



# HOLMES COUNTY SEWER DISTRICT

## Rules and Regulations Governing the Use of the Holmes County Wastewater Treatment System

### HOLMES COUNTY COMMISSIONERS

2 Court Street; Suite 14  
Millersburg, Ohio 44654  
Phone: 330-674-8104  
Fax: 330-674-7918  
Email: [hcc@co.holmes.oh.us](mailto:hcc@co.holmes.oh.us)

Effective Date  
January 26, 2009

**RULES AND REGULATIONS FOR THE USE OF  
HOLMES COUNTY WASTEWATER TREATMENT FACILITIES**

**TABLE OF CONTENTS**

	<b><u>PAGE</u></b>
<b>PART A</b>	
SECTION 1 – General Provisions .....	3
1.1 Purpose and Policy.....	3
1.2 Administration .....	3
1.3 Abbreviations.....	4
1.4 Definitions.....	4
SECTION 2 – General Sewer Use Requirements.....	9
2.1 Requirement to Connect .....	9
2.2 Acceptable Wastes .....	11
2.3 Prohibited Discharge Standards.....	11
2.4 National Categorical Pretreatment Standards .....	13
2.5 State Pretreatment Standards .....	13
2.6 Local Limits.....	13
2.7 Holmes County’s Right of Revision.....	13
2.8 Dilution .....	14
2.9 Responsibility for Maintenance and Repair of Sanitary Sewer Lateral Service Line .....	14
2.10 Authority for Control of Wastewater Discharges .....	14
SECTION 3 – Pretreatment of Wastewater .....	15
3.1 Pretreatment Facilities .....	15
3.2 Additional Pretreatment Measures.....	15
3.3 Accidental Discharge/Slug Discharge Control Plans .....	15
3.4 Hauled Wastewater .....	16
SECTION 4 – Wastewater Applications and Permits .....	16
4.1 Permits Required.....	16
4.2 Permit to Connect to the System.....	16
4.3 Application for Sewer Service.....	16
4.4 Wastewater Discharge Permitting: General Permits.....	17
4.5 Application Signatories and Certifications .....	17
SECTION 5 – Wastewater Discharge Permit Issuance .....	17
5.1 Wastewater Discharge Permit Contents.....	17
5.2 Individual and General Wastewater Discharge Permit Transfer .....	18
5.3 Individual and General Wastewater Discharge permit Revocation.....	18
5.4 Wastewater Discharge Permit Reissuance.....	19

**RULES AND REGULATIONS FOR THE USE OF  
HOLMES COUNTY WASTEWATER TREATMENT FACILITIES**

**TABLE OF CONTENTS**

	<b><u>PAGE</u></b>
<b>PART A</b>	
SECTION 6 – Reporting Requirements .....	19
6.1 Periodic Compliance Reports .....	19
6.2 Reports of Changed Conditions .....	19
6.3 Reports of Potential Problems .....	19
6.4 Analytical Requirements.....	20
6.5 Sample Collection.....	20
6.6 Date of Receipt of Reports.....	20
6.7 Recordkeeping .....	21
SECTION 7 – Compliance Monitoring .....	21
7.1 Right of Entry: Inspection and Sampling.....	21
7.2 Search Warrants .....	22
SECTION 8 – Confidential Information.....	22
SECTION 9 – Administrative Enforcement Remedies .....	22
9.1 Notification of Violation.....	22
9.2 Consent Orders.....	23
9.3 Show Cause Hearing.....	23
9.4 Compliance Orders .....	23
9.5 Cease and Desist Orders .....	23
9.6 Administrative Fines.....	24
9.7 Emergency Suspensions.....	24
9.8 Termination of Discharge .....	25
SECTION 10 – Judicial Enforcement Remedies.....	25
10.1 Injunctive Relief.....	25
10.2 Civil Penalties.....	25
10.3 Criminal Prosecution .....	26
10.4 Remedies nonexclusive.....	26
SECTION 11 – Supplemental Enforcement Action .....	26
11.1 Penalties for Late Reports.....	26
11.2 Performance Bonds.....	27
11.3 Liability Insurance .....	27
11.4 Payment of Outstanding Fees and Penalties .....	27
11.5 Water Supply Severance .....	27

**RULES AND REGULATIONS FOR THE USE OF  
HOLMES COUNTY WASTEWATER TREATMENT FACILITIES**

**TABLE OF CONTENTS**

	<b><u>PAGE</u></b>
<b>PART A</b>	
11.6 Public Nuisances .....	27
SECTION 12 – Affirmative Defenses to Discharge Violations .....	27
12.1 Upset .....	27
12.2 Prohibited Discharge Standards .....	28
12.3 Bypass .....	29
SECTION 13 – Miscellaneous Provisions .....	30
13.1 Severability .....	30
SECTION 14 – Effective Date .....	30

**RULES AND REGULATIONS FOR THE USE OF  
HOLMES COUNTY WASTEWATER TREATMENT FACILITIES**

**TABLE OF CONTENTS**

	<b><u>PAGE</u></b>
<b>PART B</b>	
SECTION 1 – Application for Private Extension of Water/Sewer Lines.....	31
1.1 Application.....	31
1.2 The Contract Shall Contain.....	31
1.3 Proceeding with the Construction of the Extension.....	33
1.4 After Construction is Complete.....	33
SECTION 2 – Procedure for Plan Approval.....	34
2.1 Plan –Physical Format.....	34
2.2 Sanitary Sewer Service Requests.....	36
2.3 Revisions.....	36
2.4 Construction plans-Approval Period.....	36
2.5 Construction Plans-As-Built Drawings.....	36
2.6 Available Capacity.....	38
2.7 County Ownership.....	38
2.8 Easements.....	38
2.9 Submission of Plans.....	38
SECTION 3 – Materials and Specifications.....	39
3.1 Requirements.....	39
SECTION 4 – Construction.....	39
4.1 Requirements.....	39
SECTION 5 – Inspection.....	39
5.1 Jurisdiction.....	39
5.2 Fees.....	40
5.3 Acceptance.....	40
5.4 Notification of Start of Construction.....	40
5.5 Testing.....	41
SECTION 6 – Building Sewers, Water Services, and Connections.....	41
6.1 Authorization.....	41
6.2 Requirements-Sewer.....	42
6.3 Requirements-Water.....	43
6.4 Permits.....	44

**RULES AND REGULATIONS FOR THE USE OF  
HOLMES COUNTY WASTEWATER TREATMENT FACILITIES**

**TABLE OF CONTENTS**

	<b><u>PAGE</u></b>
<b>PART B</b>	
SECTION 7 – Sewage Lift Stations .....	45
7.1 Requirements .....	45
SECTION 8 – Annexation .....	45
8.1 Requirements .....	45
SECTION 9 – Drain Layer & Waterline Installer .....	45
9.1 Requirements .....	45
9.2 Service and Building Sewer Requirements.....	46
9.3 Waterline Installer.....	47
SECTION 10 – Disconnection, Connection Freeze, Reconnections .....	47
10.1 Disconnection-Sewer .....	47
10.2 Disconnection-Water .....	47
10.3 Connection Freeze .....	48
10.4 Reconnection-Sewer .....	48
10.5 Reconnection-Water .....	48
SECTION 11 – Miscellaneous Provisions.....	49
11.1 Severability .....	49
SECTION 12 – Effective Date .....	49

The following Rules and Regulations are for the information, use and guidance of all users, installers, and potential users of the Holmes County Wastewater and Water Systems.

