

GENERAL ORDINANCE NO. 36-1998

AN ORDINANCE AMENDING THE MARION CITY CODE BY AMENDING THE MARION WASTEWATER REGULATIONS AND SEWER USE ORDINANCE

WHEREAS, changes in the law governing and method of operation of the City Wastewater Utility have occurred since the date Wastewater Regulations and the Marion Sewer Use Ordinance were last adopted by the Common Council of the City of Marion; and

WHEREAS, the Marion Utility Service Board has recommended to the Common Council of the City of Marion an amendment to the Marion City Code to comprehensively incorporate all amendments to the existing Code which have been made necessary by such changes; and

WHEREAS, the Board and the Council believe that said proposed amendment is in the best interests of the Utility and its users, and should be adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE CIVIL CITY OF MARION, STATE OF INDIANA:

SECTION 1.

The Marion City Code is amended as follows:

Section 36-9-2-17. Wastewater Regulations. Is amended to read as follows:

(a) For the use of and the service rendered by said wastewater utility, rates and charges shall be collected from the owners of each and every lot, parcel of real estate or building that is connected with or uses the City's sanitary sewage system

or otherwise discharges sanitary sewage, industrial wastes, water or other liquids either directly or indirectly into the sanitary sewage system of the City of Marion, Indiana, by or through any part of the sewage system of the City of Marion, which rates and charges shall be payable as hereinafter provided and shall be in an amount determinable as follows:

(1) The sewage rates and charges shall be based on the quantity of water used on or in the property or premises subject to those rates, as the same is measured by the water meter there in use, except as herein otherwise provided. The following rates and charges are hereby established for the use of and the service rendered by said wastewater utility of the City of Marion, Indiana, based on the amount of water used during each billing period on or in the property or premises subject to those rates and charges as the same is measured by the water meter there in use, except as otherwise herein provided.

(2) The water usage schedule on which the amount of said rates and charges shall be determined shall be as follows, which schedule reflects the amount of water used each billing period:

(a) Monthly Volume Charges - per 100 cubic feet

Rates

Domestic Users:

WASTEWATER REGULATIONS

Treatment	\$.561
Conveyance	.126
Capital	<u>.573</u>
Total	<u>\$1.260</u>
Manufacturing:	
Treatment	\$.561
Conveyance	.126
Capital	<u>.443</u>
Total	<u>\$1.130</u>

(b) Billing Charge - per bill
(not applicable to minimum bills)
\$2.092

(c) Minimum User Charges

<u>Meter Size</u>	<u>Rates Per Month</u>
5/8 inch	\$ 5.67
3/4 inch	8.19
1 inch	14.74
1½ inch	32.95
2 inch	58.34
3 inch	131.42
4 inch	233.60
6 inch	525.80
8 inch	934.67

(d) Unmetered User Flat Charges - per month

Domestic Users:
Single-family dwelling unit \$15.12
Multi-family To be estimated by Utility
Manufacturing User To be estimated by Utility

Estimates of monthly flat charges for multi-family residences shall be based on the number of family units accommodated by the system multiplied by the single-family residence monthly charge. Estimates of monthly flat charges for

commercial and industrial establishments shall be either estimated based on number of employees, manufacturing processes used and other pertinent sewer use indicators or based on outfall measurements where available.

(e) Regional Contract Charges

In the event the City consummates a contract to service as a regional treatment plant for any other municipality or private sewage utility, either contiguous to the City or in its environs, said contract shall provide for appropriate, lawful unit charges. The charge with respect to the current agreement with the Town of Sweetser, Indiana, is as follows:

MARION SEWAGE WORKS
Marion, Indiana

Schedule of Present and Proposed Rates

	<u>Rates</u>
Regional Contract Charges -	
per 100 cubic feet	
Treatment	\$.494
Conveyance	.049
Capital	<u>.177</u>
Total	\$ <u>.722</u>
In addition to the above volume charges, each contract customer shall pay the following charges:	
Monthly Billing Charge	\$ <u>2.00</u>
Quarterly Surveillance Charge	<u>\$157.50</u>

(f) Excessive Strength Surcharge - per pound

Each user discharging waste into the wastewater collection system shall be subject to an excessive strength surcharge in addition to other sewage service charges imposed by this ordinance, based on the following minimum strength characteristics to the extent that such wastes are in concentrations greater than as follows:

- 1) Biochemical oxygen demand of 200 milligrams per liter.
- 2) Chemical oxygen demand of 400 milligrams per liter.
- 3) Suspended solids content of 250 milligrams per liter.
- 4) Phosphorous concentration of 10 milligrams per liter.

Computation of Surcharge

The surcharge shall be determined as follows:

- 1) The excess of pounds of COD/BOD (whichever is greater than the minimum stated above), suspended solids and/or phosphorus by first multiplying the user's billing sewage volume measured in units of 100 cubic feet for the current billing period by the factor 0.006238 and then the concentrations measured in milligrams per liter of the Phosphorus, COD, BOD and/or suspended solids respectively in the user's sewage and (b) the allowed concentrations set for above. The surcharge for each constituent will then be determined by multiplying the excess pounds of each constituent by the appropriate rate surcharges set out hereafter.
- 2) For phosphorus in concentrations of more than 10 parts per million.

Rates of Surcharge

The monthly rate of surcharge for each of the aforementioned constituents shall be as follows:

- 1) For biochemical oxygen demand - 16.8 cents per pound
- 2) For suspended solids - 16.8 cents per pound

- 3) For phosphorus removal in excess of 10 ppm - 159.3 cents per pound

(g) Waste Evaluation Charges

All users discharging wastes into the system requiring continuing surveillance, sampling and waste evaluation shall be subject to a quarterly fixed charge to cover the costs of such services in the amount of \$157.50 per discharge point. The analytical fees shall be as established by the Board.

(h) Deposit. The Utility may require from each applicant for wastewater service a cash deposit of \$60.00 as a guarantee against the non-payment of bills for service. However, if the applicant is an owner of real property whose credit is approved by the Utility, the deposit may be waived. If the customer's bill remains unpaid for a period of five (5) days after the date of the final bill or the date of discontinuance of service, the

amount of that bill shall be deducted from the deposit and the balance, if any, will be remitted to the depositor.

