

ORDINANCE NO. 2

SEWER USE ORDINANCE

FOR

SECTION 32 SEWER AUTHORITY

Gogebic County, Michigan

- | | |
|------------|--|
| Article 1 | Scope of Control |
| Article 2 | Definitions |
| Article 3 | Required Connection to the Public Sewer |
| Article 4 | Sewer Connection Permits |
| Article 5 | Building Sewer Construction |
| Article 6 | Prohibitions and Limitations on Wastewater Discharge |
| Article 7 | Control of Prohibited Wastes |
| Article 8 | Industrial Wastewater Monitoring and Reporting |
| Article 9 | Enforcement Procedures |
| Article 10 | Penalty and Costs |

Article 1: Scope of Control

All persons now receiving sanitary sewer service from the Section 32 Sewer Authority or who may hereafter make application therefore, are deemed to be bound by these rules and regulations, and such state and federal statutes and administrative rules as are applicable.

Article 2: Definitions

Unless the context specifically indicates otherwise the following terms as used in this ordinance shall have the meanings hereinafter designated:

- (a) "Ammonia Nitrogen" ($\text{NH}_3\text{-N}$) means the form of nitrogen that has a chemical makeup of NH_3 expressed in terms of weight and volume (milligrams per liter). Quantitative determination of $\text{NH}_3\text{-N}$ shall be made in accordance with procedures set forth below in "(ee) Standard Methods".
- (b) "Approving Authority or Authority" means the board, commission or committee that manages the Bessemer Area Sewer Authority.
- (c) "Biochemical Oxygen Demand" (BOD) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five (5) days at 20°C , expressed in terms of wight and volume (milligrams per liter). Quantitative determination not BOD shall be made in accordance with procedures set forth below in "(ee) Standard Methods".
- (d) "Building Sewer" means that part of the lowest piping of a drainage system which receives the discharge form soil, waste, and other drainage pipes inside the walls of the building and conveys it to the lateral sewer.
- (e) "Combined Sewer" means a sewer which carries sanitary sewage and storm waters.
- (f) "Compatible Pollutant" means BOD, suspended solids, pH, $\text{NH}_3\text{-N}$, total phosphorus and fecal coliform bacteria, and such additional pollutants as are now or may be in the future specified and controlled in that NPDES permit issued to the Section 32 Sewer Authority.
- (g) "Cooling Water" means the water discharged from any use such as air conditioning, cooling or refrigeration whose character under goes not chemical change during such use.
- (h) "Domestic Wastes" means liquid wastes (i) form the noncommercial preparation, cooking or handling of food, or (ii) containing human excrement and similar matter discharged from the sanitary facilities of dwellings, commercial buildings, industrial facilities and institutions, and other places where humans congregate.

- (i) "Garbage" means solid wastes from the handling, preparation, cooking, dispensing or storage food.
- (j) "Ground Garbage" means the residue from the preparation, cooking or dispensing of food that has been shredded to such degree that all particles will be carried freely in suspension under the flow conditions normally prevailing in public sewers with no particle greater than one-half (1/2) inch in any dimension.
- (k) "Improved Property" means any property upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure sanitary sewage and/or industrial wastes are or may be discharged.
- (l) "Incompatible Pollutant" means any pollutant which is not a "Compatible Pollutant" as defined in this section.
- (m) "Industrial Wastewater" means the liquid wastes resulting from the processes employed in industrial, manufacturing, trade or business establishments, as distinct from domestic wastes.
- (n) "Lateral" means that part of the sewer system extending from a street sewer to the curb line or, if there shall be no curb line, to the property line or, if no such lateral shall be provided, then "Lateral" shall mean that portion of, or place, in a sewer which is provided for connection of any building sewer.
- (o) "May" is permissible.
- (p) "National Pollutant Discharge Elimination System" (NPDES) means the program established by the Federal Water Pollution Control Act, as amended, (33 U.S.C. 1251 et seq; the "Act"), Michigan Act 98, Public Acts of 1913, as amended, being sections 325.201 through 325.213 of the Compiled Laws of Michigan, and the Michigan Water Resources Commission Act, as amended, (Act 245, Public Acts of 2929, as amended, being sections 322.1 through 322.13 of the Compiled Laws of Michigan, the "Michigan Act"), for issuing, conditioning and denying permits for the discharge of pollutants from point sources into the waters of the state.
- (q) "Normal Wastewater Concentrations" means a BOD content of not more than 300 milligrams per liter and suspended solids content of not more than 300 milligrams per liter, an ammonia-nitrogen content of not more than 45 milligrams per liter and a total phosphorus content of 10 milligrams per liter.