These Rules and Regulations are established by the Holmes County Commissioners under the authority of Chapter 6117 of the Ohio Revised Code and will replace previous rules and regulations adopted for the Holmes County Wastewater and Water Systems.

These rules and regulations are not intended to interfere with those of any other governmental agency having jurisdiction and whose rules or regulations are more stringent. Whenever these rules and regulations impose different restrictions than those of other lawfully adopted laws or rules, then the more restrictive or higher rule shall govern.

Adopted by the Board of County Commissioners by Resolution on January 26, 2009

**PART A**

**RULES AND REGULATIONS FOR THE USE OF  
HOLMES COUNTY WASTEWATER TREATMENT FACILITIES**

**SECTION 1 - GENERAL PROVISIONS**

1.1 Purpose and Policy

These Rules and Regulations set forth uniform requirements for Users of the Publicly Owned Treatment Works for Holmes County, Ohio and enables the County to comply with all applicable State and Federal laws, including the federal Clean Water Act (33 United States Code [U.S.C.] §§ 1251 *et seq.*) and U.S. EPA's General Pretreatment Regulations (Title 40 of the *Code of Federal Regulations* [CFR] Part 403). The objectives of Part A are:

- A. To prevent the introduction of pollutants into the Holmes County wastewater facilities that will interfere with its operation;
- B. To prevent the introduction of pollutants into the Holmes County wastewater facilities that will pass through the Publicly Owned Treatment Works, inadequately treated, into receiving waters, or otherwise be incompatible with the facilities;
- C. To protect both Publicly Owned Treatment Works personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
- D. To promote reuse and recycling of industrial wastewater and sludge from the wastewater facilities;
- E. To provide for fees for the equitable distribution of the cost of operation, maintenance, and improvement of the Publicly Owned Treatment Works; and
- F. To enable Holmes County to comply with its National Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, and any other Federal or State laws to which the Publicly Owned Treatment Works is subject.

These Rules and Regulations shall apply to all Users of Holmes County's Publicly Owned Treatment Works. These Rules and Regulations authorize the issuance of wastewater discharge permits, provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires User reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

1.2 Administration

These Rules and Regulations shall be enforced by the Holmes County Sewer District as directed by the Commissioners in accordance with the Ohio Revised Code, Chapter 6117. Except as otherwise provided herein, the Superintendent, under direction of the Sanitary Engineer shall administer, implement, and enforce the provisions of these Rules and Regulations. Any powers granted to or duties imposed upon the Superintendent may be delegated by the Superintendent to a duly authorized Holmes County employee.



### 1.3 Abbreviations

The following abbreviations, when used in this Rule, shall have the designated meanings:

BOD – Biochemical Oxygen Demand  
BMP – Best Management Practice  
BMR – Baseline Monitoring Report  
CFR – *Code of Federal Regulations*  
CIU – Categorical Industrial User  
COD – Chemical Oxygen Demand  
EPA – U.S. Environmental Protection Agency  
gpd – gallons per day  
IU – Industrial User  
mg/l – milligrams per liter  
NPDES – National Pollutant Discharge Elimination System  
NSCIU – Non-Significant Categorical Industrial User  
POTW – Publicly Owned Treatment Works  
RCRA – Resource Conservation and Recovery Act  
SIU – Significant Industrial User  
SNC – Significant Noncompliance  
TSS – Total Suspended Solids  
U.S.C. – United States Code

### 1.4 Definitions

Unless a provision explicitly states otherwise, the following terms and phrases, as used in this rule, shall have the meanings hereinafter designated.

- A. **Act or “the Act.”** The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. section 1251 et seq.
- B. **Approval Authority. State of Ohio**
- C. **Authorized or Duly Authorized Representative of the User.**
  - 1. If the User is a corporation:
    - a. The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
    - b. The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has

been assigned or delegated to the manager in accordance with corporate procedures.

2. If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.
  3. If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
  4. The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to Holmes County.
- D. **Biochemical Oxygen Demand or BOD.** The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20 degrees centigrade, usually expressed as a concentration (e.g., mg/l).
- E. **Best Management Practices or BMPs** means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section 2.1 and OAC 3745-3-04. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.
- F. **Building drain** That part of the lowest horizontal piping of a structure's sanitary drainage system which receives discharge from wastewater drainage pipes within the structure and conveys that discharge to the building sewer
- G. **Building sewer** The extension from the building drain to the sanitary sewer or on site sewage disposal system
- H. **Categorical Pretreatment Standard or Categorical Standard.** Any regulation containing pollutant discharge limits promulgated by EPA in accordance with sections 307(b) and (c) of the Act (33 U.S.C. section 1317) that apply to a specific category of Users and that appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.
- I. **Categorical Industrial User.** An Industrial User subject to a categorical Pretreatment Standard or categorical Standard.
- J. **Chemical Oxygen Demand or COD.** A measure of the oxygen required to oxidize all compounds, both organic and inorganic, in water.
- K. **Commissioners** The Board of County Commissioners of Holmes County
- L. **Contractor** Any person undertaking a contract under these rules and regulations, acting directly or through a duly qualified and authorized representative registered by the Commissioners to perform work on the County System
- M. **County.** The Board of County Commissioners of Holmes County or their agent
- N. **Daily Maximum.** The arithmetic average of all effluent samples for a pollutant collected during a calendar day.
- O. **Daily Maximum Limit.** The maximum allowable discharge limit of a pollutant during a calendar day. Where Daily Maximum Limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the

- arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.
- P. **Environmental Protection Agency or EPA.** The U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, the Regional Administrator, the Ohio Environmental Protection Agency, or other duly authorized official of said agency.
  - Q. **Existing Source.** Any source of discharge that is not a “New Source.”
  - R. **Grab Sample.** A sample that is taken from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.
  - S. **Indirect Discharge or Discharge.** The introduction of pollutants into the POTW from any non-domestic source.
  - T. **Industrial Waste.** Any waste resulting from any commercial operations, manufacturing operations, industrial operations or other non-residential processes.
  - U. **Instantaneous Limit.** The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composite sample collected, independent of the industrial flow rate and the duration of the sampling event.
  - V. **Interference.** A discharge that, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and therefore, is a cause of a violation of Holmes County’s NPDES permits or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent State or local regulations: section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.
  - W. **Local Limit.** Specific discharge limits developed and enforced upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b).
  - X. **Medical Waste.** Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.
  - Y. **Monthly Average.** The sum of all “daily discharges” measured during a calendar month divided by the number of “daily discharges” measured during that month.
  - Z. **Monthly Average Limit.** The highest allowable average of “daily discharges” over a calendar month, calculated as the sum of all “daily discharges” measured during a calendar month divided by the number of “daily discharges” measured during that month.
  - AA. **New Source.**
    1. Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under section 307(c) of the Act that will be applicable to such source if such Standards are thereafter promulgated in accordance with that section, provided that:

- a. The building, structure, facility, or installation is constructed at a site at which no other source is located; or
  - b. The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an Existing Source; or
  - c. The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an Existing Source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the Existing Source, should be considered.
2. Construction on a site at which an Existing Source is located results in a modification rather than a New Source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (1)(b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.
  3. Construction of a New Source as defined under this paragraph has commenced if the owner or operator has:
    - a. Begun, or caused to be begun, a part of a continuous on-site construction program
      - (1) any placement, assembly, or installation of facilities or equipment; or
      - (2) significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
    - b. Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.
- AB. **Noncontact Cooling Water.** Water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.
- AC. **Pass Through.** A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of Holmes County's NPDES permits, including an increase in the magnitude or duration of a violation.
- AD. **Person.** Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all Federal, State, and local governmental entities.
- AE. **pH.** A measure of the acidity or alkalinity of a solution, expressed in standard units.
- AF. **Pollutant.** Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, Medical Wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar

- dirt, municipal, agricultural and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).
- AG. **Pretreatment.** The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable Pretreatment Standard.
- AH. **Pretreatment Requirements.** Any substantive or procedural requirement related to pretreatment imposed on a User, other than a Pretreatment Standard.
- AI. **Pretreatment Standards or Standards.** Pretreatment Standards shall mean prohibited discharge standards, categorical Pretreatment Standards, and Local Limits.
- AJ. **Prohibited Discharge Standards or Prohibited Discharges.** Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 2.3 of this Rule.
- AK. **Property owner** The individual or “person” who is the legal owner of the real estate
- AL. **Publicly Owned Treatment Works or POTW.** A treatment works, as defined by section 212 of the Act (33 U.S.C. section 1292), which is owned by Holmes County. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances, which convey wastewater to a treatment plant.
- AM. **Public sewer** Any sewer line located in a public right-of-way or easement which carries wastewater and is under control of the County
- AN. **Septic Tank Waste.** Any sewage from holding tanks such as vessels, chemical toilets, camps, trailers, and septic tanks.
- AO. **Sewage.** Human excrement and gray water ( household showers, dishwashing operations, etc.).
- AP. **Significant Industrial User (SIU).**  
 Except as provided in paragraphs (3) and (4) of this Section, a Significant Industrial User is:
  1. An Industrial User subject to categorical Pretreatment Standards; or
  2. An Industrial User that:
    - a. Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);
    - b. Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
    - c. Is designated as such by the State of Ohio on the basis that it has a reasonable potential for adversely affecting the POTW’s operation or for violating any Pretreatment Standard or Requirement.
- AQ. **Slug Load or Slug Discharge.** Any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in Section 2.3 of this Rule. A Slug Discharge is any Discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch Discharge, which has a reasonable

potential to cause Interference or Pass Through, or in any other way violate the POTW's regulations, Local Limits or Permit conditions.

- AR. **Storm Water.** Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.
- AS. **Superintendent.** The person designated by Holmes County to supervise the operation of the POTW, and who is charged with certain duties and responsibilities by this Rule. The term also means a Duly Authorized Representative of the Superintendent.
- AT. **Total Suspended Solids or Suspended Solids.** The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and that is removable by laboratory filtering.
- AU. **User or Industrial User.** Any source of indirect discharge.
- AV. **Wastewater.** Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.
- AW. **Wastewater Treatment Plant or Treatment Plant.** That portion of the POTW which is designed to provide treatment of municipal sewage and industrial waste.

## **SECTION 2 - GENERAL SEWER USE REQUIREMENTS**

### 2.1 Requirement to Connect

Within the Sewer Districts established by the County and under Ohio Revised Code, Chapter 6117, the County may "require sewer connections where available and accessible." Where sewer is available to the property line or if the foundation wall of a structure form which sewage or other wastewater is generated is located within two hundred (200) feet of a sewer line or the boundary of the right of way within which the public sewer is located, the County shall require the connection to that sewer.

Where sewer "is accessible" as outlined in this regulation and in the Ohio Revised Code, Chapter 6117, Section 6117.51, it is unlawful to discharge sewage or other waste into a cesspool, ditch, private sewer, privy, septic tank, semipublic disposal system or other outlet.

#### A. Connections and Inspection of Connections

1. No person shall connect to the Holmes County Wastewater Treatment System without:
  - a. Submitting a completed application for a Permit to Connect and an Application for Service
  - b. Paying all fees established or required by the County
  - c. Obtaining a permit to connect to the System
  - d. Notifying the Supervisor of the System at least 48 hours prior to connection
2. Only installers registered with the County shall be permitted to connect to the System.
3. No person shall uncover or breach any part of the System without first notifying the Supervisor of the System 48 hours prior to exposing the system.

4. All excavations involving connection to the System will begin at the foundation in order to ensure that no prohibited connections are made to the System. Every connection to the System shall remain uncovered until it is inspected and approved by the Supervisor of the System. The property owner and installer shall have the burden of proof that no prohibited connections have been made to the System.

B. Service Connections

1. All costs and expenses incident to the installation of sewer service shall be paid by the property owner. A separate and independent sewer connection shall be made for each building or structure. Multiple connections to the sewer system from a single property may require a manhole.
2. Any building or structure other than a single family, residential dwelling shall have a minimum 6" minimum diameter sewer line (unless otherwise approved). All single family, residential dwellings shall have a 4" minimum diameter sewer line (unless otherwise approved).
3. The building sewer shall be brought to the building at an elevation below the basement floor whenever possible. Any buildings in which the building drain is at an elevation which will not permit gravity flow may use artificial lift to access the building sewer. The depth of all sewers shall be sufficient to prevent frost and in no case shall any sewer line be less than 2 ½ feet deep from ground surface to the top of pipe.
4. The property owner shall be responsible for the performance and maintenance of the building sewer. Should the building sewer be determined to be non functioning, to be permitting inflow or infiltration or in any way is affecting the operation of the System, the property owner shall within 90 days, at his own expense, correct the cause of the problem. If a property owner fails to correct a problem, the County can correct the problem at the expense of the property owner.

C. Prohibited Connections

1. The following are prohibited connections: footer drains, yard drains, drive drains, sump pumps, down spouts, storm drains, or any connections other than sanitary.
2. Any person, being the owner of a building or property which has a prohibited connection shall immediately disconnect it from the System.
3. All down spouts, clean water connections and storm drains, whether currently in existence or placed in the future, shall be splashed out or connected to a storm sewer or surface drainage facility. The intent of this provision is to encourage surface drainage of clean water and to avoid negligent or reckless connection into the sanitary sewer system.

4. No licensed installer shall knowingly make a prohibited connection to the System. If the installer is making an unfamiliar connection to the System, then the installer and the landowner are responsible for testing the unfamiliar system for prohibited connections prior to receiving approval for final connection to the system.
5. Whenever a property owner is notified of a prohibited connection, the landowner shall be required to remove or disconnect the prohibited connection within thirty days.

## 2.2 Acceptable Wastes

- A. The following wastes will be acceptable to be discharged into the System: waterborne wastes from toilets, lavatories, bathtubs, showers, sinks laundry tubs, washing machines and drinking fountains.
- B. Wastes from any commercial operations and any manufacturing processes are considered as industrial wastes and must be given special consideration. Floor drains and other drains that collect these wastes may be approved for connection to the sanitary sewer on an individual basis. Any user of the System, who has wastes of this type, is required to notify the County.
- C. The discharge of any other wastes must have written authorization from the County. The County may require pretreatment of any wastes not mentioned in this section. The County has the right to reject or deny the discharge of any wastes which possess objectionable characteristics or which may cause (even in part) the County to violate its NPDES permit.

