- (d) To provide for equitable distribution of costs for the operation and maintenance of the POTW;
- (e) To protect the health and safety of the workers in the collection (sewer) system and the wastewater treatment facility;
- (f) To enable the District to comply with its National Pollutant Discharge Elimination System (NPDES) permit conditions, sludge use and disposal requirements and any other Federal or State laws to which the treatment facility is subject.

These Rules and Regulations provide for the regulation of direct and indirect contributors to the POTW through the issuance of permits, control documents and through enforcement of the general requirements for the Users. These Rules and Regulations authorize monitoring and enforcement activities, require Users to report, assume that existing customer's capacity will not be preempted, and provide for setting of fees for the equitable distribution of costs resulting from the industrial pretreatment program.

These Rules and Regulations shall apply to the City of Lawrence, Town of Andover, Town of North Andover, and the City of Methuen, Massachusetts and the Town of Salem, New Hampshire and to the persons or the wastes outside the District who are, by contract or agreement with the District, Users of the District's POTW.

1.1.2 Administration

Except as otherwise provided, herein the Executive Director shall administer, implement, and enforce the provisions of these Rules and Regulations. Any powers granted to or duties imposed upon the Executive Director may be delegated by the Executive Director to the District's personnel or a duly authorized representative.

1.1.3 Abbreviations

The Following Abbreviations Shall Have The Designated Meanings:

- CFR - Code of Federal Regulations
- BOD - Biochemical Oxygen Demand
- EPA - United States Environmental Protection Agency
- IU - Industrial User
- L - Liter
- Mg - Milligrams
- mg/L - Milligrams per liter
- NPDES - National Pollutant Discharge Elimination System
- POTW - Publicly Owned Treatment Works
- RCRA - Resource Conservation Recovery Act
- SIC - Standard Industrial Classification
- SWDA - Solid Waste Disposal Act, 42 U.S.C. 6901, et. Seq.
- TSS - Total suspended Solids
- USC - United States Code

1.1.4 Definitions

Unless the context specifically indicates otherwise, the following terms and phrases, as used in these Rules and Regulations, shall have the meaning hereinafter designated:

- (1) **Act or "the Act"** The Federal Water Pollution Control Act (Public Law 92-500), also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et. Seq.
- (2) **Administrator:** The Administrator of the Environmental Protection Agency.
- (3) **Approval Authority:** The Regional Administrator of the EPA.
- (4) **Authorized Representative of Industrial User:**
 - (a) If the User is a corporation, a responsible corporate officer means:
 - (i) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function or any other person who performs similar policy or decision making functions for the corporation; or

- (ii) 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) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.
- (c) If the User is a Federal, State or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
- (d) The individuals described in paragraphs a through c above may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or person responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for the environmental matters for the company, and the written authorization is submitted to the District.
- (e) If the authorization under paragraph d above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or company, a new authorization satisfying the requirements of paragraph d of this section must be submitted to the District prior to or together with any reports to be signed by an authorized representative.
- (5) **Best Management Practices or BMPs** The schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in § 403.5(a)(1) and (b). BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.
- (6) **Biochemical Oxygen Demand (BOD)** The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five (5) days at 20 degrees centigrade expressed in terms of concentration {milligrams per liter (mg/L)}.
- (7) **CFR** (Code of Federal Regulations) Codification of the general and permanent rules published in the Federal Register by the Executive Departments and agencies of the Federal Government.
- (8) **CMR** (Code of Massachusetts Regulations) Codification of the general and permanent rules published in the Massachusetts Register by the Division of Water Pollution Control and agencies of the State of Massachusetts.
- (9) **Categorical Standards** Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Sections 307 (b) and (c) of the Act (33

U.S.C. § 1317) which apply to a specific category of Industrial Users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

- (10) **Cooling Water**
- (a) **Uncontaminated**: Water used for cooling purposes only which has no direct contact with raw material, intermediate, or final product, and which does not contain a level of contaminants detectably higher than that of the intake water.
- (b) **Contaminated**: Water used for cooling purposes only which may become contaminated either through the use of water treatment chemicals used for corrosion inhibitors or biocides, or by direct contact with process materials and/or wastewater.
- (11) **Compliance Monitoring** Sampling of IU's discharge for compliance purposes, BMR submission, permit application and self-monitoring. All SIU's are required to submit semiannual self-monitoring reports to the District as required in 40 CFR Part 403.12 (h).
- (12) **Composite Sample**: A sample that is collected over time, formed either by continuous sampling or by mixing discrete samples. The sample may be composited either as a time composite sample: composed of discrete sample aliquots collected in one container at constant time intervals providing representative samples irrespective of stream flow; or as flow proportional composite sample: collected either as a constant sample volume at time intervals proportional to stream flow, or collected by increasing the volume of each aliquot as the flow increases while maintaining a constant time interval between the aliquots.
- (13) **Control Authority** The term "control authority" shall refer to the District and/or its Executive Director. The District has an approved Pretreatment Program under the provisions of 40 CFR Part 403.11 which allows for the use of this definition.
- (14) **Direct Discharge** The discharge of treated or untreated wastewater directly to the waters of the State of Massachusetts.
- (15) **Daily Maximum** The maximum allowable discharge of pollutant during a calendar day. Where daily maximum limitations are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where daily maximum limitations are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.
- (16) **District** The Greater Lawrence Sanitary District or the Commission of the Greater Lawrence Sanitary District.
- (17) **Environmental Protection Agency, or EPA** The U.S. Environmental Protection Agency, or where appropriate the term may also be used as a designation for the Administrator or other duly authorized official of said agency.
- (18) **Executive Director** The person designated by the District to supervise the

operation of the publicly owned treatment works and who is charged with certain duties and responsibilities by these Rules and Regulations, or his/her duly authorized representative.

- (19) **Existing Source** Any source of discharge, the construction or operation of which commenced prior to the publication by the EPA of proposed National Pretreatment Standards, which will be applicable to such source if the standards are thereafter promulgated in accordance with Section 307 of the Act.
- (20) **Grab Sample** 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 over a period of time not to exceed fifteen (15) minutes.
- (21) **Gray Water Waste** Human excrement and waste produced from sources such as household showers, dish washing operations, and sinks which are collected in holding tanks. It is also human excrement which flows into leaching fields and distribution box units within subsurface treatment systems. Contained within this waste may be sources from ground water infiltration and surface waters. This waste does not contain sludge wastes present in most septic tanks.
- (22) **Hauler** Any person whose business it is to collect and transport holding tank wastes.
- (23) **Holding Tank Waste** Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, or septic tanks, or wastes from establishments without access to a sewer and without a satisfactory on-site treatment system, or wastewater sludges from other wastewater treatment facilities.
- (24) **Indirect Discharge** The Discharge or the introduction of domestic and non-domestic pollutants from any source which is conveyed to the District by any means (including holding tank waste discharged into the system).
- (25) **Interference** A discharge, which alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and therefore, is a cause of a violation of the District's NPDES Permit, or prevention of sewage sludge use or disposal by the POTW in accordance with 405 of the Act, (33 U.S.C. 1345) or any criteria, guidelines, or regulations developed pursuant to Subtitle D of the Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substances Control Act, Title II Resource Conservation and Recovery Act (RCRA) or more stringent State or local regulations (including those contained in any State sludge management plan prepared pursuant to Title IV of SWDA) applicable to the method of disposal or use employed by the POTW.
- (26) **Local Discharge Limits (Local Limits)** Limits developed by the District as approved by the EPA and defined by 40 CFR Part 403.5 (d).
- (27) **Medical Waste** Isolation Waste, infectious agents, human blood and blood products, pathological waste, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

- (28) **Monthly Average** The arithmetic mean of the values for effluent samples collected during a calendar month or specified 30 day period (as opposed to a rolling 30 day window).
- (29) **National Pretreatment Standard** Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307 (b) and (c) of the Act (33 U.S.C. 1317) including the Categorical Standards at 40 CFR Chapter I, Subchapter N, Parts 405 – 471 and the general and specific prohibitions at 40 CFR Part 403.5.
- (30) **National Pollution Discharge Elimination System or NPDES Permit** A permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342)
- (31) **New Source** Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307 (c) of the Act which will be applicable to such source if the 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 processor production equipment that causes the discharge of pollutant 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 extend 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.
- (1) 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 (b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.
- (2) Construction of a new source as defined under this paragraph has commenced if the owner or has;
- (a) Begun, or caused to begin, as part of a continuous on site construction program:
 - (1) Any placement, assembly, or installation of facilities of equipment; or
 - (2) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which are 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.
- (32) **Non-domestic Source Conveying Pollutants to the POTW** A source of Indirect Discharge which does not constitute a “discharge of pollutants: under regulations issued pursuant to Section 402, of the Act. (33 U.S.C. 1342).
- (33) **Pass Through** A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharge from other sources, is a cause of a violation of any requirement of the District’s NPDES permit, including an increase in the magnitude or duration of a violation.
- (34) **Permitting** To authorize an industrial wastewater discharge, treated groundwater discharge, or temporary discharge.
- (35) **Person** Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their representatives, agents or assigns. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context.
- (36) **pH** {expressed in standard units} The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions.
- (37) **Pollution** The man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.
- (38) **Pollutant** Any dredged soil, 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 a navigable water.
- (39) **Pretreatment or Treatment** The reduction of the amount of pollutants, the elimination of pollutants, or the alternation 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. The reduction or alteration can be obtained by physical, chemical or biological processes, or other process changes, except as prohibited by 40 CFR Part 403.6 (d).
- (40) **Pretreatment Requirements** Any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard, imposed on an industrial User.
- (41) **Publicly Owned Treatment Works (POTW)** A treatment works as defined by section 212 of the Act, (33 U.S.C. 1292) which is owned in this instance by

the Greater Lawrence Sanitary District. This definition includes any sewers that convey wastewater to the POTW treatment plant, but does not include pipes, sewers or other conveyances not connected to a facility providing treatment. For the purpose of these Rules and Regulations, "POTW" shall also include any sewers that convey waste waters to the POTW from persons outside the District who are, by contract or agreement with the District, Users of the District's POTW.