(i) Other Provisions

In the event sewage received pursuant to any contract entered into under this section exceeds any of the limitations imposed by the applicable sections of the Marion Municipal Code, the City shall have the right to impose all charges, limitations and penalties applicable to any non-contract user served by the City. Each contract entered into by the City pursuant to the foregoing rate classification shall provide that contract customer shall agree to enact and maintain a Sewer Use Ordinance and User Charge system acceptable to the City and in conformance with the City's obligations under Sec. 204B(1), Public Law 92-500 as amended and supplemented and guidelines and regulations promulgated thereunder by the U.S. Environmental Protection Agency and 40 CFR 35.905-8, 35.928-1 and 35.928.2, and 35.935.13.

(j) Utility Contribution to General Fund.

The City sewage works shall, on June 1 and December 1 of each year, pay as a contribution in lieu of taxes an amount determined by the Board and based on factors including the fire hydrant rental fees due and owing the City Water Utility from the City, and the relative availability of funds, based on income of the Wastewater Utility as compared to that of the Water and Stormwater Utilities. The contribution is appropriated and shall

be immediately paid out of the General Funds upon receipt of hydrant rental fees due and owing the City Water Utility from the City.

(b) GENERAL PROVISIONS:

SECTION 1

SEWER USE ORDINANCE

1.01 Purpose and Policy. This Code section sets uniform requirements for discharges into the wastewater collection and treatment system and enables the City to comply with the administrative provisions of the State Stream Pollution Control Board and the applicable effluent limitations, national standards, and any other discharge criteria which are required or authorized by State or Federal law, and to derive the maximum public benefit by regulating the quality and quantity of wastewater discharge into those systems.

1.02 Definitions. Unless otherwise defined in this Code section, these terms shall be defined as adopted in the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Water Works Association, and the Water Pollution Control Federation or Methods for Chemical Analysis of Water and Wastes published by the Environmental Protection Agency. Waste constituents and characteristics shall be measured by Standard Methods unless expressly stated, or as established by Federal or State regulatory agencies.

(a) AUTHORIZATION - Written letter authorizing various conditions of wastewater discharges.

(b) BENEFICIAL USES - Uses of State waters that may be protected against quality degradation include, but are not necessarily limited to, domestic, municipal, agricultural and industrial supply, power generation, recreation, aesthetic enjoyment, navigation and the preservation and enhancement of fish, wildlife and other aquatic resources or reserves, and other uses, both tangible or intangible as specified by Federal or State law.

(c) BOARD - The City Utility Service Board.

(d) BUILDING SEWER - A sewer conveying wastewater from the premises of a user to a sanitary sewer.

(e) CITY WASTEWATER TREATMENT PLANT - Includes the sewer system, treatment processes and equipment.

(f) COMBINED SEWER - A sewer which carries both storm, surface and ground water runoff and sewage.

(g) COMPATIBLE POLLUTANT - Biochemical oxygen demand, suspended solids, pH, fecal coliform bacterial, phosphorous, and ammonia nitrogen plus additional pollutants identified in the Board's National Pollutant Discharge Elimination System (NPDES) permit if the publicly owned treatment works was designed to treat such pollutants to a substantial degree. While the term "substantial removal" is not subject to precise definition, it generally contemplates removals in the order of eighty (80) per

cent or greater. Minor incidental removals in the order of ten (10) to thirty (30) percent are not considered "substantial".

(h) CONTROL AUTHORITY - The "Board" if the submission of the Pretreatment Plan has been approved in accordance with the requirement of CFR 403.11; or if not approved, the State Board of Health is the Control Authority.

(i) FEDERAL ACT - The Federal Water Pollution Control Act, PL 92-500, and any amendments thereto; as well as any guidelines, limitations, and standards promulgated by the Environmental Protection Agency pursuant to the Act.

(j) HOLDING TANK WASTE - Any waste from holding tanks including but not limited to septic tank waste and waste from vacuum pump tank trucks.

(k) INCOMPATIBLE POLLUTANT - Any pollutant which is not defined as a compatible pollutant.

(l) INFLOW - The water discharged to a sewer system from such sources as roof downspouts, cellar, yard and area drains, foundation drains, cooling water discharges, drainage of land, manhole covers, catch basins, storm sewers, surface runoff and street drainage.

(m) INTERFERENCE - The inhibition or disruption of the City Wastewater Treatment Plants sewer system, treatment processes or operations. The term includes prevention of sewage sludge use or disposal.

(n) MASS EMISSION RATE - The weight of material discharged to the sewer system during a given time interval. Unless otherwise specified, the mass emission rate shall mean pounds per day of a particular constituent or combination of constituents.

(o) NEW SOURCE - Any building, structure, facility or installation from which there is or may be a discharge of pollutants, and as further defined in 40 CFR 403.3(k).

(p) NPDES PERMIT - National Pollutant Discharge Elimination System.

(q) PERSON - Any person as defined in Section 1-1-4-1 of this Code or any public agency including the State and the United States of America.

(r) POLLUTION - An alteration of the quality of the State waters by waste to a degree which unreasonably affects such waters for beneficial uses. Pollution may include contamination.

(s) POTW - Publicly-owned treatment works.

(t) PREMISES - A parcel of real estate including any improvements thereon which is determined by the Board to be a single user for purposes of receiving, using and paying for services.

(u) SANITARY SEWER - A sewer which carries sewage and to which storm, surface, ground waters and unpolluted industrial waters are not intentionally admitted.

(v) SIGNIFICANT INDUSTRIAL USER - shall apply to:
a) industrial users subject to categorical pretreatment standards; and b) any other user that i) discharges an average of 25,000 gpd or more of process wastewater, ii) contributes a process waste stream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the treatment plant or, iii) is designated as significant by the Board on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard of requirement. SIU's will be inspected and effluent discharge samples will be collected at least once a year.

(w) STATE WATERS - Surface water within the State boundaries.

(x) STORM SEWER - A sewer which carries storm surface and ground water drainage but excludes sewage.