## 2.3 Prohibited Discharge Standards

- A. General Prohibitions. No User shall introduce or cause to be introduced into the POTW any pollutant or 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 treatment system;
  2. Violate pretreatment standards or requirements;
  3. Cause the POTW treatment plant to violate its NPDES permit or applicable receiving water standards.

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

- B. Specific Prohibitions. No User shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:
  1. Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, wastestreams with a closed-cup flashpoint of less than 140 degrees F (60 degrees C) using the test methods specified in 40 CFR 261.21;
  2. Wastewater having a pH less than 5.0 or more than 10.5, unless granted prior approval by the Ohio EPA, or otherwise causing corrosive structural damage to the POTW or equipment. Users that are subject to Federal categorical Pretreatment Standards and continuously monitor for pH shall maintain the pH of the wastewater within the range set forth above, except excursions from the range are permitted



subject to the limitations outlined in 40 CFR 401.17. **[Note: Any pH above 12.5 is considered hazardous waste under 40 CFR 261.22];**

3. Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in Interference.
  4. Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause Interference with the POTW;
  5. Wastewater having a temperature greater than 120°F, or which will inhibit biological activity in the treatment plant resulting in Interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104 degrees F (40 degrees C);
  6. Any water or waste containing wax, fats, grease or oils, whether emulsified or not, in excess of one hundred (75) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred-twenty (120) degrees F;
  7. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause Interference or Pass Through;
  8. 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 safety problems;
  9. Trucked or hauled pollutants, except at discharge points designated by the Superintendent in accordance with Section 3.4 of this Rule;
  10. Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;
  11. Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating Holmes County's NPDES permit;
  12. Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations;
  13. Storm Water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, Non-contact Cooling Water, and unpolluted wastewater, unless specifically authorized by the Superintendent;
  14. Sludges, screenings, or other residues from the pretreatment of industrial wastes;
  15. Medical Wastes, except as specifically authorized by the Superintendent in an individual wastewater discharge permit;
  16. Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail toxicity test;
  17. Detergents, surface-active agents, or other substances which that might cause excessive foaming in the POTW;
  18. Any wastewater containing concentrations exceeding background levels of pollutants, for which local limit domestic monitoring has been conducted, unless otherwise specified in a wastewater discharge permit.
- C. The removal of manhole lids, or other access to the sewer system which discharges to any Holmes County wastewater treatment facility for the purpose of discharging wastes

at times and/or locations other than those designated by the Superintendent, or without the expressed permission of the Superintendent, shall be considered a violation and shall be subject to enforcement action including fines and penalties allowed under Sections 9 and 10 of this Rule.

Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such a manner that they could be discharged to the POTW.

Nothing in this section shall be construed as preventing any special agreement or arrangement between the county and any user of the POTW whereby wastewater of unusual strength or character is discharged into the system. No agreement shall be made which violates any state or federal standards or requirements including categorical pretreatment standards.

#### 2.4 National Categorical Pretreatment Standards

Users must comply with the categorical Pretreatment Standards found at 40 CFR Chapter I, Subchapter N, Parts 405–471.

#### 2.5 State Pretreatment Standards

State pretreatment standards located at OAC 3745-3 and OAC 3745-36 shall be met by all discharges which are subject to those standards in any instance in which they are more stringent than federal requirements and limitations or those in this or any other applicable Rule.

#### 2.6 Local Limits

- A. The Superintendent is authorized to establish Local Limits pursuant to 40 CFR 403.5(c). Such limits shall be specified in the industrial users' waste discharge permit.
- B. All other industrial users of the POTW may not discharge above generally accepted domestic levels without receiving a wastewater discharge permit. Discharge permits shall impose maximum discharge concentration limits or mass based limits where appropriate. Local requirements and limitations on discharges to the POTW shall be met by all dischargers subject to those standards in any instance in which they are more stringent than federal or state requirements and limitations.

#### 2.7 Holmes County's Right of Revision

Holmes County reserves the right to establish, by Rule more stringent Standards or Requirements on discharges to the POTW consistent with the purpose of this Rule.

## 2.8 Dilution

No User shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable Pretreatment Standard or Requirement.

## 2.9 Responsibility for Maintenance and Repair of Sanitary Sewer Lateral Service Line

Any customer served by a sanitary sewer lateral service line shall be responsible for maintenance and repair of the same as follows:

- A. In those instances where the sanitary sewer main is located in the street right of way, such customer shall be responsible for repair of the sanitary sewer lateral service line from the sanitary sewer main to the building to which such service line is connected.
- B. The County may, under unusual circumstances as contained in the rules and regulations promulgated by the County, participate in the cost of the replacement of such sanitary sewer lateral service line.

## 2.10 Authority for Control of Wastewater Discharges

If any waters or wastes are discharged or are proposed to be discharged to the public sewers which contain the substances or possess the characteristics enumerated in Section 2.1 through 2.7, and which in the judgment of the Superintendent may have a deleterious effect upon the wastewater facilities, processes, equipment, or receiving waters, including violation of applicable water quality standards, or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent may:

- A. Reject the waste, or
- B. Require pretreatment to an acceptable condition for discharge to the public sewers,
- C. Require control over the quantities and rates of discharge, and/or
- D. Require payment to cover the additional cost of handling and treating the wastes under the provisions of most current Holmes County Sewer and Water Rate Ordinance.

If the Superintendent permits or requires pretreatment or equalization of waste flows, or the installation and operation of wastewater sampling or flow monitoring equipment, the design and installation of the plants and equipment shall be subject to the prior review and approval of the Superintendent and the Ohio EPA and subject to the requirements of all applicable codes, rules, and laws. When such facilities are provided, they shall be operated and maintained in satisfactory and effective condition by the permitted user at his expense. The permitted user will be responsible for all costs and associated fees; including; but not limited to sampling and lab costs.

## **SECTION 3 - PRETREATMENT OF WASTEWATER**

### **3.1 Pretreatment Facilities**

Users shall provide wastewater treatment as necessary to comply with this Rule and shall achieve compliance with all categorical Pretreatment Standards, Local Limits, and the prohibitions set out in Section 2.3 of this Rule within the time limitations specified by EPA, the State, or the Superintendent, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the User's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the Superintendent for review, and shall be acceptable to the Superintendent before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the User from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to Holmes County under the provisions of this Rule.

### **3.2 Additional Pretreatment Measures**

- A. Whenever deemed necessary, the Superintendent may require Users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and such other conditions as may be necessary to protect the POTW and determine the User's compliance with the requirements of this Rule.
- B. The Superintendent may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow.
- C. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil, or sand; except that such interceptors shall not be required for residential users. All interception units shall be of a type, capacity and shall function as required and shall be approved by the Superintendent and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired by the User at their expense.
- D. Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

### **3.3 Accidental Discharge/Slug Discharge Control Plans**

- A. The Superintendent shall evaluate whether each User needs an accidental discharge/slug discharge control plan or other action to control Slug Discharges. The Superintendent may require any User to develop, submit for approval, and implement such a plan or take such other action that may be necessary to control Slug Discharges.