- (42) **POTW Treatment Plant** The portion of the POTW designed to provide treatment to wastewater.
- (43) **Shall** is mandatory: **May** is permissive.
- (44) **Regional Administrator** The Regional Administrator for Region I of the Environmental Protection Agency.
- (45) **Septic Tank Waste** Any sewage from holding tanks such as vessels, chemical toilets, camper trailers, septic tanks, leaching fields, septic system chambers and leachate holding tanks.
- (46) **Sewage** The waste and wastewater produced by residential and commercial establishments and discharged to the sewer system.
- (47) **Significant Industrial User** Any Industrial User of the District's POTW that:
- (i) Has a discharge flow of 10,000 gallons or more per average work day; or
 - (ii) has a holding tank volume greater than 10,000 gallons; or
 - (iii) Has in his wastes toxic pollutants as defined pursuant to Section 307 of the Act of Massachusetts Statutes and Rules; or
 - (iv) Is found by the District, the Massachusetts Division of Water Pollution Control, or the U.S. Environmental Protection Agency (EPA) to have significant impact, either singly or in combination with other contributing industries, on the wastewater treatment plant, the quality of sludge, the POTW's effluent quality, or air emissions generated by the POTW; or
 - (v) Is subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N; or
 - (vi) Contributes a process wastewater discharge which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - (vii) 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.

Upon a finding that a User meeting the criteria in paragraphs (i), (ii), (iii), (vi), or (vii) has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the District may at any time, on its own initiative or in response to a petition received from a User, and in accordance with procedures in 40 CFR Part 403.8 (f) (6), determine that such User should not be considered a significant industrial User.

- (48) **Significant Noncompliance (SNC)** An industrial User is in significant non-compliance if its violation meets one or more of the following criteria:
- (a) Chronic violations of wastewater Discharge limits, defined here as those in which 66 percent or more of all of the measurements taken for the same pollutant parameter during a 6 month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including instantaneous limits, as defined by 40 CFR 403.3(l);
 - (b) Technical Review Criteria (TRC) violations, defined here as those in which 33 percent or more of all of the measurements taken for the same pollutant parameter during a 6 month period equal or exceed the product of the numeric Pretreatment Standard or Requirement including instantaneous limits, as defined by 40 CFR 403.3(l) multiplied by the applicable TRC (TRC=1.4 for BOD, TSS, fats, oil, and grease, and 1.2 for all other pollutants except pH);
 - (c) Any other violation of a Pretreatment Standard or Requirement as defined by 40 CFR 403.3(l) (daily maximum, long-term average, instantaneous limit, or narrative standard) that the POTW determines 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 a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the POTW's exercise of its emergency authority under paragraph (f)(1)(vi)(B) of this section to halt or prevent such a discharge;
 - (e) Failure to meet, within 90 days after the schedule date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance;
 - (f) Failure to provide, within 45 days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;
 - (g) Failure to accurately report noncompliance;
 - (h) Any other violation or group of violations, which may include a violation of Best Management Practices, which the POTW determines will adversely affect the operation or implementation of the local Pretreatment program.

The District will comply with the public participation requirements of 40 CFR Part 25 in the enforcement of National Pretreatment Standards. These procedures shall include provision for at least annual public notification in a newspaper(s) of general circulation that provides meaningful public notice within the jurisdiction(s) served by the District, of Industrial Users which, at any time during the previous 12 months, were in significant noncompliance with applicable Pretreatment requirements.

- (49) **Slug Discharge** Any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge.
- (50) **Standard Industrial Classification (SIC)** A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972.
- (51) **State** Commonwealth of Massachusetts
- (52) **Storm Water** Any flow occurring during or following any form of natural precipitation and resulting therefrom.
- (53) **Total Suspended Solids (TSS)** The total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids, and which is removable by laboratory filtering.
- (54) **Toxic Pollutant** Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the provision of CWA 307 (a) or other Acts.
- (55) **User or Industrial User** Any non-domestic source regulated under Section 307 (b), (c) or (d) of the Act which introduces pollutants into the POTW.
- (56) **Wastewater** The liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, together which may be present, whether treated or untreated, which is contributed into or permitted to enter the POTW. For the purposes of trucked – in waste, that which is removed from a tank.
- (57) **Waters of the State** All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and all other bodies or accumulations of public or private waters, which are contained within, flow through, or border upon the State of any portion thereof.
- (58) **Wastewater Contribution Permit (Permit)** As set forth in section 4.1 of these Rules and Regulations.
- (59) **Wastewater Treatment Plant or Treatment Plant** That portion of the POTW which is designed to provide treatment of municipal sewage and Industrial waste.

Section 2.0 REGULATIONS

2.1 General Discharge Prohibitions

No User shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will cause pass through or interference. No User shall discharge:

- (a)** Any liquid, solids or gasses which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances or cause fire or explosion or be injurious in any other way to the POTW or to the operations of the POTW. At no time shall two successive readings on an explosion hazard meter at the point of discharge into the system (or at any point in the system) be more than five percent (5%) nor any single reading over ten percent (10%) of the Lower Explosive Limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other hazard to the system. In no case wastestreams with a closed cup flashpoint of less than one hundred forty (140) degrees Fahrenheit (60 degrees c) using test methods specified in 40 CFR Part 261.21.
- (b)** Solid or viscous substances which may cause obstruction to the flow in a sewer resulting in interference, such as, but not limited to: grease, garbage with particles greater than one-half inch (1/2") in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshing, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spend grains, spent hops, wastepaper, wood, plastics, gas, tar, asphalt residues, residues from refining, or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes.
- (c)** Any wastewater having pH less than 5.5 or greater than 10.5 or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel of the POTW.
- (d)** Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with any pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, to create a toxic effect in the receiving waters of the POTW, or to exceed the limitation set forth in a National Pretreatment Standard.
- (e)** Any noxious or malodorous liquids, gases, vapors, fumes, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair.
- (f)** Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. 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 affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air 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 with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.
- (i) Any medical or infectious waste.
- (j) Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in interference, but in no case wastewater with a temperature at the introduction into the sewer which exceeds 104 degrees F (40 C).
- (k) Any pollutants, including oxygen demanding pollutants (BOD, etc.) released at a flow rate and/or pollutant concentration which will cause interference to the POTW. In no case shall a slug load have a flow rate or contain concentrations or quantities of pollutants that exceed for any time period longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration, quantities, or flow during normal operation.
- (l) Any wastewater containing any radioactive wastes or isotopes of such half life or concentration as may exceed limits established by the Executive Director in compliance with applicable State or Federal Regulations.
- (m) Any petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through or any substances which solidify or become viscous at temperature between 32 degree F (0 degrees C) and 140 F (60 degrees C).

2.1.1 General Discharge

Whenever the Executive Director or designee determines that a User(s) is contributing to the POTW any of the discharges prohibited by Section 2.1 in such amounts as to interfere with the operations of the POTW, the Executive Director may:

- (1) Advise the User(s) of the impact of the contribution on the POTW; and
- (2) Develop effluent limitation(s) for such Users to correct the interference with the POTW.
- (3) Take direct enforcement actions to prevent interference or pass through. This section does not restrict the District from taking appropriate enforcement actions to correct incidents of non-compliance.

2.2 National Categorical Pretreatment Standards

The National Categorical Pretreatment Standards, located in 40 CFR Chapter I, Subchapter N, Parts 405-471, are hereby incorporated into these regulations.

Upon the promulgation of the National Categorical Pretreatment Standards for a particular industrial subcategory, the National Categorical Pretreatment Standard, if more stringent

than limitations imposed under these Rules and Regulations for sources in that subcategory, shall immediately supersede the limitations imposed under these Rules and Regulations. The Executive Director shall notify all affected User(s) of the applicable reporting requirements under 40 CFR Part 403.12.

2.3 Modification of National Categorical Pretreatment Standards

Where the District's wastewater treatment plant achieves consistent removal of pollutants limited by National Categorical Pretreatment standards, the District may apply to the Approval Authority for modification of specific limits in the National Categorical Pretreatment Standard. Such modified limits shall not cause the POTW to violate the POTW's permit limitations or conditions or any POTW sludge requirements, and shall not modify any local discharge limitations established by these Rules and Regulations.