(y) UNPOLLUTED WATER - Water to which no constituent has been added, either intentionally or accidentally, which would render such water unacceptable to the Board having jurisdiction thereof for disposal to storm or natural drainages or directly to surface waters.

(z) USER - Any person that discharges, causes or permits the discharge of wastewater into a sanitary sewer.

(aa) UTILITIES DIRECTOR - The administrative director of the City utilities.

(bb) WASTE - Includes sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing or processing operation of whatever nature, including such waste placed within containers of whatever nature prior to, and for purposes of, disposal.

(cc) WASTEWATER - Waste and water, whether treated or untreated, discharged into or permitted to enter a sanitary sewer.

(dd) WASTEWATER CONSTITUENTS AND CHARACTERISTICS - The individual chemical, physical, bacteriological and radiological parameters, including volume and flow-rate and such other parameters that serve to define, classify or measure the contents, quality, quantity and strength of wastewater.

SECTION 2

REGULATIONS

2.01 Prohibited Practices. No person shall discharge to a sanitary sewer waste which cause, threaten to cause, or are capable of causing either alone or by interaction with other substances the following:

(a) Pollutants which create a fire or explosion hazard in the POTW and/or collection system, including but not limited to, waste streams with a closed cup flash point of less than 140

degrees F or 60 degrees centigrade, using the test method specified in 40 CFR 261.21.

(b) Obstruction of flow in a sewer system or injury of the system or damage to the wastewater collection, treatment or disposal facilities.

(c) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and/or safety problems.

(d) A nuisance or prevention of the effective maintenance or operation of the sewer systems.

(e) Air pollution by the release of toxic or malodorous gas-producing substances.

(f) Interference with the wastewater treatment process or the quality of the effluent as established by the NPDES permit.

(g) Discoloration or any other condition in the quality of the Board's treatment works effluent in such a manner that receiving water quality requirements established by law cannot be met.

(h) Conditions at or near the Board's treatment works which violate any statute or any rule, regulation, or ordinance of any public agency or State or Federal regulatory body.

(i) Quantities or rates of flow which overload the Board's collection or treatment facilities or cause excessive

Board collection or treatment costs, or may use a disproportionate share of the Board facilities.

(j) Petroleum Oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through.

2.02 Requirements.

2.02.1 Stored Wastes. Wastes prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the POTW. All floor drains located in process or material storage areas must discharge to the industrial user's pretreatment facility before connecting with the POTW.

2.02.2 New Construction. New construction tributaries to a combined sewer are required to be designed to minimize or delay inflow contribution to the existing combined sewer, by means of a qualified retention facility as defined in the Stormwater Utility Ordinance, Ordinance No. 27-1994.

2.02.3 New Building Inflow. In any new building, inflow/clear water connection to a combined sewer shall be made separate and distinct from sanitary waste connection to facilitate disconnection of the former if a separate storm sewer subsequently becomes available.

2.02.4 Combined Sewers. The construction of combined sewers in the City of Marion sewerage system is prohibited.

2.03 Prohibition on Unpolluted Water. Unpolluted water, including but not limited to cooling water, process water or

blow-down from cooling towers or evaporative coolers shall not be discharged through direct or indirect connection to a sanitary sewer unless authorization is granted by the Board. If the authorization is granted for the discharge of that water into a sanitary sewer, the user shall pay the applicable user charges and fees and shall meet all other conditions required by the Board.

2.04 Limitations on Radioactive Wastes. No person shall discharge, or cause to be discharged, any radioactive waste into a sanitary sewer.

2.05 Limitations on the Use of Garbage Grinders. Waste from garbage grinders shall not be discharged into a sanitary sewer except:

(a) Wastes generated in preparation of food normally consumed on the premises, or

(b) Where the user has obtained authorization for that specific use from the Board, and agreed to undertake whatever self-monitoring is required to enable the Board to equitably determine the user charges based on the waste constituents and characteristics.

These grinders shall shred the waste so that all particles shall be carried freely under normal flow conditions prevailing in the sanitary sewer. Garbage grinders shall not be used for grinding plastic, paper products, inert materials or garden refuse.

2.06 Point of Discharge. No person shall discharge any substance directly into a manhole or other opening in a city sewer other than through an approved building sewer, unless authorized by the Board. No person shall discharge any trucked or hauled pollutants, except at discharge points designated by the Board.

2.07 Industry Holding Tank Waste. A user proposing to discharge holding tank waste into a sanitary sewer must secure a permit from the Board. This permit shall state the specific location of discharge, the time of day the discharge is to occur, the volume of the discharge and the wastewater constituents and characteristics. If authorization is granted for discharge of that waste into a sanitary sewer, the user shall pay the applicable user charges and fees and shall meet such other conditions as required by the Board.

2.08 Limitations on Wastewater Strength.

2.08.1 No person shall discharge any toxic substance that may interfere with the biological treatment process of the City Wastewater Treatment Plant or cause damage to the receiving stream or violate stream standards or prevent the use or disposal of sludge.

2.08.2 No person shall discharge any wastewater:

(a) Having heat in amounts which will inhibit biological activity in the POTW resulting in Interference, but in no case heat in such quantities that the temperature at the POTW

(36-9-2-17)

WASTEWATER REGULATIONS

Treatment Plant exceeds 40° C (104° F) unless the Approval Authority (EPA), upon request of the POTW, approves alternate temperature limits.

(b) Containing a total of more than 100 mg/1 of oil and grease of any source.

(c) Having a pH lower than 5.5 or above 10.5 unless the POTW demonstrates that the works is specifically designed to accommodate discharges not within the above limits.

(d) Cadmium in excess of the following limits:

Until June 30, 1986 0.1 mg/1

On and after July 1, 1986 0.05 mg/1

2.08.3 No person shall discharge, on a daily average, wastewater containing in excess of:

<u>Constituent</u>	<u>Concentration (mg/1)</u>
Arsenic	0.10
Barium	2.00
Chromium (total)	2.50
Chromium (Hexavalent)	0.50
Copper	2.00
Cyanide	1.00
Cyanide (Amenable to Chlorine)	0.50
Fluoride	18.00 monthly average
Iron	5.00
Lead	0.50
Manganese	0.05
Mercury	0.10
Nickel	2.00
Phenol	0.50
Selenium	0.05
Silver	0.20
Sulfide (as S)	10.00
Zinc	5.00

To avoid excessive discharges which might adversely affect the wastewater treatment plant and still fall within the daily average limits outlined above, the maximum daily discharge limits shall not exceed three (3) times the average daily limits.