### 3.4 Hauled Wastewater

- A. Septic tank waste may be introduced into the POTW only at locations designed for accepting hauled waste and designated by the Superintendent, and at such times as are established by the Superintendent. Such waste shall not violate Section 2 of this Rule or any other requirements established by Holmes County. The Superintendent may collect samples of each hauled load to ensure compliance with applicable Standards. The Superintendent may require septic tank waste haulers to obtain individual or general wastewater discharge permits.
- B. The Superintendent may require the generators or haulers of industrial waste to obtain general wastewater discharge permits. The Superintendent also may prohibit the disposal of hauled industrial waste. The discharge of hauled industrial waste is subject to all other requirements of this Rule.

## **SECTION 4 - WASTEWATER APPLICATIONS AND PERMITS**

### 4.1 Permits Required

- A. The property owner shall secure all necessary permits (and pay all required fees) from the County for all sanitary sewer connections, extensions or any construction that involves sanitary sewer facilities which will become part of or connect to the System.
- B. The issuance of a connection permit by the County does not relieve the permit holder of the responsibility of securing permits from other governing agencies.
- C. Permits shall be available on site at all times when work is in progress and should be presented upon request to an authorized representative of the System.
- D. Permission to begin the use of newly constructed sewer lines will not be granted until acceptance, approval and final inspection of the facility by the County.

### 4.2 Permit to Connect to the System

- A. A Permit to Connect shall be required any time a new connection is made to the System. A permit form is available from the Holmes County Sewer District.
- B. Permits shall be signed by the property owner and the installer who is approved and registered to connect to the System. The permit shall constitute a contract by which the property owner and installer agree to abide by all Rules and Regulations.

### 4.3 Application for Sewer Service

An application for sewer service must be made any time a new connection is requested or there is a change in property owner or person responsible for payment. This application is available from the Holmes County Environmental Management District. It must be signed by the property owner who will be liable for all charges arising from bill for service supplied, repairs, damages or for any other responsibility stated in these Rules and Regulations.

#### 4.4 Wastewater Discharge Permitting: General Permits

- A. At the discretion of the Superintendent, the Superintendent may use general permits to control discharges to the POTW if the following conditions are met. All facilities to be covered by a general permit must:
  - 1. Involve the same or substantially similar types of operations;
  - 2. Discharge the same types of wastes;
  - 3. Require the same effluent limitations;
  - 4. Require the same or similar monitoring; and
  - 5. In the opinion of the Superintendent, are more appropriately controlled under a general permit than under individual wastewater discharge permits.
- B. To be covered by the general permit, the User must file a written request for coverage that identifies its contact information, production processes, the types of wastes generated, the location for monitoring all wastes covered by the general permit, and any other information the POTW deems appropriate.
- C. The Superintendent will retain a copy of the general permit, documentation to support the POTW's determination that a specific User meets the criteria in Section 4.4 A(1) to (5) and applicable State regulations, and a copy of the User's written request for coverage for three (3) years after the expiration of the general permit.
- D. The Superintendent may not control a User through a general permit where the facility is subject to production-based categorical Pretreatment Standards or categorical Pretreatment Standards expressed as mass of pollutant discharged per day or for Users whose limits are based on the Combined Wastewater Formula or Net/Gross calculations.

#### 4.5 Application Signatories and Certifications

- A. All wastewater discharge permit applications, User reports and certification statements must be signed by an Authorized Representative of the User.
- B. If the designation of an Authorized Representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new written authorization satisfying the requirements of this Section must be submitted to the Superintendent prior to or together with any reports to be signed by an Authorized Representative.

### **SECTION 5 - WASTEWATER DISCHARGE PERMIT ISSUANCE**

#### 5.1 Wastewater Discharge Permit Contents

A wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the Superintendent to prevent Pass Through or Interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

## 5.2 Individual and General Wastewater Discharge Permit Transfer

Wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least sixty (60) days advance notice to the Superintendent and the Superintendent approves the wastewater discharge permit transfer. The notice to the Superintendent must include a written certification by the new owner or operator which:

- A. States that the new owner and/or operator has no immediate intent to change the facility's operations and processes;
- B. Identifies the specific date on which the transfer is to occur; and
- C. Acknowledges full responsibility for complying with the existing wastewater discharge permit.

Failure to provide advance notice of a transfer renders the wastewater discharge permit void as of the date of facility transfer.

## 5.3 Individual and General Wastewater Discharge Permit Revocation

The Superintendent may revoke a wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- A. Failure to notify the Superintendent of significant changes to the wastewater prior to the changed discharge;
- B. Failure to provide prior notification to the Superintendent of changed conditions pursuant to Section 6.2 of this Rule;
- C. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- D. Falsifying self-monitoring reports and certification statements;
- E. Tampering with monitoring equipment;
- F. Refusing to allow the Superintendent timely access to the facility premises and records;
- G. Failure to meet effluent limitations;
- H. Failure to pay fines;
- I. Failure to pay sewer charges;
- J. Failure to meet compliance schedules;
- K. Failure to complete a wastewater survey or the wastewater discharge permit application;
- L. Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- M. Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or this Rule.

Wastewater discharge permits shall be voidable upon cessation of operations or transfer of business ownership. All wastewater discharge permits issued to a User are void upon the issuance of a new wastewater discharge permit to that User.

#### 5.4 Wastewater Discharge Permit Reissuance

A User with an expiring wastewater discharge permit shall apply for wastewater discharge permit re-issuance by submitting a complete permit application, in accordance with Section 4.4 of this Rule, a minimum of ninety (90) days prior to the expiration of the User's existing wastewater discharge permit.

### **SECTION 6 - REPORTING REQUIREMENTS**

#### 6.1 Periodic Compliance Reports

- A. All permitted Users must, at a frequency determined by the Superintendent, submit reports indicating the nature, concentration of pollutants in the discharge which are limited by a permit and the measured or estimated average and maximum daily flows for the reporting period.
- B. All periodic compliance reports must be signed by an Authorized Representative of the User.
- C. All wastewater samples must be representative of the User's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its discharge.

#### 6.2 Reports of Changed Conditions

Each User must notify the Superintendent of any significant changes to the User's operations or system which might alter the nature, quality, or volume of its wastewater at least thirty (30) days before the change.

#### 6.3 Reports of Potential Problems

- A. In the case of any discharge, including, but not limited to, accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch discharge, a Slug Discharge or Slug Load, that might cause potential problems for the POTW, the User shall immediately telephone and notify the Superintendent of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the User.
- B. Within five (5) days following such discharge, the User shall, unless waived by the Superintendent, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability which might be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the User of any fines, penalties, or other liability which may be imposed pursuant to this Rule.
- C. A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees who to call in the event of a discharge described in paragraph



- A, above. Employers shall ensure that all employees, who could cause such a discharge to occur, are advised of the emergency notification procedure.
- D. Significant Industrial Users are required to notify the Superintendent immediately of any changes at its facility affecting the potential for a Slug Discharge.

#### 6.4 Analytical Requirements

All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 C FR Part 136 and amendments thereto, unless otherwise specified in an applicable categorical Pretreatment Standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the Superintendent or other parties approved by EPA.

#### 6.5 Sample Collection

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

- A. Except as indicated in Section B C below, the User must collect wastewater samples using 24 -hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the Superintendent. Where time-proportional composite sampling or grab sampling is authorized by Holmes County, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by Holmes County, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.
- B. Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.