- (a) Removal reduction in the amount of a pollutant in the POTW treatment plant's effluent or alteration of the nature of a pollutant during treatment at the POTW treatment plant, but shall not mean dilution of a pollutant in the POTW treatment plant.
- (b) Consistent removal shall mean the average of the lowest fifty (50) percent of the removal of a specific pollutant by the POTW treatment process measured according to Section 2.3. (c) of these Rules and Regulations and using all sample data obtained for the measured pollutant during the time period prescribed in Section 2.3. (c) of these Rules and Regulations. The District may utilize a removal credit equal to or, at its discretion, less than its consistent removal rate.
- (c) Data shall be representative of yearly and seasonal conditions to which the POTW is subjected and of the quality and quantity of normal effluent and influent flow. Influent and effluent operational data shall be obtained through 24-hour flow-proportional composite samples. At least twelve (12) samples shall be taken at approximately equal intervals throughout one full year and these samples shall be evenly distributed over the days of the week.
In addition, historical data may be used to supplement or replace, in whole or in part, the minimum twelve (12) samples required herein. Analysis of all samples shall be performed in accordance with 40 CFR Part 136 and amendments thereto, or other method approved by the Administrator.
- (d) Modified discharge limits for a specific pollutant shall be derived by use of the following formula:

$$Y = \frac{X}{1 - r}$$

WHERE:

x = Pollutant discharge limit specified in the applicable Categorical Pretreatment Standard

- r =** Removal credit for that pollutant as established under Section 2.3 (b) of these Rules and Regulations (percentage removal expressed as a proportion, i.e., a number between 0 and 1)
- y =** Modified discharge limit for the specified pollutant (expressed in same units as x). Modified limits may be expressed in concentrations-based limits (mg/L) or mass based limitation (pounds per day) as determined by the District.

- (e) Any modified discharge limit determined pursuant to Section 2.3 of these Rules and Regulations shall become effective only upon its approval by the Approval Authority. IU permits will be reissued with modified limitations as determined herein within 90 days of approval.

2.4 Specific Pollutant Limitations – (Local Discharge Limits)

No person shall discharge wastewater containing in excess of:

NEW LIMITS IN EFFECT AS OF 03/01/2000

PARAMETER	SAMPLE TYPE	DAILY MAXIMUM LIMIT (mg/L)
pH	Grab	5.5-10.5 s.u.
Cyanide	Grab	0.601
Oil & Grease	Grab	200/275*
Arsenic	Composite	0.31
Cadmium	Composite	0.16
Chromium	Composite	1.65
Copper	Composite	1.50
Lead	Composite	0.29
Mercury	Composite	0.0048
Molybdenum	Composite	0.43
Nickel	Composite	1.74
Silver	Composite	0.50**/0.227
Zinc	Composite	2.00

* 275 mg/L – Dairy Product Processing Facilities, 40 CFR Part 405 only

** 0.50 mg/L – electronic / industrial phototool mfg. only

If final National Categorical Pretreatment Standards are promulgated by EPA for a particular industrial category that are more stringent than those shown above, the more stringent than those shown above, the more stringent limitations shall apply.

2.5 State Requirements

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

2.6 District's Right of Revision

The District reserves the right to establish by amendment of these Rules and Regulations more stringent limitations or requirements on discharges to the wastewater treatment plant if deemed necessary to comply with the objectives presented in Section 1.1 of these Rules and Regulations.

2.7 Excessive Discharge

No User shall ever increase the use of process water, or in any way , attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in a National Categorical Pretreatment Standard, or in any other pollutant-specific limitation developed by the District or State.

2.8 Accidental Discharges and Slug Discharges

Each User shall provide protection from accidental or slug discharges including non-routine batch discharges of prohibited materials as specified in Section 2.1, or other substances regulated by these Rules and Regulations. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained by the User at the User's own cost and expense. A detailed plan showing facilities and operating procedures to provide this protection shall be submitted to the District for review, and shall be approved by the District before construction of such facility.

The plan must, at a minimum, include all requirements for a slug control plan specified by 40 CFR 403.8 (f) (2) (v). All existing Users shall complete such a plan as required by July 24, 1991.

- (a) No User who commences contribution to the POTW after the effective date of these Rules and Regulations shall be permitted to introduce pollutants into the POTW until accidental / slug discharge plans have been reviewed and if necessary approved by the District. Review and approval of such plans and operating procedures shall not relieve the industrial User from the responsibility to modify the User's facility as necessary to meet the requirements of these Rules and Regulations.
- (b) Non-Accidental Slug Loads – The District shall require a slug/spill control plan to control non-accidental slug loads as a condition of being issued a permit.

2.8.1 Immediate Notice – Accidental or Slug Discharge

Any User that experiences an upset in operations, a spill or a slug load discharge which could cause problems at the District's facilities, shall inform the Greater Lawrence Sanitary District immediately. For the purposes of this section, immediate notification shall consist of the best practicable notice, reasonable calculation to reach responsible District personnel at the earliest possible opportunity.

2.8.2 Written Notice – Accidental or Slug Discharge

A written follow-up report of the accidental or slug discharge shall be filed by the permittee with the Greater Lawrence Sanitary District within five (5) days. The report shall specify:

- (a) Description of the accidental slug or discharge, the cause(s) thereof and the upset's impact on the permittee's compliance status;
- (b) Duration of noncompliance, including exact dates and times of non-compliance, and if not corrected, the anticipated time the noncompliance is expected to continue; and
- (c) All steps taken or to be taken to reduce, eliminate and prevent recurrence of such an accidental or slug discharge;
- (d) The report must also demonstrate that the treatment facility was being operated in a prudent and workable like manner.

2.8.3 Affirmative Defense

Affirmative defense shall only apply to those circumstances and under those conditions expressly stated in 40 CFR Part 403.5 (a) (2) and 40 CFR Part 403.16 (b). A User shall have an affirmative defense in an action brought against it by the District.

2.8.3.1 Affirmative Defense – Upset

- (a) The term "upset" shall mean an exceptional incident in which there is unintentional and temporary noncompliance with categorical pretreatment standards because of factors beyond the reasonable control of the User. An upset does not include noncompliance to the extent caused by operator error, lack of preventative maintenance, or careless or improper operations.
- (b) An upset shall constitute an affirmative defense to an action brought for non-compliance with pretreatment standards only if the requirements in paragraph 2.8.3 (a) (i) are met and can be documented.

A 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 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; and
- (c) The User has submitted the following information to the Executive Director within twenty-four (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 non-compliance;
- (2) The period of non-compliance including exact dates and times or, if not corrected, the anticipated time the non-compliance is expected to continue; and:
- (3) Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the non-compliance.
- (4) In any enforcement proceeding, the User seeking to establish the occurrence of an upset shall have the burden of proof.
- (5) Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
- (6) Users shall control production of all discharges to the extent necessary to maintain compliance with categorical pretreatment standards 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.

2.8.3.2 Affirmative Defense – General Prohibitions

The use of an affirmative defense shall apply for violations of the general prohibitions contained in section 2.1 (b), (e), (j), (k), or (n) only if the User can demonstrate that:

- (a) The User did not know or have reason to know that its discharge, alone or in conjunction with other discharges, would cause pass through or interference; and;

A local limit designed to prevent pass through and interference was developed for each pollutant in the Users discharge that caused pass through or interference and the User was in compliance with each such limit directly prior to and during the pass through or interference event or;

- (b) If a local limit designed to prevent pass through and/or interference, as the case may be, has not been developed for the pollutant(s) that caused the pass through or interference, the User's discharge directly prior to and during the pass through or interference did not change substantially in nature or constituents from the User's prior discharge activity when the POTW was regularly in compliance with the POTW's NPDES permit requirements and, in the case of interference, applicable requirements for sewage sludge use or disposal.

2.9 Notice to Employees

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

2.10 Notification of Hazardous Waste Discharge

All IU's, whether or not permitted, shall provide notification to the District, EPA and the State as specified by 40 CFR Part 403.12 (p) of a discharge of hazardous waste to the sewer system.

2.11 Notification of New or Change of Discharge

All IU's whether permitted or not, shall notify the District in writing prior to any substantial change in discharge characteristics and/or concentrations, flow rate and any pollutant, waste and or material that would cause the District to violate any condition of it's NPDES permit or Federal, State or Local regulation.

SECTION 3 – FEES

3.1 Purpose

It is the purpose of this section to provide for the recovery of costs from Users of the District's wastewater treatment plant for the implementation of the pretreatment program. The applicable Charges and Fees shall be as set forth by the District's Schedule of Charges and Fees as shown in Appendix C. These fees relate solely to the matters covered by these Rules and Regulations and the pretreatment program and are separate from all other fees allowable by the District, City of Lawrence, Town of Andover, Town of North Andover, City of Methuen and the Town of Salem, New Hampshire.