2.08.4 Effluent limitations promulgated by the Federal Act shall apply in any instance where they are more stringent than those in this Code section. Under Section 307(b) of the Act, Federal pre-treatment standards are designed to achieve two (2) purposes:

(a) To protect the operation of publicly owned treatment works, and

(b) To prevent the discharge of pollutants which pass through such works inadequately treated. Users in the industrial categories subject to effluent guidelines issued under Section 304(b) of the Act, which are discharging incompatible pollutants to publicly owned treatment works, shall be required to adopt pre-treatment guidelines as they are promulgated by EPA when and if they require more stringent limits than called for by this Code section. Where the treatment works was designed to and does achieve substantial removal of pollutants other than the pollutants listed in the definition for compatible pollutants in Section 1.02g (BOD, suspended solids, pH, and fecal coliform bacteria, phosphorous and ammonia nitrogen), the Board may modify pre-treatment requirements as long as such modification does not adversely affect the wastewater treatment process or the terms and conditions of the municipal NPDES permit. While the term "substantial removal" is not subject to precise definition, it generally contemplates removals in the order of eighty (80) percent or greater. Minor incidental removals in the order of

ten (10) percent to thirty (30) percent are not considered "substantial". For some industrial categories it may be necessary to define pre-treatment guidelines for problems that may arise as a result of the discharge into publicly owned treatment works. However, any adjustments required for particular industrial categories should be considered in connection with the Board's requirements rather than in the national pre-treatment standard. Limitations on wastewater strength in subsections 2.08.1, 2.08.2, and 2.08.3 of this City Code section may be supplemented with more stringent limitations pursuant to subsection 4.02.4:

- (1) If the Board determines that the limitations in subsections 2.08.1, 2.08.2, and 2.08.3 may not be sufficient to protect the operation of the treatment works, or
- (2) If the Board determines that the limitations in subsections 2.08.1, 2.08.2, and 2.08.3 may not be sufficient to enable the treatment works to comply with water quality standards or effluent limitations specified in the City's National Pollutant Discharge Elimination System (NPDES) permit.

2.09 Dilution. No person shall increase the use of process water or in any other way attempt to dilute a discharge as a partial or

complete substitute for adequate treatment to achieve compliance with this Code section or any other applicable standard.

2.10 Rules on file. The rules and regulations under which waste disposal systems shall be operated are incorporated by reference under this code section. Two (2) copies of these rules and regulations shall be filed in the Office of the City Clerk and are available for inspection in accordance with Indiana Code 36-1.5. Another copy shall be filed for the convenience of the public in the general office of the Utility.

SECTION 3

WASTEWATER VOLUME DETERMINATION

3.01 Metered Water Supply. User charges and fees shall be based upon the total amount of water used from all sources unless, in the opinion of the Board, significant portions of water received are not discharged to a sanitary sewer. The total amount of water used from public and private sources shall be determined by means of public meters or private meters, installed and maintained at the expense of the user and approved by the Board.

3.02 Metered Wastewater Volume and Metered Diversions. For users where, in the opinion of the board, a significant portion of the water received from any material sources does not flow into the sanitary sewer because of the principal activity of the user or removal by other means, the user charges and fees shall be applied against the volume of water discharged from such premises

into the sanitary sewer. Written notification and proof of the diversion of water shall be provided by the user if the user is to avoid the application of the user charges and fees against the total amount of water used from all sources. The user may install a meter of a type and at a location approved by the Board and at the user's expense. These meters may measure either the amount of sewage discharge or the amount of water diverted. These meters shall be tested for accuracy at the expense of the user when deemed necessary by the Board.

3.03 Estimated Wastewater Volume.

3.03.1 Users without source meters. For users where, in the opinion of the Utilities Director, it is unnecessary or impractical to install meters, the quantity of wastewater may be based upon an estimate prepared by the Utilities director. This estimate shall be based upon a rational determination of the wastewater discharged and may consider such factors as the number of fixtures, seating capacity, population equivalent, annual production of goods and services or such other determinants of water use necessary to estimate the wastewater volume discharged.

3.03.2 Users with source meters. For users who, in the opinion of the Utilities Director, divert a significant portion of their flow from a sanitary sewer, the user charges may be based upon:

- (a) direct measurement of the diverted flow or
- (b) an estimate of the volume prepared by the user provided the user obtains Wastewater Discharge Authorization and pays the applicable user charges and fees. The estimate shall include the method and calculations used to determine the wastewater volume and may consider such factors as the number of fixtures, seating capacity, population equivalents, annual production of goods and services, or such other determinations of water use necessary to estimate the wastewater volume discharged.

SECTION 4ADMINISTRATION

4.01 Compliance Schedule Reports. Any non-categorical industry which is not in compliance with this Code section limitation shall develop a compliance schedule by which time the industry shall meet the City's standards. The schedule should contain increments of progress, such as hiring engineers and starting construction, which correspond to specific dates for their completion. These represent major events leading to the operation of pretreatment equipment to meet the City's pretreatment standards. All industrial users subject to these conditions shall submit a progress report to the City no later than fourteen (14) days following each date in the compliance schedule. This report shall state if it complies with the increment of progress to be met on that date, the reason for delay if the date was not met, and the steps being taken to return to compliance. In no event shall more than six (6) months elapse between progress reports.

4.01.1 Self-Monitoring Reports. This requirement calls for the submission of all notices and self-monitoring reports from Significant Industrial Users that are necessary to assess and assure compliance by Industrial Users with applicable pretreatment standards and requirements and that are deemed necessary by the Board. These reports will normally be required on a monthly basis, but no less than every six months. Any

additional data gathered pertaining to discharge volume or characteristics not mandated by permit or ordinance shall also be forwarded in a timely manner.