#### 6.6 Date of Receipt of Reports

Written reports will be deemed to have been submitted on the date postmarked. For reports, which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.

## 6.7 Recordkeeping

Users subject to the reporting requirements of this Rule shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this Rule, any additional records of information obtained pursuant to monitoring activities undertaken by the User independent of such requirements, and documentation associated with Best Management Practices established under Section 1.4 E. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the User or Holmes County, or where the User has been specifically notified of a longer retention period by the Superintendent.

## **SECTION 7 - COMPLIANCE MONITORING**

### 7.1 Right of Entry: Inspection and Sampling

The Superintendent shall have the right to enter the premises of any User to determine whether the User is complying with all requirements of this Rule and any wastewater discharge permit or order issued hereunder. Users shall allow the Superintendent 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 a User has security measures in force which require proper identification and clearance before entry into its premises, the User shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the Superintendent shall be permitted to enter without delay for the purposes of performing specific responsibilities.
- B. The Superintendent shall have the right to set up on the User's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the User's operations. The user will be responsible for all costs and associated fees; including; but not limited to sampling and lab costs.
- C. The Superintendent may require the 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 User at its own expense. All devices used to measure wastewater flow and quality shall be calibrated at least annually and at the User's own expense to ensure their accuracy.
- D. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the User at the written or verbal request of the Superintendent and shall not be replaced. The costs of clearing such access shall be born by the User.
- E. Unreasonable delays in allowing the Superintendent access to the User's premises shall be a violation of this Rule.

## 7.2 Search Warrants

If the Superintendent has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this Rule, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of Holmes County designed to verify compliance with this Rule or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, the Superintendent may seek issuance of a search warrant from the Holmes County Court of Common Pleas.

## **SECTION 8 - CONFIDENTIAL INFORMATION**

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

## **SECTION 9 - ADMINISTRATIVE ENFORCEMENT REMEDIES**

### 9.1 Notification of Violation

When the Superintendent finds that a User has violated, or continues to violate, any provision of these Rules and Regulations, a general permit or order issued hereunder, or any other Requirement, the Superintendent may serve upon that User a written Notice of Violation. Within fourteen (14) days of the receipt of such notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the User to the Superintendent. Submission of such a plan in no way relieves the User of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this Section shall limit the authority of the Superintendent to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

## 9.2 Consent Orders

The Superintendent may enter into Consent Orders, assurances of compliance, or other similar documents establishing an agreement with any User responsible for noncompliance. Such documents shall include specific action to be taken by the User to correct the noncompliance within a time period specified by the document. Such documents shall have the same force and effect as the administrative orders issued pursuant to Sections 9.4 and 9.5 of these Rules and Regulations and shall be judicially enforceable.

## 9.3 Show Cause Hearing

The Superintendent may order a User which has violated, or continues to violate, any provision of these Rules and Regulations, a wastewater discharge permit, or order issued hereunder, or any other Requirement, to appear before the Superintendent and show cause why the proposed enforcement action should not be taken. Notice shall be served on the User specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the User show cause why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days prior to the hearing. Such notice may be served on any Authorized Representative of the User as defined in Section 1.4 C and required by Section 4.2. A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the User.

## 9.4 Compliance Orders

When the Superintendent finds that a User has violated, or continues to violate, any provision of these Rules and Regulations, a wastewater discharge permit, or order issued hereunder, or any other Requirement, the Superintendent may issue an order to the User responsible for the discharge directing that the User come into compliance within a specified time. If the User does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a Pretreatment Standard or Requirement, nor does a compliance order relieve the User of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the User.

## 9.5 Cease and Desist Orders

When the Superintendent finds that a User has violated, or continues to violate, any provision of these Rules and Regulations, a wastewater discharge permit, or order issued hereunder, or any other Requirement, or that the User's past violations are likely to recur, the Superintendent may issue an order to the User directing it to cease and desist all such violations and directing the User to:

- A. Immediately comply with all requirements; and
- B. Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge. Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the User.

#### 9.6 Administrative Fines

- A. When the Superintendent finds that a User has violated, or continues to violate, any provision of these Rules and Regulations, a wastewater discharge permit, or order issued hereunder, or any other Requirement, the Superintendent may fine such User in an amount not to exceed \$10,000, pursuant to R.C. 6111.07. Such fines shall be assessed on a per-violation, per-day basis. In the case of monthly or other long-term average discharge limits, fines shall be assessed for each day during the period of violation.
- B. Unpaid charges, fines, and penalties shall, after 30 calendar days, be assessed an additional penalty of ten percent (10%) of the unpaid balance, and interest shall accrue thereafter at a rate of ten percent (10%) per month. A lien against the User's property shall be sought for unpaid charges, fines, and penalties.
- C. Users desiring to dispute such fines must file a written request for the Superintendent to reconsider the fine along with full payment of the fine amount within ten (10) days of being notified of the fine. Where a request has merit, the Superintendent may convene a hearing on the matter. In the event the User's appeal is successful, the payment, together with any interest accruing thereto, shall be returned to the User. The Superintendent may add the costs of preparing administrative enforcement actions, such as notices and orders, to the fine.
- D. Issuance of an administrative fine shall not be a bar against, or a prerequisite for, taking any other action against the User.

#### 9.7 Emergency Suspensions

The Superintendent may immediately suspend a User's discharge, after informal notice to the User, whenever such suspension is necessary to stop an actual or threatened discharge, which reasonably appears to present, or cause an imminent or substantial endangerment to the health or welfare of persons. The Superintendent may also immediately suspend a User's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or which presents, or may present, an endangerment to the environment.

- A. Any User notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a User's failure to immediately comply voluntarily with the suspension order, the Superintendent may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The Superintendent may allow the User to recommence its discharge when the User has demonstrated to the satisfaction of the Superintendent that the period of endangerment has passed, unless the termination proceedings in Section 9.8 of this Rule are initiated against the User.

- B. A User that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the Superintendent prior to the date of any show cause or termination hearing under Sections 9.3 or 9.8 of these Rules and Regulations.

Nothing in this Section shall be interpreted as requiring a hearing prior to any Emergency Suspension under this Section.

## 9.8 Termination of Discharge

In addition to the provisions in Section 5.3 of this Rule, any User who violates the following conditions is subject to discharge termination:

- A. Violation of wastewater discharge permit conditions;
- B. Failure to accurately report the wastewater constituents and characteristics of its discharge;
- C. Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;
- D. Refusal of reasonable access to the User's premises for the purpose of inspection, monitoring, or sampling; or
- E. Violation of the Standards in Section 2 of this Rule.

Such User will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Section 9.3 of these Rules and Regulations why the proposed action should not be taken. Exercise of this option by the Superintendent shall not be a bar to, or a prerequisite for, taking any other action against the User.

## **SECTION 10 - JUDICIAL ENFORCEMENT REMEDIES**

### 10.1 Injunctive Relief

When the Superintendent finds that a User has violated, or continues to violate, any provision of this Rule, a wastewater discharge permit, or order issued hereunder, or any other Standard or Requirement, the Superintendent may petition the Court through Holmes County's Attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the wastewater discharge permit, or order, or other requirement imposed by this Rule on activities of the User. The Superintendent may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the User to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a User.