3.2 Charges and Fees

The District may adopt charges and fees which may include but are not limited to:

- (a) Fees for reimbursement of costs of setting up and operating the District's Pretreatment Program;
- (b) Fees for sampling, monitoring, inspection and surveillance procedures;
- (c) Fees for reviewing accidental discharge procedures and construction;
- (d) Fees for permit applications;
- (e) Fees for filling appeals;
- (f) Fees for consistent removal by the District of pollutants otherwise subject to National Categorical Pretreatment Standards;
- (g) Other fees as the District may deem necessary to carry out the requirements of these regulations and the pretreatment program.

3.3 Due Dates for Charges and Fees; Interest

- (a) Fees for discharging septage or holding tank wastewater shall be due prior to discharge of said septage or holding tank wastewaters.
- (b) All other charges and fees as set forth in the District's Schedule of Charges and Fees (Appendix C) shall be due on or before thirty (30) days after the dates of billing specified on the District's bill.
- (c) Interest of one percent (1%) will be assessed on all bills unpaid thirty (30) days after billing, and additional interest of (1%) shall be added for each additional thirty (30) day period thereafter.

SECTION 4 – ADMINISTRATION

4.1 Wastewater Discharge Permits

4.1.1 General Permits

All Significant Industrial Users proposing to connect to or to contribute to the District shall obtain a Wastewater Discharge Permit before connecting to or contributing to the POTW. All existing Significant Industrial Users shall obtain a permit within ninety (90) days after the effective date of these Rules and Regulations.

4.1.2 Permit Application

Significant Industrial Users required to obtain a permit shall complete and file with the District an application in the form prescribed by the District and accompanied by a fee as specified in the latest cost recovery table as approved by the Executive Director. New Significant Industrial User's shall apply at least thirty (30) days prior to connecting to or contributing 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 (if different from the address);
- (b) SIC number according to the Standard Industrial Classification Manual, Bureau of Management and Budget, 1987, as amended;
- (c) Wastewater constituents and characteristics – The results of sampling and analysis identifying the nature and concentration of the pollutants listed in Appendix B of these Rules and Regulations, Table A (45 pollutants including EPA method 601, 602), and any additional pollutants regulated by an applicable categorical standard;
- (d) Time and duration of contribution;
- (e) Average daily and thirty (30) minute peak wastewater flow rates, including daily, monthly and seasonal variations if any;

- (f)** Site plans floor plans, mechanical and plumbing plans and details to show all sewer, sewer connections, and appurtenances by the size, location and elevation;
- (g)** Description of activities, facilities and plant processes on the premises including all materials which are or could be discharged;
- (h)** Where known, the nature and concentration of any pollutants in the discharge which are limited by the District, State or an applicable National Categorical Pretreatment Standard, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and if not, whether additional Operation and Maintenance (O&M) and/or additional pretreatment is required for the User to meet applicable Pretreatment Standards.
- (i)** If additional pretreatment and/or O&M will be required to meet the National Pretreatment Standards, the shortest schedule by which the User will provide such additional pretreatment and/or O&M. The completion date in this schedule shall not be later than the compliance date established for any applicable Categorical Pretreatment Standards.

The following conditions shall apply to this schedule:

- (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 Pretreatment Standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contracts for major components, commencing construction, completing construction, etc.).
- (2)** No increment referred to in paragraph (1) 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 Executive Director including, as a minimum: whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the User to return the construction to the schedule established. In no event shall more than nine (9) months elapse between such progress reports to the Executive Director.
- (j)** Each product produced by type, amount, process or processes and rate of production;
- (k)** Type and amount of raw materials processed (average and maximum per day);
- (l)** Number and type of employees, and hours of operation of pretreatment system.

- (m) Any other information as may be deemed by the District to be necessary to evaluate the permit application. The Executive Director will evaluate the data furnished by the User and may require additional information. After evaluation and acceptance of the data furnished, the Executive Director may issue a permit subject to terms and conditions provided herein.

4.1.3 PERMIT MODIFICATIONS – NEW USERS

- (a) Permits shall be modified as soon as possible, no later than ninety (90) days subsequent to a change in applicable National Categorical Pretreatment Standards. The permit of Users subject to such standards shall be revised to require compliance with such standards within the time frame described by such standards. Where a User subject to a National Categorical Pretreatment Standard has not previously submitted an application for a permit as required by Section 4.1.2, the User shall apply for a permit within 180 days after the promulgation of the applicable Categorical National Pretreatment Standard.

4.1.4 PERMIT MODIFICATIONS – Existing Permitted Users

- (a) Within 180 days of the promulgation of an applicable National Categorical Pretreatment Standard, Users with an existing permit shall submit to the Executive Director the information required by Section 4.1.2 (h) and (i).

4.1.5. PERMIT CONDITIONS

IU's shall be expressly subject to all provisions of these Rules and Regulations, to all provisions of permits issued to IU's pursuant to these Rules and Regulations and all other applicable regulations, User charges and fees established by the District. Permits must contain at a minimum the following:

- (a) Limits on the average and maximum wastewater constituents and characteristics;
- (b) Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for tests, and reporting schedule;
- (c) Requirements for submission of technical reports or discharge reports as specified in Section 4.2.
- (d) Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the District, and for affording District access thereto;
- (e) Requirement to notify the District prior to any new introductions of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater treatment system.

- (f) Requirements for notification of slug/spill discharges as required in Section 2.8 including immediate notification to the District. All IU's are subject to 40 CFR Part 403,8 (f) (2) (v) and these regulations.
- (g) A statement of applicable Civil or Criminal Penalties.
- (h) Statement of permit duration.
- (i) A statement that all IU's are subject to the conditions set forth by the District for transferability of the permit as follows:

Permits are issued to a specific User for a specific operation and are not assignable to another User or transferable to any other location without the prior written approval of the District. Transfer of ownership shall obligate the purchaser to seek 30 days prior written approval of the District for the continued discharge to the sewerage system.
- (j) Requirements that SIU's shall conduct semiannual self monitoring reporting in the months of June and December and report to the District as required in order to comply this Rule and the requirements of 40 CFR Part 40312 (e) and (h).
- (k) Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, non-routine discharges or as specified in Section 2.8 of these Rules and Regulations.

Other information or requirements that may also be included in permits include:

- (l) The unit charge or schedule of User charges and fees for the wastewater to be discharged to a community sewer.
- (m) Limits on the average and maximum rate and time of discharge or requirements for flow regulations and equalization.
- (n) Requirements for installation and maintenance of inspection and sampling facilities.
- (o) Compliance schedules.
- (p) Other conditions as deemed appropriate by the District to ensure compliance with these Rules and Regulations.

4.1.6 PERMIT DURATION

Permits shall be issued for a specified time period, not to exceed (3) years. A permit may be issued for a period less than a year or may be stated to expire on a specific date. The User shall apply for permit reissuance a minimum of 90 days prior to the expiration of the User's existing permit. The terms and conditions of the permit may be subject to modification by the District during the term of the permit as limitations or requirements identified in Section 2 of these Rules are modified or other just cause exists.

The User shall be informed of any proposed changes in his permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule, as established by the District, for compliance, not to exceed federal deadlines.

4.1.7 PERMIT TRANSFER

Permits may be reassigned or transferred to a new owner and/or operator only upon prior approval of the District.

- (a) The permittee must give at least thirty (30) days advance notice to the Executive Director.
- (b) The notice must include a written certification by the new owner which:
 - (I) States that the new owner has no immediate intent to change the facility's operations and processes.
 - (II) Identifies the specific date on which the transfer is to occur.
 - (III) Acknowledges full responsibility for complying with the existing permit.
 - (IV) Is signed by an Authorized Representative of the new User.

4.2 REPORTING REQUIREMENTS FOR PERMITTEE

4.2.1 Baseline Report:

Within 180 days after the effective date of a National Categorical Pretreatment Standard, Or 180 days after the final administrative decision made upon a category determination submission under 40 CFR Part 403.6 (a) (4), whichever is later, existing Industrial Users subject to such National Categorical Pretreatment Standards and currently discharging to or scheduled to discharge to the POTW shall submit to the District a report which contains the information listed in Section 4.2.1 (a) through (g) of these Rules and Regulations. Where reports containing this information already have been submitted to Regional Administrator in compliance with the former requirements of 40 CFR Part 128.140 (b) (1977), the Industrial User will not be required to submit this information again. At least 90 days prior to commencement of discharge, new sources, and source that become Industrial Users subsequent to the promulgation of an applicable National Categorical Pretreatment Standard, shall be required to submit to the District a report which contains the information listed in Section 4.2.1(d) and (e) of these Rules and Regulations:

- (a) **Identifying Information:** The User shall submit the name and address of the facility including the name of the operator and owners.
- (b) **Permits:** The User shall submit a list of any environmental control permits held by or for the facility.