Requirement for Notification. Users shall notify the Utility immediately upon becoming aware of a discharge of wastes which may violate this ordinance in order that countermeasures may be taken by the Board to minimize damage to the city sewer, treatment facility, treatment processes and the receiving waters.

Noncompliant discharges covered under this section include but are not limited to: (1) accidental (slug) discharges, (2) noncompliant discharges revealed through self-monitoring, (3) treatment plant upsets and/or bypasses.

This notification shall be followed, within 15 days of the date of occurrence, by a detailed written statement describing the causes of the accidental discharge and the measures being taken to prevent future occurrence.

Such notification will not relieve users of liability for expense, loss or damage to the sewer system, treatment plant or treatment process or for any fines imposed on the Board.

In all instances where noncompliance is discovered by self-monitoring, the user shall follow up with additional monitoring within thirty (30) days to ensure a return to

compliance. Additional monitoring by the user may be required in other circumstances when considered appropriate by the Board.

4.01.2 Monthly Reports. This requirement calls for the submission of all notices and self-monitoring reports from industrial users that are necessary to assess and assure compliance by those users with applicable pretreatment standards and requirements. These reports shall normally be required on a monthly basis.

4.01.3 Baseline Report.

(a) Within one hundred eighty (180) days after the effective date of a Categorical Pretreatment standard, or one hundred eighty (180) days after the final administrative decision made on a category, whichever is later, existing industrial users subject to such Categorical Pretreatment Standards and currently discharging to or scheduled to discharge to a POTW shall be required to submit to the Control Authority a report containing the information listed in paragraph (b)(1)-(7) of CFR 403.12(b).

(b) Upon promulgation of a Categorical Pretreatment Standard, the Control Authority (either U.S. EPA, State or POTW) shall provide the appropriate 12(b) form for distribution to the industrial users who are affected by the promulgated standard. Those users shall then submit the completed report to the Control Authority.

(c) New sources or existing sources that become industrial users subsequent to the promulgation of an applicable

categorical pretreatment standard are required to submit a Baseline Monitoring Report within 90 days prior to commencing discharge. Estimated data may be provided.

(d) Baseline Monitoring Reports will also be required of non-categorical significant industrial users and other users at the discretion of the Board.

4.01.4 (a) Compliance Schedule Reports. 402.12(c) (categorical industries). These reporting conditions apply to the compliance schedule required in CFR 403.12(b)(7). This schedule is necessary whenever an industrial user is not meeting categorical pretreatment standards at the time of promulgation of that standard. The schedule contains increments of progress such as hiring an engineer, completing plans, commencing construction, and completing constructing, which correspond to specific dates for their completion. These represent major events leading to the construction and operating of additional pretreatment required for the industrial user to meet the applicable Categorical Pretreatment Standard.

(b) All industrial users subject to these conditions shall submit a progress report to the Control Authority no later than fourteen (14) days following each date in the compliance schedule including the final date for compliance. This report shall include, at a minimum, whether or not it complied with the increment of progress to be met on that date and, if not, the date on which it expects to comply, the reason for delay, and the

steps being taken by the industrial user to return the construction to the schedule established. In no event shall more than nine (9) months elapse between such progress reports.

4.01.5 Compliance Deadline and Report. Compliance by existing sources with Categorical pretreatment Standards shall be within 3 years of the date the standard is effective unless the users meet the criteria described in 40 CFR 403.6(b). New sources shall install and have in operating conditions and shall "start-up" all pollution control equipment required to meet applicable pretreatment Standards before discharge begins. New sources must meet all applicable standards within the shortest feasible time (not to exceed 90 days).

Within 90 days following the date for final compliance with an applicable categorical pretreatment standard, any industrial user subject to those standards must submit to the Board a report with all information required by 40 CFR 403.12(d). The reports must also state whether applicable standards are being met on a consistent basis and if not, what additional operation and maintenance and/or pretreatment is necessary to bring the discharge into compliance. This statement should be signed by an authorized representative of the industrial user.

4.01.6 Periodic Reports on Continued Compliance. Any user subject to an applicable pretreatment standard must submit to the Board during the months of June and December, or more frequently if required by the Board, following the final

compliance date of that pretreatment standard, a report indicating the nature and concentration of prohibited or regulated substances in the effluent which are limited by the categorical pretreatment standards. In addition, this report must include a record of all measured or estimated average and maximum daily flows during the reporting period. Flows are to be reported on the basis of actual measurement, except, where cost or feasibility considerations justify, the Board may accept reports of average and maximum flows estimated by verifiable techniques. The Board, considering such factors as local high or low flow rates, holidays, budget cycles, or other extenuating factors may authorize submission of the reports on months other than those specified above. This report must be signed by the authorized representative.

4.02 Wastewater Discharge Authorization.

4.02.1 Any new major user proposing to connect or to discharge into a sanitary sewer shall obtain authorization before connecting to or discharging into a sanitary sewer. All existing major users connected to or discharging into a sanitary sewer shall obtain authorization by April 18, 1978. For purposes of the Code section, a major user is defined as any user whose user classification is identified in the Standard Industrial Classification (SIC) Manual in any Divisions A, B, D, E and I and who:

(a) has a discharge flow of fifty thousand (50,000) gallons or more per average work day, or

(b) has a flow greater than five (5) percent of the flow in the wastewater treatment system, or

(c) has wastes containing toxic pollutants in toxic amounts as defined in standards issued under Section 307(a) of the Federal Act, or

(d) is found by the Board to have significant impact, either singly or in combination with other contributing industries, on the treatment or collection system.

Such authorization shall be conditioned on compliance by existing sources with Categorical Pretreatment Standards and with the reporting requirements of this Section.

4.02.2 Users seeking authorization shall complete and file with the Utility director an application in the form prescribed by the Board. The applicant may be required to submit, in units and terms appropriate for evaluation, the following information:

(a) Name, address, and SIC number of applicant;

(b) Volume of wastewater to be discharged;

(c) Wastewater constituents and characteristics as determined by a laboratory approved by the Board;

(d) Time and duration of discharge;

(e) Average 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 sewers and appurtenances by size, location and elevation;

(g) Description of activities, facilities and plant process on the premises including all materials, processes and types of materials which are or could be discharged;

(h) Each product produced by type, amount, and rate or production;

(i) Number and type of employees and hours of work;

(j) Any other information as may be deemed necessary by the Utilities Director to evaluate the permit application.