- (r) "Operation and Maintenance" are activities required to assure the dependable and economical functions of treatment works.
- (i) Maintenance: Preservation of functional integrity and efficiency of equipment and structures. This includes preventive maintenance, corrective maintenance and replacement of equipment as needed.
 - (ii) Operation: Control of the unit processes and equipment which make up the treatment works. This includes financial and personnel management records, laboratory control, process control, safety and emergency operation planning.
- (s) "Parts per Million" shall be a weight ratio as the parts per million value multiplied by the factor of 8.345 shall be equivalent to pounds per million gallons of water.
- (t) "Person" means any human, firm, company, partnership, corporation, association, group, or society, and includes the State of Michigan, and agencies, districts, commissions and political subdivisions created by or pursuant to law.
- (u) "pH" means the logarithm of the reciprocal of the concentration of hydrogen ions in grams per liter of solution.
- (v) "Phosphorus" means the total forms of phosphorus including orthophosphates, condensed phosphates, organic phosphorus and inorganic phosphorus expressed in terms of weight and volume (milligrams per liter). Quantitative determination of total phosphorus shall be made in accordance with procedures set forth below in "(ee) Standard Methods".
- (w) "Pretreatment" means application of physical, chemical or biological processes to reduce the amount of pollutants in or alter the nature of the pollutant properties in a wastewater prior to discharging such wastewater into the publicly owned wastewater treatment system.
- (x) "Pretreatment Standards" means all applicable federal, state and local statutes, laws, ordinances, rules and regulations. In cases of conflicting standards or regulations, the more stringent thereof shall control.
- (y) "Replacement" means expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed. The term "operation and maintenance" includes replacement.

- (z) "Sanitary Sewage" means a combination of water carried wastes from residences, business buildings, institutions and industrial plants (other than industrial wastes from such plants) together with such ground, surface or storm waters as may be present.
- (aa) "Sanitary Sewer" means a sewer which carries wastewater and to which storm surface and groundwaters are not intentionally admitted.
- (bb) "Significant Industrial User" means any industrial user of the wastewater treatment system whose flow exceeds (i) 10,000 gallons per day, or (ii) five percent (5%) of the daily capacity of the treatment system or contains (iii) greater than normal wastewater concentrations, or (iv) toxic pollutants.
- (cc) "Shall" is mandatory.
- (dd) "Slug" means any discharge of sewage of industrial waste which in concentration of any given constituent exceeds more than five times the average 24-hour concentration during normal operation.
- (ee) "Standard Methods" means the examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water, Sewage and Industrial Wastes", published by the American Public Health Association, the American Water Works Association and the Federation of Sewage and Industrial Wastes Associations.
- (ff) "Storm Sewer" means a sewer which carries storm waters, groundwater or unpolluted water from any source, and to which sanitary sewage is not intentionally admitted.
- (gg) "Storm Water" means any flow occurring during or following any form of natural precipitation and resulting therefrom.
- (hh) "Superintendent" means the Chairman of Section 32 Sewer Authority or his duly appointed deputy, agent or representative.
- (ii) "Suspended Solids" (SS) means the total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquids, a high percentage of which is removable by laboratory filtering. Measurements of quantities of suspended solids shall be made in accordance with procedures set forth above in "(ee) Standard Methods".
- (jj) "Unpolluted Water" means water free from pollutants in excess of the quantities limited or prohibited by the federal, state or local effluent standards in effect, or water whose discharge will not cause any violation of federal, state or local receiving water quality standards.

- (kk) "User" means any person who discharges, causes or permits the discharge of wastewater into the wastewater treatment system.
- (ll) "User Charge" is a charge levied on users of a treatment works, for the user's proportionate share of the cost of operation and maintenance (including replacement) of such works.
- (mm) "User Classification" means a classification of user based on the 1972 (or subsequent) edition of the Standard Industrial Classification (SIC) Manual prepared by the U.S. Office of Management and Budget.
- (nn) "Wastewater" means the liquid and water-carried industrial or domestic wastes from dwelling, commercial buildings, industrial facilities, and institutions, together with any groundwater, surface water, and storm water that may be present, whether treated or untreated, which is discharged into or permitted to enter the system.
- (oo) "Wastewater Treatment System" means any publicly owned devices, facilities, structures, equipment or works used for the purpose of the transmission, storage, treatment, recycling and reclamation of industrial and domestic wastewaters.