- (c) **Description of Operation**: The User shall submit a brief description of the nature, average rate of production, and Standard Industrial Classification of the operations carried out by such Industrial User. This description should include a schematic process diagram which indicates points of discharge to the POTW from the regulated processes.
- (d) **Flow Measurement**: The User shall submit information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from each of the following:
- (I) Regulated process streams; and
 - (II) Other streams as necessary to allow use of the combined wastestream formula of 40 CFR Part 403.6 (e). The District may allow for verifiable estimates of these flows where justified by cost or feasibility considerations.
- (e) **Measurement of Pollutants**
- (I) The User shall identify the National Categorical Pretreatment Standards applicable to each regulated process.
 - (II) In addition, the User shall submit the results of sampling and analysis identifying the nature and concentration (or mass, where required by Standard or the District) of regulated pollutants in the discharge from each regulated process. Both daily maximum and average concentrations shall be representative of daily operations.
 - (III) The User shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this Rule.
 - (IV) Samples should be taken 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, the User should measure the flows and concentrations necessary to allow use of the combined wastestream formula of 40 CFR Part 403.6 (e) in order to evaluate compliance with the National Categorical re-treatment Standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR Part 403.6 (e), this adjusted limit along with supporting data shall be submitted to the District.
 - (V) Sampling and analysis shall be performed in accordance with the techniques prescribed in the latest addition of Part 136 or Title 40 of the Code of Federal Regulations and amendments thereto. Where Part 136 of Title 40 of the Code of Federal Regulations does not contain sampling or analytical techniques for the pollutant in question, or where the Administrator determines that the 40 CFR 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.

- (VI) The District may allow the submission of a baseline report which utilized only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures.
- (VII) The baseline report shall indicate the time, date and place of sampling and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant discharges to the POTW.

(f) **Certification**

A statement reviewed by an authorized representative (as defined in Section 1.1.4 of these Rules and Regulations) of the Industrial User and certified to 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) and/or additional pre-treatment is required for the Industrial User to meet the National Pretreatment Standards and Requirements.

Signatory Requirements for POTW Reports:
Reports submitted to the Approval Authority by the POTW in accordance with 40 CFR 403.12(i) (Annual Report) must be signed by a principal executive officer, ranking elected official or other duly authorized employee. The duly authorized employee must be an individual or position having responsibility for the overall operation of the facility or the Pretreatment program. This authorization must be made in writing by the principal executive officer or ranking elected official, and submitted to the Approval Authority prior to or together with the report being submitted.

(g) **Compliance Schedule**

If additional pretreatment and/or O and M will be required to meet the National Pretreatment Categorical Standards or Local Limit, the shortest schedule by which the Industrial User will provide such additional pretreatment and/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.

- (I) Where the Industrial User's National Categorical Pretreatment Standard has been modified by a removal allowance (40 CFR Part 403.7), the combined wastestream formula (40 CFR Part 403.6 (e)), and/or a Fundamentally Different Factors variance (40 CFR Part 403.13) at the time the User submits the report required by these Rule and Regulations, the information required by Section 4.2.1 (f)

and (g) of these Rules and Regulations shall pertain to the modified limits.

- (II) If the National Categorical Pretreatment Standards are modified by removal allowance (40 CFR Part 403.7), the combined wastestream formula (40 CFR Part 403.6 (e)), and/or a Fundamentally Different Factors variance (40 CFR Part 403.13) after the User submits the report required by this Rule, any necessary amendments to the information requested by Section 4.2.1 (f) and (g) of these Rules and Regulations shall be submitted by the User to the District within 60 days after the modified limit is approved.

4.2.2 Compliance Date Report

Within 90 days following the date for final compliance with applicable National Categorical Pretreatment Standards, or in the case of a new source following commencement of the introduction of wastewater into the POTW, any Industrial User subject to National categorical Pretreatment Standards and Requirements shall submit to the Executive Director a report containing the information described in Section 4.2.1 (d) through (g) of these Rules and Regulations.

For Industrial Users subject to equivalent mass or concentration limits established by the District in accordance with the procedures of Part 403.6 (c) of Title 40 of the Code of Federal Regulations (40 CFR Part 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 National Categorical Pretreatment Standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operations), this report shall include the User's actual production during the appropriate sampling period.

4.2.3 Periodic Compliance Reports

All Significant Industrial Users subject to a National Pretreatment Standards and/or Local limits, after the compliance date of such National Categorical Pretreatment Standard or Local Limit, or, in the case of a New Source, after commencement of the discharge into the District shall submit Self-Monitoring Reports to the Executive Director during the months of June and December. Reports must comply with the semiannual self-monitoring requirements of this Rule and the Requirements of 40 CFR Part 403.12 (e), unless required more frequently by the National Categorical Pretreatment Standard or by the Executive Director. These reports must indicate the nature and concentration of pollutants in the effluent which are limited by such National Categorical Pretreatment standards and/or Local Limits. In addition, this report shall include a record of all daily flows which during the reporting period exceeded the average daily flow reported in the Industrial User Discharge Permit. At the discretion of the Executive Director and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the Executive Director may agree to alter the months during which the above reports are to be submitted.

4.2.4 Reporting and Analysis

If an Industrial User subject to the reporting requirements of this Rule monitors any pollutant more frequently than required by the District, using the procedures prescribed in Section 4.2.3 of these Rules and Regulations, the results of this monitoring shall be included in the

report. All analyses shall be performed in accordance with procedures established by the Administrator pursuant to section 304 (h) of the Act and contained in Part 136 of Title 40 of the Code of Federal Regulations (40 CFR Part 136) and amendments thereto, or with any other test procedures approved by the administrator (see 40 CFR Part 136.4., “Application for alternate test procedures”). 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 sampling and analytical techniques contained in 40 CFR Part 136 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 Executive Director or other parties, and approved by the Administrator.

4.2.5 Monitoring and Analysis to Demonstrate Continued Compliance

(I) The reports required by Sections 4.2.1, 4.2.2, 4.2.3 and 4.2.4 of these Rules and Regulations shall contain the results of sampling and analysis of the discharge, including the flow and nature and concentration, or production and mass where requested by the District, of pollutants contained therein which are limited by the applicable National Categorical Pretreatment Standards or Local Limits.

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 Sections 4.2.1 (f) and 4.2.2 of these Rules and 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.

(II) 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. Where the District has performed the sampling and analysis in lieu of the Industrial User, the District must perform the repeat sampling and analysis unless it notifies the User of the violation and requires the User to perform the repeat analysis. Resampling is not required if:

(i) The District performs sampling at the Industrial User at a frequency of at least once per month, or

(ii) The District performs sampling at the User between the time when the initial sampling was conducted and the time when the User or the District receives the results of this sampling.

(III) The reports required in Sections 4.2.1, 4.2.2, 4.2.3 and 4.2.4 of these Rules and Regulations must be based upon data obtained through appropriate sampling and analysis performed during the period covered by the report, which data are 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. Grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organic compounds. For all other

pollutants, 24-hour composite samples must be obtained through 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 and the decision to allow the alternative sampling must be documented in the Industrial User file for that facility or facilities. 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 samples may be composited in the laboratory or in the field; for volatile organics and oil & 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.

(IV) For sampling required in support of baseline monitoring and 90-day compliance reports required in Sections 4.2.1 and 4.2.3 of these Rules and Regulations, 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 data are available, the District may authorize a lower minimum. For the reports required by Sections 4.2.2 and 4.2.4 of these Rules and Regulations, the District shall require the number of grab samples necessary to assess and assure compliance by Industrial Users with Applicable Pretreatment Standards and Requirements.

4.2.6 Signatory Requirements for Reports by Industrial Users

The reports required by Sections 4.2.1, 4.2.2, 4.2.3 and 4.2.4 of these Rules and Regulations shall contain the following certification statement:

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

The report shall be signed by an Authorized Representative of the Industrial User as defined in Section 1.1.4 (4) of these Rules and Regulations.

4.3 Record Keeping Requirements

Any Industrial User subject to the reporting requirements established in Section 4.2 of these Rules and Regulations shall maintain records of all information resulting from any monitoring activities required. Such records shall include for all samples:

- (I)** The date, exact place, method and time of sampling and the names of the person or persons taking the samples and the date the sample was received by the laboratory.

- (II) The dates analyses were performed.
- (III) Who performed the analyses.
- (IV) The analytical techniques/methods used and
- (V) The results of such analyses.

Any industrial User subject to the reporting requirements established in Section 4.2 of these Rules and Regulations shall retain for a minimum of three years any records of monitoring activities and results (whether or not such monitoring activities are required by these Rules and Regulations) and shall make such records available for inspection and copying by the Regional Administrator and the Executive Director. This period of retention shall be extended during the course of any unresolved litigation regarding the Industrial User or when requested by the Regional Administrator.

4.4 Inspection and Sampling

The Permittee shall allow the Greater Lawrence Sanitary District, or an authorized representative of the Greater Lawrence Sanitary District, upon presentation of credentials and other documents as may be required by law, to:

- (a) Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of the wastewater discharge permit;
- (b) Have access to and copy any records that must be kept under the conditions of these Rules and Regulations.
- (c) Inspect at any time any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under the wastewater discharge permit or the Rule and Regulations;
- (d) Sample or monitor, for the purposes of assuring permit compliance, any substances or parameters at any location; and
- (e) Inspect any production, manufacturing, fabricating, or storage area where pollutants, regulated under the permit and these rules and Regulations, could originate, be stored, or be discharged to the sewer system.