### 10.2 Civil Penalties

- A. A User who has violated, or continues to violate, any provision of this Rule, a wastewater discharge permit, or order issued hereunder, or any other Standard or Requirement shall be liable to Holmes County for a maximum civil penalty of \$10,000

- 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 Superintendent may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by Holmes County.
  - 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 of the violation, 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 bar against, or a prerequisite for, taking any other action against a User.

### 10.3 Criminal Prosecution

- A. A User who willfully or negligently violates any provision of this Rule, a wastewater discharge permit, or order issued hereunder, or any other Standard or Requirement shall, upon conviction, be punished according to all applicable state and federal laws.
- B. A User who willfully or negligently introduces any substance into the POTW which causes personal injury or property damage shall, upon conviction, be punished according to all applicable state and federal law.
- C. A User who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to this Rule, wastewater discharge permit, or order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Rule shall, upon conviction, be punished according to all applicable state and federal law.

### 10.4 Remedies Nonexclusive

The remedies provided for in this Rule are not exclusive. The Superintendent may take any, all, or any combination of these actions against a noncompliant User.

## **SECTION 11 - SUPPLEMENTAL ENFORCEMENT ACTION**

### 11.1 Penalties for Late Reports

- A. Penalty of \$1,000 shall be assessed to any User for each day that a report required by this Rule, a permit or order issued hereunder is late; beginning five days after the date the report is due. Actions taken by the Superintendent to collect late reporting penalties shall not limit the Superintendent's authority to initiate other enforcement actions that may include penalties for late reporting violations.

## 11.2 Performance Bonds

The Superintendent may decline to issue or reissue a wastewater discharge permit to any User who has failed to comply with any provision of this Rule, a previous wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, unless such User first files a satisfactory bond, payable to Holmes County, in a sum not to exceed a value determined by the Superintendent to be necessary to achieve consistent compliance.

## 11.3 Liability Insurance

The Superintendent may decline to issue or reissue a wastewater discharge to any User who has failed to comply with any provision of this Rule, a previous wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, unless the User first submits proof that it has obtained financial assurances sufficient to restore or repair damage to the POTW caused by its discharge.

## 11.4 Payment of Outstanding Fees and Penalties

The Superintendent may decline to issue or reissue a wastewater discharge permit to any User who has failed to pay any outstanding fees, fines or penalties incurred as a result of any provision of this Rule, a previous wastewater discharge permit, or order issued hereunder.

## 11.5 Water Supply Severance

Whenever a User has violated or continues to violate any provision of this Rule, a wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, water service to the User may be severed. Service will recommence, at the User's expense, only after the User has satisfactorily demonstrated its ability to comply.

## 11.6 Public Nuisances

A violation of any provision of this Rule, a wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement is hereby declared a public nuisance and shall be corrected or abated as directed by the Superintendent. Any person(s) creating a public nuisance shall be subject to the applicable provisions of the Ohio Revised Code governing such nuisances, including reimbursing Holmes County for any costs incurred in removing, abating, or remedying said nuisance.

## **SECTION 12 - AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS**

### 12.1 Upset

- A. For the purposes of this Section, upset means an exceptional incident in which there is unintentional and temporary noncompliance with Pretreatment Standards because of factors beyond the reasonable control of the User. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment



- facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- B. An upset shall constitute an affirmative defense to an action brought for noncompliance with Pretreatment Standards if the requirements of paragraph (C), below, are met.
  - C. A User who wishes to establish the affirmative defense of upsets shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
    - 1. An upset occurred and the User can identify the cause(s) of the upset;
    - 2. The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures; and
    - 3. The User has submitted the following information to the Superintendent within twenty-four (24) hours of becoming aware of the upset, if this information is provided orally, a written submission must be provided within five (5) days:
      - a. A description of the indirect discharge and cause of noncompliance;
      - b. The period of non compliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and
      - c. Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
  - D. In any enforcement proceeding, the User seeking to establish the occurrence of an upset shall have the burden of proof.
  - E. Users shall have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for non compliance with categorical Pretreatment Standards.
  - F. Users shall control production of all discharges to the extent necessary to maintain compliance with categorical Pretreatment Standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

## 12.2 Prohibited Discharge Standards

- A. User shall have an affirmative defense to an enforcement action brought against it for noncompliance with the general prohibitions in Section 2.3(A) of this Rule or the specific prohibitions in Sections 2.3(B) of this Rule if it can prove that it did not know, or have reason to know, that its discharge, alone or in conjunction with discharges from other sources, would cause Pass Through or Interference and that either:
  - 1. A Local Limit exists for each pollutant discharged and the User was in compliance with each limit directly prior to, and during, the Pass Through or Interference; or
  - 2. No Local Limit exists, but the discharge did not change substantially in nature or constituents from the User's prior discharge when Holmes County was regularly in compliance with its NPDES permit, and in the case of Interference, was in compliance with applicable sludge use or disposal requirements.

### 12.3 Bypass

- A. For the purposes of this Section,
  - 1. Bypass means the intentional diversion of wastestreams from any portion of a User's treatment facility.
  - 2. Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- B. A User may allow any bypass to occur which does not cause Pretreatment Standards or Requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of paragraphs (C) and (D) of this Section.
- C. Bypass Notifications
  - 1. If a User knows in advance of the need for a bypass, it shall submit prior notice to the Superintendent, at least ten (10) days before the date of the bypass, if possible.
  - 2. A User shall submit oral notice to the Superintendent of an unanticipated bypass that exceeds applicable Pretreatment Standards within twenty-four (24) hours from the time it becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Superintendent may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.
- D. Bypass
  - 1. Bypass is prohibited, and the Superintendent may take an enforcement action against a User for a bypass, unless
    - a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
    - b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
    - c. The User submitted notices as required under paragraph (C) of this section.
  - 2. The Superintendent may approve an anticipated bypass, after considering its adverse effects, if the Superintendent determines that it will meet the three conditions listed in paragraph (D)(1) of this Section.

## **SECTION 13 - MISCELLANEOUS PROVISIONS**

### 13.1 Severability

If any provision of this Rule is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in full force and effect.

## **SECTION 14 - EFFECTIVE DATE**

This Rule shall be in full force and effect immediately following its passage, approval, and publication, as provided by law.

## **PART B**

### **Private Extension of Water/Sewer Lines**

#### **SECTION 1- APPLICATION**

##### **1.1 Application for Private Extension of Water/Sewer Lines**

- A. Private party (hereinafter called the "Applicant") shall file an application with the County Sewer District for the construction of Water/Sanitary Sewer Lines, (hereinafter called the "Project") in the District.
- B. Such application shall be made on the form supplied for that purpose by the County Sewer District.
- C. Applicant shall submit to the County Sewer District construction plans, drawings, specifications, cost estimates, vehicular traffic plans, and such other documents as may be required for the 's review of the Project.
- D. Applicant shall supply the County with all easements required for maintenance of the lines without charge.
- E. Engineering, materials, construction and testing of the Project shall conform with the County's plans, specifications, rules and regulations.
- F. When the County Sanitary Engineer approves all documents submitted and the foregoing Sections 1.1, A through E have been satisfactorily accomplished, he shall so certify his approval by letter to the Holmes County Commissioners.
- G. The Holmes County Commissioners may then grant permission to the Applicant to construct such Project by Resolution, contingent upon the Applicant entering into an acceptable Contract with the County, and fulfilling the requirements of these Rules and Regulations.