Article 3: Required Connection to the Public Sewer

- (a) It shall be unlawful to discharge to any natural outlet or stream in any area under the jurisdiction of the Authority, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance, as well as with applicable regulations of the U.S. Environmental Protection Agency, and the State of Michigan Department of Natural Resources.
- (b) To assure preservation of the health, comfort, and safety of the public, all owners of any houses, buildings, or properties intended for human occupancy, either continuous or periodic, located adjacent to or near a public sanitary sewer system located in a right of way, easement, highway, street or public way which crosses, adjoins or abuts upon the property and passing not more than 200 feet at the nearest point from a structure in which sanitary sewage originates or said public sanitary sewer system is within 100 feet of the property line, shall use such sewers and other related wastewater facilities for the collection and disposal of all sanitary sewage and wastes from such places. Connections to the public sewer will not be permitted where the capacity of the sanitary sewer system or treatment works will be exceeded.

- (c) The connection provided for in subsection 3(b) above shall be completed promptly but in no case later than 90 days after mailing or posting on said premises an official notice to correct.

When the structure in which sanitary sewage originates has not been connected to an available public sanitary sewer system within the 90 days period provided in this ordinance, or a shorter period provided by ordinance or rules, Wakefield Township shall require the connection to be made forthwith after notice, which may be by first class or certified mail or posting on the property, to the owner of the property on which the structure lies shall require the connection to be made forthwith after notice, which may be by first class or certified mail or posting on the property, to the owner of the property on which the structure is located. The notice shall give the approximate location of the public sanitary sewer system which is available for connection of the structure involved and shall advise the owner of the requirements and of the enforcement provisions of this ordinance and any applicable ordinance or rule.

Where any structure in which sanitary sewage originates is not connected to an available public sanitary sewer system within 90 days after the date of mailing or posting of the written notice, Wakefield Township may bring an action for a mandatory injunction or order the district, municipal or circuit court in the county in which the structure is situated to compel the owner to connect to the available sanitary sewer system forthwith. Wakefield Township in one or more of such actions may join any number of owners of structures situated within Wakefield Township to compel each owner to connect to available sanitary sewer system forthwith.

- (d) The owners of all houses, buildings, or properties intend or used for human occupancy, employment, recreation, or other purposes situated within the Authority's service area and abutting on any street, alley, right-of-way or easement in which there is now located or may in the immediate future be located a public sanitary sewer of the Authority, are hereby required at the owner's expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper sanitary sewer in accordance with the provisions of this ordinance. All sanitary sewage and industrial wastes from any improved property, after connection of such improved property, after connection of such improved property with a sewer shall be subject to such limitations and restrictions as are established herein or otherwise shall be established by the Authority from time to time.
- (e) Except as hereinafter provided, it shall be unlawful to construct or maintain privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of wastewater from any property served by a sanitary sewer in the Authority's service area.

- (f) Where a public sanitary sewer is not available within the Authority's service area, the building sewer shall be connected to a private sewage disposal system. Before commencement of construction of a private sewage disposal system the owner shall first obtain a written permit from the Authority. The application for such permit shall be made on a form furnished by the Authority which the applicant shall supplement with any plans, specifications, and other information as are deemed necessary by the Authority.
- (g) A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Authority. The Authority shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Authority when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within 72 hours of the receipt of notice by the Authority.
- (h) The type, capacities, location and layout of a private sewage disposal system shall comply with all regulations and recommendations of the Western Upper Peninsula District Health Department. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than 12,000 square feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet.
- (i) The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the Authority.
- (j) No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the County or State Public health officials.
- (k) Private sewage disposal systems shall be properly abandoned within 60 days from the date of connection to the public sewer by cleaning and completely filling septic tanks, privy vaults, cesspools or similar receptacles with clean bank-run gravel or dirt.

Article 4: Sewer Connection Permits

- (a) No person shall connect any improved property with any part of the wastewater treatment system without first making application for securing a permit, in writing, from Wakefield Township, as provided for herein. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgement of the governmental agency.

(b) A written application for a sewer connection permit shall be made to Wakefield Township on official forms provided by the Authority by all property owners who are required to connect with the sewer systems, or who desires to connect their properties to the sewer system. The application for sewer connection permit must be completely filled out and must include the following information:

- (i) A description of the property, including street address.
- (ii) The location of the desired sewer connection.
- (iii) The name of the property owner.
- (iv) The size, location and usage of the structure for which the sewer connection is required.
- (v) A list of the number and types of plumbing fixtures to be connected.
- (vi) Confirmation that the building served by the sewer connection is property vented.
- (vii) Contractor's name and telephone number.
- (viii) Building permit number

An application for a sewer connection permit for disposal of industrial waste shall include, in addition to the above, the following:

- (i) Estimated volume of waste (gallons per day).
- (ii) Variation in rates of discharge.
- (iii) Characteristics of the waste.
- (iv) Strength of the waste (estimated BOD, $\text{NH}_3\text{-N}$, pH, phosphorus and SS).