(k) Certification Statement. All wastewater discharge permit applications and industrial user reports must contain the following certification statement and be signed by an authorized representative of the industrial user:

"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 Utilities Director shall evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the Board may issue Wastewater Discharge Authorization subject to terms and conditions provided in this Code section.

4.02.3 An authorization for Wastewater Discharge shall be expressly subject to all provisions of this Code section and all other regulations, user charges, and fees established by the Board. The conditions of authorization shall be uniformly enforced by the Utilities Director in accordance with this ordinance, and applicable State and Federal regulations. Authorization may contain the following:

(a) The unit charge or schedule of user charges and fees for the wastewater to be discharged to a sanitary sewer;

(b) The average and maximum wastewater constituents and characteristics;

(c) Limits on rate and time of discharge or requirements for flow regulations and equalization;

(d) Requirements for installation of inspection and sampling facilities;

(e) Pretreatment requirements;

(f) Specifications for monitoring programs which may include sampling locations, frequency and method of sampling, number, types and standards for tests and reporting schedule;

(g) Requirements for submission of technical reports or discharge reports;

(h) Requirements for maintaining plant records relating to wastewater discharge as specified by the Board and affording Board access thereto;

(i) Mean and maximum mass emission rates, or other appropriate limits when incompatible pollutants (as defined by subsection 1.02 g) are proposed or present in the user's wastewater discharge; and

(j) Other conditions as deemed appropriate by the Board to insure compliance with this Code section.

4.02.4 Duration of Authorization. Authorization shall be issued for an unlimited time period. A temporary authorization shall be issued to a specific duration. The terms and conditions of the authorization shall be subject to modification and change by the Board during the life of the authorization. The user shall be informed of any proposed changes in his authorization at least sixty (60) days prior to the effective date of change. Any changes or new conditions in the authorization shall include a reasonable time schedule for compliance.

4.02.5 Transfer of an Authorization. A wastewater Discharge Authorization shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new changed operation.

4.02.6 Revocation of Authorization. Any user who violates the following conditions of the authorization of this code section, or applicable State and Federal regulations, shall be subject to having his or her authorization revoked:

(a) Failure of a user to factually report the wastewater constituents and characteristics of his or her discharge;

(b) Failure of the user to report significant changes in operations, or wastewater 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 authorization.

4.03 Monitoring Facilities. The Board may require the user to construct, at his or her own expense, monitoring facilities to allow inspection, sampling, and flow measurement of the building sewer or internal drainage systems and may also require sampling or metering equipment to be provided, installed, and operated at the user's expense. The monitoring facility should normally be situated on the user's premises, but the Board may, when that location would be impractical or cause undue hardship on the user, allow the facility to be constructed in the public street or sidewalk area and located so that it shall not be obstructed by landscaping or parked vehicles.

If the monitoring facility is inside the user's fence, there shall be accommodations to allow access for Board personnel.

There shall be ample room in or near such sampling manhole to allow accurate sampling and compositing of samples for analysis. The manhole, sampling, and measuring equipment shall be maintained by the user in a safe and proper operating condition at all times.

Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with the Board's requirements and all applicable Board construction standards and specifications. Construction shall be completed within a reasonable period of time following written notification by the Board.

4.04 Inspection and Sampling. When self monitoring is required of the industrial user, all test procedures should be conducted using approved methods found in 40 CFR 136. The Board shall have the right to enter the facilities of an industrial user to ascertain whether the purpose of this ordinance, and any permit or order issued hereunder, is being met and whether the industrial user is complying with all requirements thereof. Industrial users shall allow the Board ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.

(a) Where an industrial user has security measures in force which require proper identification and clearance before entry into its premises, the industrial user shall make necessary

arrangements with its security guards so that, upon presentation of suitable identification, personnel from the Board, State, and EPA will be permitted to enter without delay, for the purposes of performing their specific responsibilities.

(b) The Board, State, and EPA shall have the right to set up on the industrial user's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the user's operations.

(c) the Board may require the industrial user to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the industrial user at its own expense. All devices used to measure wastewater flow and quality shall be calibrated at least annually to ensure their accuracy.

(d) Any temporary or permanent obstruction to safe and easy access to the industrial facility to be inspected and/or sampled shall be promptly removed by the industrial user at the written or verbal request of the Board and shall not be replaced. The costs of clearing such access shall be born by the industrial user.

(e) Unreasonable delays in allowing Board's personnel access to the industrial user's premises shall be a violation of this ordinance.

4.05 Pretreatment. Users shall make wastewater acceptable under the limitations established herein before discharging to any sanitary sewer. Any facilities required to pretreat wastewater to a level acceptable to the Board shall be provided and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the Board for review, and shall be acceptable to the Board before construction of the facility. The review of such plans and operating procedures shall in no way relieve the user from the responsibility of modifying the facility as necessary to produce effluent acceptable to the Board under the provisions of this Code section. The Board shall be notified forty-eight (48) hours before the startup of new or modified pretreatment facilities. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the Board. In addition, the self-monitoring reports and notification requirements as set out in Paragraph 4.01 are applicable.

4.06 Protection From Accidental Discharge. Each user shall provide protection from accidental discharge of prohibited materials or other wastes regulated by this Code section. Those facilities shall be provided and maintained at the user's expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the

Board for review, and shall be acceptable to the Board before construction of the facility.

The review of these plans and operating procedures shall in no way relieve the users from the responsibility of modifying the facility as necessary to provide the protection necessary to meet the requirements of this subsection. If an accidental discharge to the sanitary sewer occurs, the Utilities Director shall be notified immediately.

Bypass of Industrial Treatment Facilities is prohibited, and the Board may take enforcement action against an Industrial User for bypass unless the conditions in 40 CFR 403.17(d) are met.