4.5 Pretreatment

Users shall provide necessary wastewater treatment as required to comply with these Rules and Regulations and shall achieve compliance with all National Categorical Pretreatment Standards and/or Local Limits within the time limitations as specified by the Federal Pretreatment Regulations or the Districts requirements respectively. Any facilities required to pre-treat wastewater to a level acceptable to the District shall be provided, operated, and

maintained at the User's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the District for review, and shall be acceptable to the District before construction of the facility.

The review of such plans and operating procedures will in no way relieve the User from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the District under the provisions of these Rules and Regulations. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the District prior to the User's initiation of the changes.

All records relating to compliance with National Categorical Pretreatment Standards or Local Limits shall be made available to officials of the EPA or Approval Authority upon request.

4.6 Confidential Information

Information and data on a User obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public or other governmental agency 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 of the User.

When requested by the person furnishing a report, 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 upon written request to governmental agencies for use related to these Rules and Regulations, the National Pollutant Discharge Elimination System (NPDES) Permit, State Disposal System permit and/or the Pretreatment Programs and also provided that such portions of a report shall be available for use by the State or any State agency in judicial review, or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information. Information accepted by the District as confidential shall not be transmitted to the general public until notice is given to the User. EPA officials shall have unrestricted and immediate access to all information collected by the District.

4.7 Trucked In Wastewater

Any hauler wishing to discharge trucked in wastewater to the POTW must apply for and receive a permit issued by the District prior to discharging to the POTW. The discharge of wastewater trucked to the District shall be subject to the conditions established by these Rules and Regulations. The conditions of said permit shall be determined by the Executive Director.

4.7.1 Septage and Holding Tank Receiving

Any hauler who wishes to discharge septage and holding tank wastewater from a domestic or commercial source at the District POTW must conform to the following requirements:

- (a) The hauler must be registered and permitted by the District and all other appropriate regulatory agencies before disposal can take place. Permits are non-transferable.

- (b) Septage/Holding Tank wastewater will be accepted from communities that have been approved by the Executive Director.
- (c) The hauler must be licensed by the community where the septage and holding tank wastewater is collected.
- (d) Haulers shall follow designated routes to get to the District POTW.
- (e) Haulers shall ensure that septage and holding tank wastewater does not leak onto the ground near the point of discharge to the POTW and that all exposed areas are washed to remove traces of waste where odors might develop.

The fee for discharging septage and holding tank wastewater shall be set by the District. These fees may be revised by the District as needed to cover the District's cost to handle, analyze and treat the wastewater. The following requirements apply to the fees charged for the disposal of septage and holding tank wastewater. The rates are shown in Appendix C.

- (a) Tickets are purchased from the District in advance of disposing of the wastes. Tickets can be purchased at the District office by mailing a check for the proper amount.
- (b) Each ticket must be properly filled out and presented to the monitor on duty at the District septage receiving station.
- (c) The haulers may discharge the wastewater only after being given permission to discharge by the monitor.
- (d) No hazardous waste as defined under 40 CFR Part 261 will be accepted under any conditions. Also, no waste having any characteristics specified in Section 2.1 of these Rules and Regulations will be accepted.

4.7.2 Commercial and Industrial Holding Tank Wastewater Receiving

Any person wishing to discharge commercial or industrial holding tank wastewater at the District POTW shall apply to the District for permission. Wastes categorized under the National Categorical Pretreatment Standards shall require a wastewater discharge permit as specified in Section 4 before any disposal can take place. This request for a permit should include the following information:

- (a) Name and address of the person requesting permission to discharge holding tank wastewater.
- (b) Location of the holding tank.
- (c) Description of the activities at the site of the holding tank, e.g., manufacturing, restaurant, laundry, industry etc.
- (d) Volume of the holding tank, the requested volume to be discharged and the anticipated frequency of the discharge.

- (e) Wastewater constituents and characteristics that will be permitted shall be evaluated upon request. The District will evaluate the data submitted and may require additional information. After evaluation and acceptance of the data furnished, the District may:
 - (a) Grant permission to discharge the wastewater as requested.
 - (b) Grant permission to discharge the wastewater with conditions.
 - (c) Refuse the request.

If the District accepts the wastewater for disposal, a fair price will be established based on the strength and volume of the material by the Executive Director. In no case shall exceedances of applicable categorical standards and local limits be allowed.

4.7.3 District's Right to Discontinue Disposal

The District retains the right to discontinue any or all holding tank wastewater discharges if such materials cause interference, pass through or interfere with the disposal of POTW sludge. The District shall provide reasonable notice to any persons discharging holding tank wastewaters that disposal will be discontinued.

4.8 Significant Noncompliance Review

Subject to the requirements of a significant noncompliance (SNC) review as defined herein, on a three month rolling window basis as specified by EPA, those Users that are found to be in SNC for any one of the four six month evaluation periods or during the previous 12 months shall be published in a newspaper of general circulation that provides meaningful public notice within the jurisdiction(s) served by the District, as required by 40 CFR Part 403.8 (f) (VII).

SECTION 5 – ENFORCEMENT

5.1 Emergency Suspension

The District may suspend the wastewater treatment service and/or a discharge permit when such suspension is necessary, in the opinion of the District, in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons, to the environment, causes interference to the POTW, causes the District to violate any conditions of its NPDES Permit, or interferes with the disposal of POTW sludge.

Any person notified of a suspension of the wastewater treatment service and/or the permit shall immediately stop or eliminate the contribution. In the event of a failure of the person to comply voluntarily with the suspension order, the District shall take such steps as are deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW system or endangerment to any individuals. The District shall reinstate the permit and/or the wastewater treatment service upon proof of the elimination of the non-complying discharge. A detailed written statement submitted by the

User describing the cause of the harmful contribution and the measures taken to prevent any further occurrence shall be submitted to the District within 5 days of the occurrence.

5.2 Revocation of Permits

Any User who violates the following conditions of these Rules and Regulations, or applicable state and federal regulations, is subject to permit revocation in accordance with the procedures of Section 5 of these Rules and Regulations.

- (a) Failure of a User to factually report the wastewater constituents and characteristics of his discharge.
- (b) Failure of the User to report significant changes in operation, or wastewater volume, constituents and characteristics.
- (c) Refusal of reasonable access to the User's premises for the purpose of inspection or monitoring.
- (d) Violation of conditions of the permit; or
- (e) Violation of the pretreatment standards in Section 2 of these Rules and Regulations.

5.3 Notification of Violation

Whenever the District finds that any User has violated or is violating these Rules and Regulations, the permit User's wastewater discharge or any prohibition, limitation of requirements contained herein, the District may serve upon such person a written notice stating the nature of the violation. With 30 days of the date of the notice, a plan for the satisfactory correction thereof shall be submitted to the District by the User. Submission of this plan in no way relieves the User of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this Section shall limit the authority of the District to take any action without first issuing a Notice of Violation.

5.4 Show Cause Hearing

5.4.1 Show Cause Hearing

The District may order any User who causes or allows an unauthorized discharge to enter the POTW to show cause before the District Commission why the proposed enforcement action should not be taken. A notice shall be served on the User specifying the time and place of the hearing to be held by the District Commission regarding the violation, the reasons why the action is to be taken, the proposed enforcement action, and directing the User to show cause before the District Commission why the proposed 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.

5.4.2 The District Commission may itself conduct the hearing and take the evidence, may designate any of its members or any officer or employee of the District to:

- (a) Issue, in the name of the District Commission, notice of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearings;
- (b) Take the evidence;
- (c) Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the District Commission for action thereon.

5.4.3 At any hearing held pursuant to these Rules and Regulations, testimony taken must be under oath and recorded stenographically. The transcript, so recorded, will be made available to any member of the public or any party to the hearing upon payment of the usual charges thereof.

5.4.4 After the District Commission has reviewed the evidence, it may issue an order to the User responsible for the discharge directing that, following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices or other related appurtenances are properly operated. Further orders and directives as are necessary and appropriate may be issued.

5.5 Legal Action

If any person discharges sewage, industrial wastes or other wastes into the member communities wastewater disposal system contrary to the provisions of these Rules and Regulations, Federal or State Pretreatment Requirements, or any order of the District, the District's attorney may commence an action for appropriate legal and/or equitable relief in the Superior Court of this county.

Section 6 – Penalty: Costs

6.1 Civil Penalties

Any User who is found to have violated an Order of the District Commission or who failed to comply with any provision of these Rules and Regulations, and the orders, rules, regulations and permits issued hereunder, shall be fined not less than One Dollar (\$ 1.00) nor more than Five Thousand Dollars (\$ 5,000.00) for each offense. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. In addition to the penalties provided herein, the District may recover reasonable attorney's fees, court costs, court reporters' fees and other expenses of litigation by appropriate suit at law against the person found to have violated these Rules and Regulations or the orders, rules, regulations and permits issued hereunder. Nothing in the permit shall be construed to relieve the permittee from civil and/or criminal penalties for noncompliance under these Rules and Regulations or State or Federal laws or regulations.

6.2 Falsifying Information

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 these Rules and Regulations, or permit, or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required under these Rules and Regulations, shall, upon conviction, be punished by a fine of not more than \$ 1,000 or by imprisonment for not more than six (6) month, or by both.