(c) Each application for a sewer connection permit shall be accompanied by the proper fees unless theretofore paid. Wakefield Township shall by resolution establish the fee for sewer connection permits.

(d) Applications will be entertained for a period of one year and only for improved properties and for properties on which bona fide construction has begun for a structure requiring sewer service.

- (e) Upon receipt of a properly prepared application for connection to the sewer system, together with the required fees and the other supplementary material, Wakefield Township, subject to final approval by the Authority shall issue a sewer connection permit to the owner of the property, or to his authorized representative. Neither the owner nor any subsequent owner or tenant shall allow any other property to be attached to or connected with the sewer lines authorized under the original permit.
- (f) The Authority may prohibit or limit new connection permits to the existing sanitary sewer when the existing downstream sewers or pumping stations experience flows in excess of design capacity.

Article 5: Building Sewer Construction

- (a) The provisions and regulations of Western Upper Peninsula District Health Department and State plumbing code are hereby made a part of this ordinance by reference, and shall extend over and govern the installation of all building sewers installed, altered or repaired in the Authority's service area.
- (b) The Authority or its duly appointed agent shall inspect the building sewer. It shall be the duty of the plumber in charge to notify the Authority whenever any work is ready for inspection. All work shall be left exposed until such time as the Authority has completed his examination and inspection. When in the opinion of the Authority, a test in addition to requisites of the Western Upper Peninsula District Health Department and State plumbing code is necessary, it may require a water or air test on any part of or the entire installation.
- (c) The building sewer shall be connected to the lateral at the place designated by the Authority. The connection of the building sewer into the lateral shall conform to the Standard Specifications of the Western Upper Peninsula District Health Department and state plumbing code. A smooth, neat joint shall be made and the connection of a building sewer to the lateral shall be made secure and watertight through the use of an approved manufactured adapter specifically designed for such installation.
- (d) Each improved property shall be connected separately and independently. Grouping of more than one improved property on one building sewer shall not be permitted except under special circumstances and for good sanitary reasons or other good cause shown and then only after special permission of the Authority as may be prescribed by the Authority. However, a single service line shall be permitted to serve a school, mobile home park, apartment house or other permanent multiple unit property whose individual units are not subject to separate ownership.

- (e) The size, slope, alignment, and materials of construction of the building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the Standard Specifications of the Western Upper Peninsula District Health Department and state plumbing code. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
- (f) Old building sewers may be used in connection with new buildings only when they are found, on examination and test witnessed by the Authority to meet all requirements of this ordinance.
- (g) Any materials approved by the Western Upper Peninsula District Health Department and State plumbing code may be installed. However, the Authority may demand use of specific approved material consistent with solid conditions. All sewer piping shall be protected from injury, frost or settling to the satisfaction of the Authority.
- (h) Whenever necessary to disturb a drain or sewer in actual use, the same shall not be obstructed or disturbed without special permission of the Authority and it shall be unlawful to make new connections with or extensions to, and old drain without permission of the Authority.
- (i) A permit shall be applied for and received before excavating in any street, alley or other public way to repair, alter or install plumbing. Before the permit may be issued for excavating for plumbing in any public street, way or alley, the person applying for such permit shall have executed unto the Authority and deposited with the Authority a corporate surety to be approved by the Authority in the sum of \$10,000.00 conditioned that he will perform faithfully all work with due care and skill, and in accordance with the laws, rules and regulations of this ordinance and the herein before mentioned State Codes. The bond shall state that the person will indemnify and save harmless the Authority and the owner of the premises against all damages, costs, expenses, outlays and claims of every nature and kind arising out of unskillfulness or negligence on his part in connection with plumbing or excavating for plumbing as prescribed in this ordinance. Such bond shall remain in force as to all penalties claims and demands that may have occurred thereunder prior to such expiration.
- (j) No openings in streets, alleys or other public ways to install plumbing will be permitted when the ground is frozen, except with special permission of the Authority. In opening any street or other public way, all materials for paving or ballasting shall be removed with the least possible injury or loss and together with the excavating materials from the trenches shall be placed

where the least practical inconvenience to the public will be caused, and to allow the free passage of water along the gutters.