Slug Discharge Control. Industrial users designated by the Board will be required to submit for approval a Slug Discharge Control Plan. The plan shall contain at least the following elements:

(a) Description of discharge practices, including non-routine batch discharges;

(b) Description of stored chemicals;

(c) Procedures for the prompt notification of the Board of slug discharges to the treatment works including any discharge that violates prohibited substances followed by written notification within five (5) days;

(d) Procedures to prevent adverse impact upon the treatment plant or collection system from accident spills including inspections and maintenance of storage areas, handling

and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents and/or measures for emergency response.

4.07 Confidential Information. All 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 Board that the release of that information would divulge information, processes or methods which are of a proprietary nature to the user's competitive position.

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 use by the State or any State agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics shall not be recognized as confidential information. Information accepted by the Board as confidential shall not be transmitted to any governmental agency or to the general public by the Board until and unless prior and adequate notification is given to the user.

4.08 Discretionary Action. Where circumstances so warrant the Board may agree to arrangements with parties or agencies which modify the terms of this Code section if that arrangement complies with the NPDES permit of the city and all other Federal and State laws and regulations governing the operation of the wastewater treatment plant.

4.09 Record Retention. All discharges subject to local, State or Federal regulations shall retain and preserve records for at least three (3) years that are related to monitoring, sampling and chemical analysis made by or in behalf of a discharger in connection with its discharge. In addition, all records which pertain to matters which are the subject of any enforcement or litigation activities brought by the Authority shall be retained and preserved by the discharger until all enforcement activities have concluded and all periods of limitation concerning any appeals have expired.

4.10 Notification of Change of Discharge. All industrial users shall promptly notify the control authority in advance of any substantial change in the volume or character of pollutants in their discharge.

4.11 Hazardous Wastes. The industrial user shall promptly notify the POTW, the EPA and the state hazardous waste authorities in writing of any discharge into the POTW of a substance, which, if otherwise disposed of, would be a hazardous waste under 40CFR, Part 261.

SECTION 5WASTEWATER USER CHARGES AND FEES

5.01 Adjustment of Charges Based on Strength and Character of Sewage. Each person discharging wastes into the City sewers shall be subject to a surcharge in addition to the regular sewerage service charge. A surcharge based on the biochemical oxygen demand (BOD) and the suspended solids (SS) content of the wastes, shall be applied if the waste concentration exceeds the following:

- (a) Biochemical oxygen demand - 200 mg/1
- (b) Suspended solids - 250 mg/1
- (c) Phosphorus - 10.0 mg/1

5.01.1 Sampling and Testing for Surcharges or User Charges. The discharged sewage shall be sampled during each sewage billing period for a minimum of a one (1) day period, i.e., twenty-four (24) hours, by means of a composite sample. An extended sampling period of up to one (1) week, i.e., seven (7) continuous days, or reduction may be requested to enable the gathering of a sample representative of a business' sewage. The extension or reduction of the sampling period beyond the initial one (1) day sampling period may be requested by either the sewer user involved or the Board. If an extended sampling period is requested, the parameter values used to calculate the surcharge shall be the arithmetical average of the individual values. If a

business or industry has multiple discharges of sewage, each discharge shall be sampled according to quality. The volume of each discharge shall be determined by actual measurement or by means of process usage. If significant process changes are made to affect quality of any discharge, resampling may be requested by either the sewer user involved or the Board.

The sewage sample shall be measured for the following parameters: Biochemical oxygen demand (BOD), suspended solids (SS) and phosphorus. These tests shall be conducted in accordance with the Code of Federal Regulations, Title 40, Part 136, Guideline Establishing Test Procedures for the Analysis of Pollutants.

5.01.2 Computation of Surcharge. The excess pounds of BOD, suspended solids and phosphorus shall be computed by multiplying the sewage billing volume measured in units of one hundred (100) cubic feet for the current sewage billing period by the factor 0.006238 and then multiplying the difference between the concentration measured in milligrams per liter of the BOD, suspended solids and phosphorus, respectively, in the customer's sewage and the allowed concentrations set out above and in Subsection 5.01(a) and (b), resulting in the pounds of each constituent. The surcharge of each constituent shall then be determined by multiplying the excess pounds of each constituent by the appropriate surcharge set forth in Subsection 5.01.3.

5.01.3 Rates of Surcharge. The rates of surcharge for each of the aforementioned constituents shall be as specified in the Wastewater Regulations, Sec. 36-9-2-17(a)(2)(f), Excessive Strength Surcharge.

5.01.4 Revision of Rates of Surcharge. Before April 1 of each year, the Utilities Director shall submit to the Board a detailed report showing cost for removing BOD, suspended solids and phosphorus from wastewater treatment plant influent during the previous calendar year with the unit charges currently in effect so that the Board may determine if the current rates are adequate or should be changed.

SECTION 6

ENFORCEMENT

The City Utilities Director shall be the authorized agent for the City to insure that the provisions of this City Code section, as supplemented by the Marion Utility Service Board's Enforcement Response Guide, are carried out.

6.01 Accidental Discharge.

6.01.1 (a) Notification of Violation. If the Authority finds that any discharger has engaged in conduct which justifies revocation of a wastewater permit or suspension of service, the Authority shall serve the discharger with a written notice, either personally or by certified or registered U.S. mail,

stating the nature of the alleged violation. Within ten (10) days following receipt of the notice, the discharger shall respond personally or in writing to the Authority, advising of its position concerning the allegations. Thereafter, the parties shall meet to determine the seriousness of the allegations and, if necessary, establish a plan for the satisfactory correction of any violations.

(b) Definition of Significant Noncompliance. Instances of significant noncompliance are defined as follows:

a. Violations of wastewater discharge limits will be evaluated based on the magnitude and/or frequency of the violations of average limits over a six-month period. These violations will be evaluated on the basis of individual parameters and monitoring locations.

1. Technical Review Criteria (TRC). Two or more exceedances of an average limit or daily maximum limit which exceed the limitations by at least the TRC factor in a six-month period, or 33% of the measurements exceeding the limit. There are two groups of TRC factors:

Group I - for conventional pollutants (BOD, TSS, fats, oils, grease and pH)

TRC factor = 1.4 x parameter limitation value

Group II - for all other pollutants

TRC factor = 1.2 x parameter limitation value (except pH and temperature)

2. Chronic violations are four (4) or more exceedances of the same average limit or daily maximum, limit in a six-month period; or 67% of the measurements exceeding the limit.