Section 7 – Severability

If any provision, paragraph, word, section or article of these Rules and Regulations is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, and chapters shall not be affected and shall continue in full force and effect.

Section 8 – Conflict

All other Ordinances of the member communities and parts of other Ordinances of the member communities inconsistent or conflicting with any Section of these Rules and Regulations are hereby repealed to the extend of such inconsistency or conflict.

Section 9 – Effective Date

These Rules and Regulations shall be in full force and effect on the 2nd day of April 2008.

GREATER LAWRENCE SANITARY DISTRICT

RULES AND REGULATIONS

(SEWER USE ORDINANCE)
COVERING

DISCHARGE OF WASTEWATER, DRAINAGE, SUBSTANCES OR WASTES

TABLE OF APPENDIX

<u>SECTION</u>	<u>DESCRIPTION</u>
A	Categorical Standards
B	Analysis and Sampling Frequency of Industrial Wastes
C	Schedule of Fees
D	User Charges and Industrial Cost Recovery

**GREATER LAWRENCE SANITARY DISTRICT
 RULES AND REGULATIONS
 COVERING
 DISCHARGE OF WASTEWATER, DRAINAGE, SUBSTANCES OR WASTES
 APPENDIX A
 CATEGORICAL STANDARDS**

This appendix lists industries with categorical limits, the Federal Register reference and the date of promulgation. The information is not complete since all categorical standards have not been established. However, those standards become effective when they are adopted.

<u>INDUSTRIAL CATEGORY</u>	<u>40 C.F.R. PART</u>	<u>DATE OF PROMULGATION</u>
Dairy Products Processing	405	07/09/86
Grain Mills	406	07/09/86
Canned and Preserved Fruits and Vegetable Processing	407	07/9/86
Canned & Preserved Fruits and Vegetable Processing	408	07/09/86
Sugar Processing	409	07/09/86
Textile Mills	410	09/01/83
Cement Manufacturing	411	08/29/79
Feedlots	412	02/11/75
Electroplating	413	01/31/85
Organix Chemicals, Plastics & Synthetic Fibers	414	06/29/89
Inorganic Chemical Manufacturing	415	09/25/84
Soap and Detergent Mfg.	417	02/11/75

<u>INDUSTRIAL CATEGORY</u>	<u>40 C.F.R. PART</u>	<u>DATE OF PROMULGATION</u>
Fertilizer Mfg.	418	07/29/87
Petroleum Refining	418	08/12/85
Iron & Steel Mfg.	419	05/17/84
Nonferrous Metals Mfg.	421	01/21/88
Steam Electric Power Generating	423	07/08/83
Ferroalloy Mfg.	424	07/09/86
Leather Tanning & Finishing	425	03/21/86
Glass Manufacturing	426	07/09/86
Asbestos Manufacturing	427	04/25/75
Rubber Manufacturing	428	04/25/75
Timber Products Processing	429	02/12/81
Pulp, Paper & Paperboard	430	12/17/86
Builders Paper and Paperboard Mills	431	12/17/86
Meat Products	432	07/09/86
Metal Finishing	433	11/07/86
Coal Mining	434	10/09/85
Oil & Gas Extraction	435	07/21/82
Mineral Mining & Processing	436	03/10/78
Pharmaceutical Mfg.	439	12/16/86
Ore Mining & Dressing	440	05/24/88

<u>INDUSTRIAL CATEGORY</u>	<u>40 C.F.R. PART</u>	<u>DATE OF PROMULGATION</u>
Paving & Roofing Materials (tars & asphalt)	443	07/24/75
Paint Formulating	446	07/28/75
Ink Formulating	447	07/28/75
Gum & Wood Chemicals Manufacturing	454	05/18/78
Pesticide Chemicals	455	09/29/78
Explosive Mfg.	457	03/09/76
Carbon Black Mfg.	458	01/09/78
Photographic	459	07/14/76
Hospital	460	05/06/78
Battery Mfg.	461	08/28/86
Plastics Molding and Forming	463	12/17/84
Metal Molding & Casting	464	06/16/86
Coil Coating	465	08/24/84
Porcelain Enameling	466	09/06/85
Aluminum Forming	467	12/27/88
Copper Forming	468	06/20/86
Electrical & Electronic Components	469	01/31/85
Nonferrous Metals Forming and Metal Powders	471	04/04/89
Organic Chemicals and Plastics and Synthetic Fibers	455	02/01/90

GREATER LAWRENCE SANITARY DISTRICT

RULES AND REGULATIONS

APPENDIX B

ANALYSES AND SAMPLING FREQUENCY OF INDUSTRIAL WASTES

(1) ANALYSES

Measurement and analyses of industrial wastes are to include items from the following lists where applicable. The analyses are to be conducted in accordance with the methods prescribed in 40 CFR, Part 136.3 Table 1B. – List of approved Inorganic Test Procedures; Table 1C. – List of Approved Test Procedures for Non-Pesticides Compounds; Table 1D. – List of Approved Test Procedures for Pesticides and Table II – Required Containers, Preservation Techniques, and Holding Times and/or the latest edition of “Standard Methods for the Examination of Water and Wastewater”, U.S. Environmental protection Agency.

PERMIT TESTING PARAMETERS

TABLE A

Chemical Parameters	Physical & Biological Parameters
* pH-g	Specific Conductance - c
Alkalinity - c	Turbidity - c
BOD 5 Day-c	Coliform, Fecal - g
Chemical Oxygen Demand (COD) - c	Coliform, Total - g
Total Solids - c	Temperature-g
Total Dissolved Solids - c	Flow - As specified in permit
* Total Suspended Solids - c	
Total Volatile Solids - c	
Ammonia (as N) - c	<u>Total Metal Content</u>
Kjeldahl Nitrogen (as N) - c	Antimony
Total Phosphorous (as P) - c	* Arsenic, T - c
Hardness Total - c	Beryllium - c
Nitrate (as N)-c	* Cadmium, T
Nitrite (as N) - c	* Chromium, T - c
Organic Nitrogen (as N)-c	* Copper, T - c
Ortho-Phosphate (as P)-c	Iron, T - c
Sulfate (as S04) - c	* Lead T- c
Sulfide (as S) - g	Magnesium, T- c
Chloride - c	Manganese, T - c
* Cyanide T(amenable) - g	* Mercury T - c
Fluoride - c	* Molybdenum T - c
* Oil & Grease T- g	* Nickel T - c
Phenols - g	Selenium, - c
MBAS (Anionic Surfactant) - c	* Silver T - c
Volatile Organics**	* Zinc T- c

Please include a statement certifying as to the presence or absence of algaecides, PCB's and other chlorinated organic compounds and pesticides. If present, list the compound, the concentration and where it was tested. The analyses are to be conducted in accordance with the methods prescribed in the latest edition of 40 CFR Part 136 Tables 1A, 1B, 1C and 1D.

c - composite samples

g - grab samples

* Self-Monitoring Parameters

** Those industries with a T.T.O. (Total Toxic Organic) limitation in their discharge permit must refer to the permit citation for a complete list of T.T.O. compounds.

Note - Industrial Discharge Permits may contain additional parameters which must be submitted semiannually for Self-Monitoring Reporting (SMLR) requirements.

2. SAMPLING FREQUENCY

The following sampling frequency shall be used as a guide in determining how often the District will sample each industry. It is independent of the self-monitoring requirements stipulated in 4.4.2.

<u>FLOW, GPD</u>	<u>COMPLIANCE SAMPLING</u>
Less than 10,000	4 / Year
10,001 – 100,000	8 / Year
Greater than 100,001	10 / Year

**GREATER LAWRENCE SANITARY DISTRICT
RULES AND REGULATIONS
COVERING
DISCHARGE OF WASTEWATER, DRAINAGE, SUBSTANCES OR WASTE
APPENDIX C
SCHEDULE OF FEES AND INDUSTRIAL COST RECOVERY
JUNE 26, 1996**

SEPTAGE AND HOLDING TANK WASTEWATER DISCHARGE

1. Disposal Fees

At the Greater Lawrence Sanitary District's Board of Commissioners meeting on December 18, 2002, the Board voted to initiate the following changes in septage rates. Along with the new rates are the ticket color for those rates:

- | | | |
|------------|---|-----------------------------|
| (a) | In District water including Salem N.H. | \$.030 per gallon (Green) |
| (b) | In District septage including Salem, N.H. | \$.049 per gallon (Pink) |
| (c) | Out of District septage – Massachusetts | \$.050 per gallon (Blue) |
| (d) | Out of State septage | \$ 0.55 per gallon (Yellow) |

INDUSTRIAL PRETREATMENT PROGRAM COST RECOVERY

- (1)** As established by the District's policy of July 1, 1994 the cost of industrial pretreatment program may be directly assessed on users of the District's facilities as stated in section 3.2 of these Rules and Regulations.
- (2)** **Payment** Payment shall be subject to the provisions in section 3.3 of these Rules and Regulations.
- (3)** **Hardship Cases** The District defined the status of hardship in the policy adopted on July 1, 1994 and it is so adopted herein, reference the policy for details. All hardship cases are subject to approval by the District's representative or Executive Director.