- (k) All openings made in the public streets or alleys in accordance with permission given pursuant hereto shall be enclosed with sufficient barriers, and lamps (which shall be maintained at night) and all other necessary precautions shall be taken to guard the public against accidents from the beginning to the completion of the work. Sewers and drains may be laid only on condition that the excavator or plumber is bonded as hereinbefore mentioned for all damages that may result from his neglect of necessary precaution against all accident to persons or property of others.
- (l) In opening a trench on any street or lot, the sidewalk materials sand, gravel, and earth or whatever material is removed or penetrated, must be replaced in precisely the same condition and relation to the remainder as it was before. All rubbish must be removed at once, leaving the street, or sidewalk in perfect repair and must be so maintained for a period of one year thereafter. All gas, water and electric lines or conduits must be protected from injury or settling in a manner approved by the Authority.
- (m) When any excavation is made in a permanently paved road or street or in any road or street which is to be permanently paved, all clay or hard pan must be removed and the excavation entirely backfilled with sand or gravel thoroughly wetted and consolidated. Any tunnel dug in such road or street shall be backfilled with concrete in a manner approved by the Authority.
- (n) All costs and expense incident to the installation and connection of the building sewer shall be borne by the applicant.

Article 6: Prohibitions and Limitations on Wastewater Discharge.

- (a) Sanitary Sewers. No person shall cause to be discharged any storm water, surface drainage, subsurface drainage, groundwater, roof runoff, cooling water or unpolluted water into any sanitary sewer.
- (b) Prohibitions on Wastewater Discharges. No person shall discharge or deposit into the wastewater treatment system any of the following:
 - (1) Oils and Grease. Any water or waste containing fats, wax, grease or oil, whether emulsified or not, in excess of 100 mg/l containing substances which may solidify or become viscous at temperatures prevailing in the sewage system.
 - (2) Explosive Mixtures. Liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the wastewater treatment facilities or to the operation of the

system. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the sewer system, be more than five percent (5%) nor any single reading over ten percent (10%) of the lower explosive limit (L.E.L.) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, zylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides.

- (3) Noxious Material. Noxious or malodorous solids, liquids or gases, which, either singularly or by interaction with other wastes, are capable of creating a public nuisance or hazard to life, or are or may be sufficient to prevent entry by humans into a sewer for its maintenance and repair.
- (4) Improperly Shredded Garbage. Garbage that has not been ground or comminuted to such a degree that all particles will be carried freely in suspension under flow conditions normally prevailing in the public sewers, with no particle greater than one-half (1/2) inch in any dimension.
- (5) Radioactive Wastes. Radioactive wastes or isotopes of such half life or concentration that they do not comply with regulations or order issued by the appropriate authority having control over their use and which will or may cause damage or hazards to the wastewater treatment system or personnel operating the system.
- (6) Solid or Viscous Wastes. Solid or viscous wastes which will or may cause obstructions to the flow in a sewer, or otherwise interfere with the proper operation of the wastewater treatment system.
- (7) Excessive Discharge Rate. Wastewater at a flow rate or containing such concentrations or quantities of pollutants that exceeds for any time period longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration, quantities or flow during normal operation and that would cause a treatment process upset and subsequent loss of treatment efficiency.
- (8) Toxic Substances. Any toxic substances in amounts exceeding standards promulgated by the Administrator of the United States Environmental Protection Agency pursuant to Section 307(a) of the Act, at exceeding standards as listed herein, and chemical elements or compounds, phenols

or other taste or odor producing substances, or any other substances which are not susceptible to treatment or which may interfere with the biological processes or efficiency of the wastewater treatment system, or that will pass through the system.

- (9) Unpolluted Waters. Any unpolluted water including, but not limited to, water from cooling systems or of stormwater origin, which will increase the hydraulic load on the wastewater treatment system.
 - (10) Discolored Material. Wastes with objectionable color not removable by the wastewater treatment system.
 - (11) Corrosive Wastes. Any waste which will cause corrosion or deterioration of the wastewater treatment system. All wastes discharged to the public sewer system must have a pH value in the range of (6) to (9) standard units. Prohibited materials, include, but are not limited to, acids, sulfides, concentrated chloride and fluoride compounds and substances which will react with water to form acidic products.
- (c) Limitations on Wastewater Discharges. No person shall discharge or convey, or permit or allow to be discharged or conveyed to a public sewer any wastewater containing pollutants of such character or quantity that will:
- (1) Not be susceptible to treatment or interfere with the process or efficiency of the wastewater treatment system.
 - (2) Have concentrations greater than "normal wastewater concentrations", as defined, when averaged proportional-to-flow during the discharge period of 24 hours or less.
 - (3) Constitute a hazard to human or animal life, or to the stream or water course receiving the treatment plant effluent.
 - (4) Violate pretreatment standards.
 - (5) Cause a violation of the discharge permit held by the Authority or applicable receiving water standards.
 - (6) Exceed the following maximum concentrations of pollutants in wastewater discharges to the system.