3. Any other violation of an effluent limit (average or daily maximum) which the Board believes has the potential to cause or has caused interference with the POTW performance capability (e.g., slug loads) or passes through the plant in unacceptable quantities (e.g., exceeds water quality standards or impairing beneficial uses).

b. Violation of compliance schedule milestones, for planning, engineering, starting construction, completing construction and attaining final compliance by 60 days or more after the schedule date.

c. Failure to provide reports for compliance schedules, self-monitoring data, baseline monitoring reports, or permit application data within 30 days from the due date specified in the ordinance, permit or enforcement order.

d. Knowingly reporting inaccurate information or falsifying data.

e. Any other violation or group of violations which the POTW considers to be significant.

6.01.2 Show Cause Hearing. If a violation of this City Code section or of applicable pretreatment regulations occurs and is not corrected by timely compliance, the Authority may order any discharger to show cause before them and state why the proposed permit revocation action should not be taken. A written notice shall be served on the discharger by personal service, or by certified or registered U.S. mail, specifying the time and place of a hearing to be held by the Authority. The hearing

shall consider the violation, the proposed enforcement action, the reasons why the enforcement action should be taken, and directing the discharger to show cause before the Authority as to why the proposed enforcement action should not be taken. The notice of the hearing shall be served no less than ten (10) days before the hearing. Service may be made on any agent, officer, or authorized representative of a discharger. The proceedings at the hearing shall be considered by the Authority and appropriate orders with respect to the alleged improper activities of the discharger shall be issued.

6.01.3 Annual Publication of Violators. A list of all dischargers which were found to be in significant noncompliance shall be published annually by the Authority in the largest daily newspaper in the municipality in which the Authority is located.

6.02 Issuance of Cease and Desist Orders. When the Board finds that a discharge of wastewater has taken place, in violation of prohibitions or limitations of this Code section, the Utilities Director may issue an order to cease and desist and direct that those persons not complying with those prohibitions, limits, requirements or provisions to:

(a) comply forthwith;

(b) comply in accordance with a time schedule set forth by the Board; or

(c) take appropriate remedial or preventive action in the event of a threatened violation.

6.03 Submission of Time Schedule. If the Board finds that a discharge of wastewater has been taking place, in violation of prohibitions or limitations prescribed in this Code section, or wastewater source control requirements, effluent limitations or pretreatment standards, or the provisions of a Wastewater Discharge Authorization, the Board may require the user to submit for approval, with those modifications it deems necessary, a detailed time schedule of specific actions which the user shall take in order to prevent or correct a violation of requirements.

6.04 Appeals. Any user affected by any decision, action or determination, including cease and desist orders, made by the Utilities Director, interpreting or implementing the provisions of this section or in any authorization issued herein, may file with the Director a written request for reconsideration within ten (10) days of such decision, action, or determination, setting forth in detail the facts supporting the user's request for reconsideration.

If the ruling made by the Director is unsatisfactory to the person requesting reconsideration, he or she may, within ten (10) days after notification of Board action, file a written appeal to the Board. The written appeal shall be heard by the Board within thirty (30) days from the date of filing. The Board shall make a final ruling on the appeal within ten (10) days of the close of the meeting. The Director's decision, action, or determination shall remain in effect during that period of reconsideration.

(36-9-2-17)

WASTEWATER REGULATIONS

SECTION 7ABATEMENT

7.01 Public Nuisance. Discharges of wastewater in any manner in violation of this Code section or of any order issued by the Utilities Director as authorized by this Code section, is hereby declared a public nuisance and shall be corrected or abated as directed by the Director. Any person creating a public nuisance is guilty of an ordinance violation.

7.02 Legal Action. If any person discharges sewage, industrial wastes or other wastes into a City's wastewater disposal system contrary to this Code section, ordinance, Federal or State Pretreatment Requirements, or any order of the City, the City or Board Attorney may commence an action for appropriate legal relief, equitable relief or both in the applicable court.

7.03 Damage to Facilities. When a discharge of wastes causes an obstruction, damage, or any other impairment to Board facilities, the Board may assess a charge against the user for the work required to clean or repair the facility and add that charge to the user's charges and fees.

7.04 Civil or Criminal Penalties.

(a) Any user which has violated or continues to violate this ordinance, any order or wastewater discharge permit hereunder, or any other pretreatment standard or requirement shall be liable to the Board for a minimum civil penalty of \$1,000 per violation per day. In the case of a monthly or other

long-term average discharge limit, penalties shall accrue for each day during the period of the violation.

(b) The Board may recover reasonable attorney's fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by Board facilities.

(c) In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration, any economic benefit gained through the user's violation, corrective actions by the user, the compliance history of the user, and any other factor as justice requires.

(d) Filing a suit for civil penalties shall not be a prerequisite for taking any other action against a user.

7.05 Falsifying of Information. Any person who knowingly makes any false statement of representation, record, report, plan or other documents filed with the Board or who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method required under this section shall be subject to the penalties set forth in Subsection 7.04.

7.06 Termination of Service. The Board may revoke any Wastewater Discharge Authorization, or terminate or cause to be terminated wastewater service to any premise if a violation of any provision of this section is found to exist or if a discharge of wastewater

(36-9-2-17)

WASTEWATER REGULATIONS

causes or threatens to cause a condition of contamination, pollution, or nuisance as defined in this section. This provision is in addition to other statutes, rules or regulations, authorizing termination of service for delinquency in payment.

PASSED, in Common Council, the 18th day of August, 1998.

Presiding Officer

ATTEST:

KATHLEEN KILEY
City Clerk

Presented by me to the Mayor of the City of Marion, Indiana, this _____ day of August, 1998.

KATHLEEN KILEY
City Clerk

THIS ORDINANCE APPROVED by me this _____ day of August, 1998.

RON W. MOWERY, Mayor
City of Marion, Indiana