FEES

Fees are based on July 1, 1995 fiscal year and shall be established by the District Commission.

**GREATER LAWRENCE SANITARY DISTRICT
RULES AND REGULATIONS
COVERING
DISCHARGE OF WASTEWATER, DRAINAGE, SUBSTANCES OR WASTES
APPENDIX D
USER CHARGES AND COST ALLOCATIONS**

Chapter 750 of the Massachusetts Acts of 1968, as amended by Chapter 320 of the Massachusetts Acts of 1970 (said Acts being those that established the District) set forth the allocation of capital costs and operation and maintenance costs between the member municipalities of the District.

Federal regulations require that a system of user charges be adopted by all applicants for Federal treatment works construction grants to enable the grantee to be financially self-sufficient with respect to operation and maintenance of a treatment works. In addition, grantees are required to recover from industrial users, certain costs allocable to industrial users.

The District, a grantee of Federal treatment works construction grants, established the following system of User Costs and Industrial Cost Recovery as Appendix D to its existing Rules and Regulations.

CAPITAL COST ALLOCATION TO MEMBER MUNICIPALITIES

Section 5 of the Acts which established the District states:

“The cost of capital outlay to be apportioned to the member municipalities, including principal payments and interest on debt issued for such capital outlay purposes, shall be apportioned among the member municipalities according to the estimated cost of separate facilities required by each municipality to accomplish the abatement of water pollution provided for in the abatement plan to which such costs relate to the total of such estimated costs for all the municipalities, as shall be determined by the District Commission in such abatement plan”.

The capital cost allocation to member municipalities is as follows:

Lawrence	45.95%
Methuen	26.80%
Andover	11.09%
North Andover	10.00%
Salem, N.H.	<u>6.15%</u>
	100.0%

OPERATION AND MAINTENANCE COST ALLOCATION TO MEMBER MUNICIPALITIES

Section 5 of the Acts which established the District states:

“The cost of maintenance and operation of the District and its facilities, exclusive of principal and interest on bonds or serial notes issued for capital outlay purposes, shall be apportioned among the member municipalities on the basis of the metered flow of sewerage contributed by each such municipality. Until such time as the District facilities are in operation or flows can be measured, whichever occurs first, the costs of the maintenance and operation of the District shall be apportioned among the municipalities according to the ratio of their current estimated populations served by sewers, as determined by the District Commission, to the total estimated population of the District served by sewers”.

The District has provided facilities and methods to meter (measure) the wastewater flow from the member municipalities.

USER CHARGES WITHIN MEMBER MUNICIPALITIES

The Federal Regulations require that each member municipality of the District also establish an equitable cost recovery system of O&M charges to its homeowners and other recipients of waste treatment services. The system so established must comply with District, State and Federal rules and regulations pertaining to user charges.

COST ALLOCATION TO INDUSTRIES

The District facilities comprise Construction Contracts No. 1 (Wastewater Treatment Facilities), No 2 (Riverside Pumping Station), No. 3 (Intercepting Sewers 1), No. 4 (Intercepting Sewers 2), No. 5 (Sewerage Metering Stations), and Contract No. 1 (Wastewater Treatment Plant Expansion).

Each industry will be assessed sewer use charges by the community in which they are located based on their estimated flow discharged to the sewer.

It is required by Federal regulation that industry pay an amount to be determined annually as its fair share of the annual operation and maintenance of the District.

The District will periodically sample the wastewater from industry to determine whether the characteristics of the wastewater meets the terms of their discharge permit. In cases where the strength of the industrial wastewater exceeds the strength of domestic wastewater, a surcharge will be assessed the industry by the community. Domestic wastewater for this purpose will be considered to be any wastewater having a B.O.D. or suspended solids in excess of 250 mg/l and 300 mg/L respectively.

The formula on which the surcharge will be based will be as follows:

Capital Cost – Based on 365 days / year.

Current Contracts: Based on actual budget costs, the surcharge shall be determined as follows:

$$\frac{\text{B.O.D.}_i}{\text{B.O.D.}_p} \times P_B \times \text{OM} + \frac{\text{S.S.}_i}{\text{S.S.}_p} \times P_S \times \text{OM} =$$

LEGEND

- B.O.D._i** B.O.D. from industry in excess of domestic wastewater expressed in pounds per day. (Ind. Flow mgd. X 8.34) x (Ind. B.O.D. mg/l – 250 mg/l).
- S.S. _i** Suspended solids from industry in excess of domestic wastewater expressed in pounds per day (Ind. Flow mgd x 8.34) x (Ind. S.S.mg/l – 300 mg/l).
- B.O.D._p** Average loading of Biochemical Oxygen Demand of the GLSD plant influent for the period expressed in pounds per day.
- S.S._p** Average loading of Suspended Solids of the GLSD plant influent for the period expressed in pounds per day.
- P_B** The percentage of the Operations and Maintenance (O&M) costs to treat and remove B.O.D. The percentage shall be 22% for the period corresponding to the District's fiscal year ending June 30, 1996 and thereafter shall be as established by the District Commission.
- P_S** The percentage of the Operations and Maintenance (O&M) costs to treat and remove T.S.S. The percentage shall be 17% for the period corresponding to the District's fiscal year ending June 30, 1996 and thereafter shall be as established by the District Commission.
- 47,000 lbs./day** The District's influent B.O.D. average daily loading as designed to maintain compliance with the NPDES discharge permit.
- 61,000 lbs./day** The District influent S.S. average daily loading as designed to maintain compliance with the NPDES discharge permit.
- CC** Amount of annual capital cost (principal and interest) on bonds for Contract No. 1 (Treatment Plant, Contract No. 1(Wastewater Treatment Plant Expansion), and any other Capital Cost related to the treatment of B.O.D. and S.S. by the District.
- OM** Operating and Maintenance costs for the wastewater treatment facilities excluding the main pumping station .

Example Calculations:

Capital Cost

Step

1. $CC \times 20\% = \text{Capital Cost related to B.O.D. } (CC_B)$
2. $\underline{\text{B.O.D.}}_i / 47,000 \text{ pounds} \times CC_B = \text{Capital Costs Surcharge for B.O.D.}$
3. $CC \times 20\% = \text{Capital Cost related to Suspended Solids } (CC_s)$
4. $\underline{\text{S.S.}}_i / 61,000 \text{ pounds} \times CC_s = \text{Capital Costs Surcharge for S.S.}$
5. $\text{Capital Cost B.O.D.}_i / \text{Year} + \text{Capital Cost S.S.}_i / \text{Year}$
6.
$$= \text{Capital Cost Surcharge/Year}$$

Operation and Maintenance (O&M) Cost

Step

1. $CC / \text{B.O.D.}_p \times P_B = \text{O\&M Cost Related to B.O.D. } (O\&M_B)$
1. $\text{B.O.D.}_i \times O\&M_B = \text{O\&M Surcharge for B.O.D.}$
2. $CC / \text{S.S.}_p \times P_s = \text{O\&M Cost Related to S.S. } (O\&M_s)$
3. $\text{S.S.}_i \times O\&M_s = \text{O\&M Surcharge for S.S.}$
4. $\text{O\&M Surcharge for B.O.D.} + \text{O\&M surcharge for S.S.} = \text{O\&M Surcharge}$
5. $\text{Calculate Average Weekly Working Days/Year} = (AW_D)$
6. $AW_D / 7 \text{ days/Week} = \text{Percentage of Working Days } (PW_D)$ --
7. $PW_D \times \text{O\&M Surcharge} = \text{O\&M Costs Surcharge/Year}$

Total Assessed Surcharge Cost

Step

1. $\text{Capital Cost Surcharge/Year} + \text{O\&M Cost Surcharge/Year}$
$$= \text{Total Surcharge Dollars}$$

INDUSTRIAL SURCHARGE BILLING AND COLLECTION PROCEDURES

Within thirty (30) days after the last day of each month, the District will invoice each industrial user subject to surcharge assessment, a monthly preliminary industrial surcharge. The preliminary industrial surcharge shall be based upon each user's prior year surcharge and will be calculated as follows. -For each user the prior year surcharge will be divided by twelve (12) and that amount will be billed each month until the actual surcharge is calculated. When the actual surcharge is calculated, the District will subtract all preliminary invoices billed from the actual surcharge due and invoice for the balance. If the preliminary billings exceed the actual surcharge the District will calculate the credit and issue a refund to the user. In the case of a user that does not have a prior year surcharge and becomes subject to surcharge assessment in the current year, the preliminary surcharge billings will be calculated with the user's current year surcharge data. If the prior year surcharge significantly exceeds the user's current year surcharge due to changes in wastewater characteristics (ie. significantly lower flow, B.O.D. and/or suspended solids) the user may request modification of the preliminary surcharge billings. The user's request shall be in writing and shall describe the reasons why a modification of the preliminary surcharge billings is requested. All modifications to the preliminary surcharge billings are subject to approval by the District's Board of Commissioners.

If any industrial user's assessed surcharges remain unpaid after a period of ninety (90) days, the District will take all necessary actions, including but not limited to discontinuance of services, available to it to recover these back charges.