<u>POLLUTANT</u>	<u>MAXIMUM PERMISSIBLE CONCENTRATION (mg/l)</u>
Aldrin	0.001
Arsenic	0.05
Barium	1.0
Beryllium	0.1
Bron	1.0
Cadmium	0.2
Chloride	250.0
Chlorine	1.0
Chromium	2.0
Cobalt	2.0
Copper	.5
Cyanide	0.025
Dieldrin	0.0005
Fluoride	2.0
Heptachlor	0.0005
Hexavalent Chromium	0.1
Iron	5.0
Lead	0.1
Manganese	5.0
Mercury	0.002
Nickel	0.2
Phenols	0.2
Polychlorinated Biphenyls	0.005
Selenium	0.05
Silver	0.1
Sulfate	250.0
Sulfide	1.0
Sulfite	2.0
Thallium	0.05
Zinc	0.01

- (d) Special Agreements. The Authority may issue a written permit allowing discharges of higher strengths or other unusual characteristics into the system, and the discharger shall pay any additional fees as determined by the Authority.

Article 7: Control of Prohibited Wastes

- (a) Regulatory Action. If wastewaters containing any substance described in Article 6 of this ordinance are discharged or proposed to be discharged into any system subject to this ordinance, the Authority shall issue an order to provide for one or more of the following:

- (1) Prohibit the discharge of such wastewater.
- (2) Require a user to demonstrate that in-plant modifications will reduce or eliminate the discharge of such substances in conformity with this ordinance.
- (3) Require pretreatment, including storage facilities, or flow equalization necessary to reduce or eliminate the objectionable characteristics or substances so that the discharge will not violate these rules and regulations.
- (4) Require the person making, causing or allowing the discharge to pay any additional cost or expense incurred by the system or Authority for handling and treating excess loads imposed on the treatment plan.
- (5) Take such other remedial action as the Authority deems necessary to achieve the purposes of this ordinance.

- (b) Submission of Plans. Where pretreatment or equalization of wastewater flows prior to discharge into any part of the system is required, plans, specifications and other pertinent data or information relating to such pretreatment of flow-control facilities shall first be submitted to the Authority for review and approval. Such approval shall not exempt the discharge or such facilities from compliance with any applicable code, ordinance, rule regulation or order of any governmental authority. Any subsequent alterations or additions to such pretreatment or flow-control facilities shall not be made without due notice and prior approval of the Authority.
- (c) Pretreatment Facilities Operations. If pretreatment or control of waste flows is required, such facilities shall be maintained in good working order and operated as efficiently as possible at the cost and expense of the user, subject to the requirements of these rules and regulations and all other applicable codes., ordinances, and laws.
- (d) Grease, Oil and Sand Interceptors. Grease, oil and sand interceptors shall be provided as required by the Western Upper Peninsula District Health Department or state plumbing code for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Authority, and shall be located as to be readily and easily accessible for cleaning and inspection.
- (e) Admission to Property

- (1) The Authority or its representative shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing, in accordance with the provisions of this ordinance. The aforesaid inspectors shall not inquire into any industrial processes, including metallurgical, chemical, oil refining, ceramic, paper, or other processes, except as they affect the kind and source of discharge to the sewers or waterways or facilities for waste treatment.
- (2) While performing the necessary work on private properties referred to in (1) above, the Authority shall observe all safety rules applicable to the premises established by the user, not inconsistent with the inspection process.
- (3) Specific easements for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within said easement may be required. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the fully negotiated easement pertaining to the private property involved.
- (f) Protection from Accidental Discharge. Each industrial user shall provide protection from accidental discharge or prohibited materials or other wastes regulated by this ordinance. Facilities to prevent accidental discharge or prohibited materials shall be provided and maintained at said user's cost or expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to Authority for review and approval before construction of the facility. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify such facility as necessary to meet the requirements of this ordinance.
- (g) Reporting of Accidental Discharge. If, for any reason, a facility does not comply with or will be unable to comply with any prohibition or limitations in this ordinance, the facility responsible for such discharge shall immediately by the fastest and most effective means possible, at any hour of the day or night, notify the Authority, so that corrective action to protect the system may be taken. In addition, a written report addressed to the Authority, detailing the date, time and cause of the accidental discharge and corrective action taken to prevent future discharges, shall be filed by the responsible industrial facility with 5 days of the occurrence of the noncomplying discharge.

Article 8: Industrial Wastewater Monitoring and Reporting.

- (a) Monitoring

- (1) All industrial waste discharged into the system shall be subject to periodic inspection and a determination of volume, character and concentration by the Authority, as often as deemed necessary. The volume of flow shall be determined from the metered water consumption of the industry or from a wastewater metering survey. Sampling may consist of either instantaneous grab samples or composite samples of wastewater. The costs of such testing and flow determination shall be charged to the industrial waste discharger.
- (2) The industrial user discharging industrial wastes into the system shall install and pay for a suitable control manhole or access facilities to facilitate the accurate observation, sampling and measurement of wastes. Such equipment shall be maintained in proper working order and kept safe and accessible at all times.
- (3) The control manhole or access facilities shall be located and maintained on the industrial user's premises outside of the building. When such a location would be impractical or cause undue hardship on the user, the Authority may allow such access to be constructed in the public street or sidewalk area, with the approval of the local governing body, and located so that it will not be obstructed by public utilities, landscaping or parked vehicles.
- (4) When more than one local user can discharge into a common lateral, the Authority may require installation of separate control manholes or access facilities for each user. When there is a significant difference in wastewater constituents and characteristics produced by different operations of a single user, the Authority may require that separate control manholes or access facilities be installed for each separate discharge.
- (5) Whether constructed on public or private property, the control manhole or access facilities shall be constructed in accordance with the Authority's requirements and all applicable standards and specifications. A location plan and construction details of the control manhole or access facilities shall be submitted to the Authority for review and approval prior to construction.
- (6) Metering of Waste. Devices for measuring the volume of waste discharged may be required by the Authority, if this volume cannot otherwise be determined from metered water consumption records. Metering devices for determining the volume of waste shall be installed, owned and maintained, by the user. Following approval and installation such meters may not be removed without the consent of the Authority.

(b) Discharge Reports.

- (1) Every significant industrial user shall file a periodic Discharge Report at such intervals as are designated by the Authority. The Authority may require any other industrial users discharging or proposing to discharge into the treatment system to file such periodic reports.
- (2) The discharge report shall include, but in the discretion of the Authority, shall not be limited to, nature of process, volume, rates of flow, mass emission rate, production quantities, hours of operation, concentrations of controlled pollutants or other information which relates to the generation of waste. Such reports may also include the chemical constituents and quantity of liquid materials stored on site even though they are not normally discharged. In addition to discharge reports, the Authority may require information in the form of self-monitoring reports.
- (3) Such records shall be made available upon request by the Authority. A summary of such data indicating the industrial user's compliance with this Ordinance shall be prepared quarterly and submitted to the Authority.

(c) Inspection, Sampling and Analysis

- (1) Compliance Determination. Compliance determinations with respect to Article 6 prohibitions and limitations may be made on the basis of either instantaneous grab samples or composite samples of wastewater. Composite samples may be taken over a 24-hour period, or over a longer or shorter time span, as determined by the Authority.
- (2) Analysis of Industrial Wastewaters. Laboratory analysis of industrial wastewater samples shall be performed in accordance with the current edition of "Standard Methods", "Methods for Chemical Analysis of Water and Waste" published by the U.S. Environmental Protection Agency of the "Annual Book of Standards, Part 23, Water, Atmospheric Analysis" published by the American Society for Testing and Materials. Analysis of those pollutants not covered by these publications shall be performed in accordance with procedures established by the State of Michigan.

Article 9: Enforcement, Procedures

- (a) Notification of Violation. Whenever the Authority finds that any person has or is violating the ordinance, or any prohibition, limitation or requirement contained herein, an order shall be served upon such violator stating the nature of the violation providing a reasonable time, not to exceed thirty (30) days for the satisfactory correction thereof.

(b) Show Cause Hearing.

- (1) If the violation is not corrected by timely compliance, the Authority may order any alleged violator to show cause before the local approving authority why sewer service should not be terminated. A notice shall be served on the alleged violator specifying the charges and the time and place of the hearing thereon. The notice shall be served personally or by certified mail, return receipt requested, at least 8 days before the hearing. Service may be made on any agent or officer of a corporation.
 - (2) The Authority may itself conduct the hearing and take the evidence, or may designate some person, excluding a member, to be the hearing examiner to:
 - A. Issue subpoenas requiring the attendance of witnesses and the production of evidence relevant to any matter involved in any such hearing.
 - B. Take testimony and rule on the introduction of evidence.
 - C. File findings of fact and conclusion of law with the approving authority.
 - (3) At any public hearing, testimony taken before the Authority or hearing examiner shall be under oath and recorded stenographically or electronically. The transcript shall be made available to any person upon payment of the charges therefore.
 - (4) After the Authority has reviewed the evidence it may issue an order to the violator directing that, following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices or other related appurtenances shall have been installed or existing treatment facilities, devices or other related appurtenances are properly operated, and such further orders and directives as are necessary and appropriate.
- (c) Enforcement. Any discharge in violation of this ordinance shall be considered a public nuisance. The Authority shall bring an action for appropriate legal and/or equitable relief to abate the nuisance and enforce the ordinance.
- (d) Appeal. A three-member arbitration board shall be established to handle appeals pertaining to interpretation of the Sewer User Ordinance. The arbitration board shall consist of one member from the appealing party, one member from the Authority and one member, mutually agreeable to the appealing party and Authority, that resides outside of the service area of the Authority. Should the appealing party and Authority be unable to agree on the third board member, then the Circuit Court of Gogebic County shall appoint the third member of the arbitration board. All decision

Exhibit A

SECTION 32 SEWER AUTHORITY

Beginning at the Section corner common to Sections 5, 6, 31 and 32, T47N, R45W, Wakefield Township, Gogebic County, Michigan; thence South along the West line of Section 5 to the North 1/4 point; thence West along the North line of the Southeast 1/4 - Northeast 1/4 Section 6 to the Northwest corner; thence South along the West lines of the Southeast 1/4 - Northeast 1/4 Section 6 and the Northeast 1/4 - Southeast 1/4 Section 6 to the Southwest corner of the Northeast 1/4 - Southeast 1/4 Section 6; thence East along the South line of the Northeast 1/4 - Southeast 1/4 Section 6 to the Southeast corner; thence North along the East line of the Northeast 1/4 - Southeast 1/4 Section 6 to the Northwest corner of Lot 1 of the Indian Hills Subdivision plat; thence East along the North line of lot 1 to the Northeast corner; thence North along the West line of Lot 7 to the Northwest corner of said lot; thence East along the North lines of Lots 8, 9 and 11 to the Southwest corner of Lot 12; thence along the West lines of lots 12 and 13 to the Northwest corner of lot 13; thence East along the North line of lot 13 to the East side of Sundance Road, thence South along the East line of Sundance Road to the Northwest corner of lot 14; thence east along the North line of lot 14 to the West line of lot 15; thence North along the West line of lot 15 to the North line of Thunderbird Lane; thence Westerly along the North line of Thunderbird Lane to the West line of Sundance Road; thence South along the West line of Sundance Road to the North line of Apache Drive thence west along the North line of Apache Drive to the extension of the West line of lot 13; thence North along the extension of the West line of lot 13 to the extension of the North line of Indian Hills No. 2 Subdivision; thence East along the North line of said Subdivision to the East line of Southwest 1/4 - Northwest 1/4 Section 5; ~~thence North along the East lines of the West 1/2 - Northwest 1/4 Section 5 and the Southwest 1/4 - Southwest 1/4 Section 32 to the Northeast corner of Southwest 1/4 - Southwest 1/4, Section 32; thence West along the North lines of the Southwest 1/4 - Southwest 1/4 Section 32 and the Southeast 1/4 - Southeast 1/4 - Section 31 to the North-South centerline of the Southeast 1/4 - Southeast 1/4 Section 31; thence South along the North-South centerline to the South line of Section 31; thence East on the South line Section 31 to the Point of Beginning.~~

of the arbitration board shall be by a majority. Decisions of the arbitration board shall be final and binding upon the parties there shall be no further appeal therefrom.

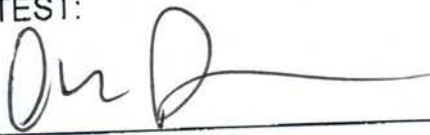
Article 10: Penalty and Costs

- (a) Any person who is found to have violated any order to provision of this ordinance, and the orders, rules and regulations issued hereunder, shall be fined not less than One Hundred Dollars (\$100.00), and not more than Five Hundred Dollars (\$500.00), per day, for each violation. Each day of violation shall be deemed a separate offense and subject to a separate forfeiture.
- (b) Any person found to be responsible for a deleterious discharge into the system, which causes damage to the system, receiving body of water and/or downstream waters, shall pay the cost of such damages to the Authority and each effected party.
- (c) In addition to the penalties provided herein, the Authority may recover reasonable attorney's fees, court costs, court reporter's fees and other expenses of litigation by appropriate suit at law against the person found to have violated this ordinance, or the orders, rules and regulations issued hereunder.

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

Passed and adopted by the Section 32 Sewer Authority, Gogebic County, Michigan.


ATTEST:



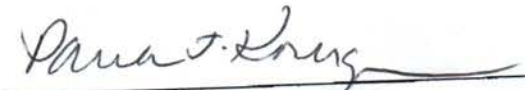
Amanda Perttula



Dan Serrila, Chairman



James E. Ringsmuth



Paula J. Koruga, Secretary

PASSED: 7-6-23

ADOPTED: 7-19-23

PUBLISHED: 7-27-23