##### **1.2 The Contract Shall Contain**

- A. The Comprehensive General Liability Coverage shall include Completed Operations - -- Products Coverage, Personal Injury Coverage, and Contractual Liability Coverage to satisfy the Indemnification Clause included in this Contract. Explosion, Collapse, and Underground Hazards Liability Coverage shall be included in the General Liability Coverage when occasioned by the contractor's sub-surface operations. The Comprehensive Automobile Liability Coverage shall include Non-ownership and Hired Cars Coverage. The minimum limits of liability for all coverages above shall be as follows, unless otherwise specifically required by special provisions in the construction specifications of this Contract:

AMOUNT OF CONTRACT:	UNDER \$50,000	OVER \$50,000 BUT UNDER \$500,000	OVER \$500,000	OVER \$1,000,000
				(1)
Bodily Injury Liability				
Each Person	\$100,000	\$500,000	\$1,000,000	
Each Occurrence	\$300,000	\$500,000	\$1,000,000	
Aggregate	\$300,000	\$500,000	\$1,000,000	
Property Damage Liability				
Each Occurrence	\$100,000	\$250,000	\$500,000	
Aggregate (Except Auto)	\$100,000	\$250,000	\$500,000	
(1) Special conditions will affect limits to be determined. Generally applicable to above ground facilities, not sanitary sewers.				

- B. The Contractor shall comply with the Ohio Workmen's Compensation Act for all of his employees engaged in work under this Contract.
- C. That the County shall be reimbursed by the Applicant for its inspection cost.
- D. That the Applicant shall provide bond of sufficient amount to compensate the County for completing the Project if necessary.
- E. That upon completion of construction and final approval of the said Project by the Holmes County Sewer District, said lines shall be conveyed to the County.
- F. That, if requested by the Applicant on his original Application, the County shall collect and return to the Applicant a prorated share of the cost of such improvement in any instance where connection is made by a non-participant in the original cost. In order to qualify for reimbursement for the connection of a non-participant, the system constructed by the applicant must include service sewers to the right-of-way line or easement line abutting each non-participant's property. If the applicant requests reimbursement and does not provide a service sewer to any non-participant properties, then the applicant waives his right to reimbursement for those specific locations. **Prior to filing the Application, the Applicant shall contact all property owners along the route of the proposed sewer to determine whether or not they wish to become participants in the project.**
- G. That such prorated share shall be based on the front footage of improvement to the non-participant for sewer projects, and for water projects, as further modified by the number of non-participants with access to the project. In both cases, such prorated

share shall not be in excess of the amount chargeable to such non-participant if he had participated in such improvements and shall not exceed the current County connection charge.

- H. For private sanitary sewer construction completed under Holmes County Subdivision Regulations where the Applicant has requested a return of a prorated share of the cost of an improvement, the amount to be returned shall be as set forth in Section 1.2, F and G above. **Service connections within the subdivision will not be considered reimbursable, including subsequent phases.**
- I. That to determine the costs of such project, the Applicant shall provide the County Sewer District with certified copies of all payrolls, material, supplies and services used on the project.
- J. That the County shall collect and return to the Applicant such prorated shares of the cost for a ten (10) year period from the date of the Contract with the Holmes County Commissioners, or until such time as the Applicant has recouped his entire cost of construction, whichever shall occur first.

### 1.3 Proceeding with the Construction of the Extension

- A. Upon execution of such Contract, the Applicant shall file a copy of the Application and the Contract with the County Auditor, and shall pay the fee for each such Application (with Contract) filed.
- B. A copy of the executed documents required in Section 1.2 shall be filed with the Holmes County Sewer District prior to commencement of any construction work.
- C. When such Application has been approved and Contract completely executed, and both filed with the County Auditor, the Applicant shall be given notice in writing by the County Sewer District that he may proceed.
- D. All construction shall conform to the approved plans. The applicant or his agent is required to notify property owners along the route of the improvement at least three (3) days prior to start of construction.
- E. All construction and testing shall be under the supervision and inspection of the County Sewer District.

### 1.4 After Construction is Complete

- A. The Applicant's engineer shall provide the County Sewer District with as-built measurements, consisting of one set of plans along with AutoCAD compatible files, both revised in accordance with the results of construction. AutoCAD files shall be in accordance with Holmes County Sewer District specifications and requirements.
- B. The costs provided in Section 1.2, C shall be paid in full before final approval is given to such Project and use of the facility is permitted.
- C. Final approval of the Project and use of the facility shall be contingent upon the Applicant's satisfactory fulfillment of these Rules and Regulations and the terms of the Contract.
- D. After the date of final approval of the Project, the County Sewer District shall collect a prorated share of the cost of such improvement whenever a non-participant connects

as provided in Sections 1.2, E and 1.2, F and return such share of payment to the Applicant without a charge for such service.

- E. A non-participant shall not be issued a connection permit until his share of the cost has been paid to the Holmes County Sewer District.

## **SECTION 2 – PROCEDURE FOR PLAN APPROVAL**

### 2.1 Plan - Physical Format

- A. Standard Sheet Size: 24" X 36".
  - 1. Paper and Ink: India or other reproducible ink on linen tracing cloth or equivalent.
  - 2. Lettering: All lettering 0.125" high or larger.
  - 3. Title Block: 6" X 3" located in lower right hand corner.
  - 4. Include: Sewer District, plat name, section, township, engineer's name, seal, signature, sheet number, number of sheets, and scale.
  - 5. Revisions Block: 4" X 2-1/2" located directly to the left of title block with provision for County Sanitary Engineer to initial any approved revisions.
  - 6. Scale: Horizontal - 1" = 50' (Preferred)  
Vertical - 1" = 5' (Mandatory)
  - 7. Approval Block located immediately above title block shall include signature lines for:
    - a. County Sanitary Engineer
    - b. The applicable City or Municipal Engineer when connection will discharge to a municipal sewage treatment plant.
    - c. Sheet Numbering Block to be in lower right-hand corner.
- B. A vicinity map shall be provided to show the location of construction.
- C. Each set of plans shall have a cover sheet with a key map showing sheet reference numbers.
- D. Each sheet shall have a readable North arrow oriented up and/or to the right.
- E. Each set of plans shall contain this note: "All sanitary sewers/ waterlines (whichever is applicable) and appurtenances shall be constructed according to Holmes County Sewer District Specifications, in effect at time of construction."

The Holmes County Sanitary Engineer's approval is subject to conditions imposed by the Ohio Environmental Protection Agency. Profiles for sewer/waterlines shall be shown on the same sheet as the plan. The profile shall be below the plan and shall be taken at the pipe invert. The profile shall be lined up under corresponding points on the plan. The existing and proposed grade profile shall be shown on each profile view.

All existing structures in the street or easement shall be shown in both plan and profile. Sizes, location, dimensions and elevations shall be included. These structures include (but are not limited to):

1. Gas mains
2. Electric and telephone conduits
3. Storm sewers
4. Sanitary sewer line
5. Water lines
6. All other underground obstacles
7. Telephone poles
8. Electrical power poles
9. Street lights
10. All above ground structures which may affect construction

- F. Manholes (and/or hydrants) shall be consecutively numbered and, for manholes, from lowest to highest elevation and station numbers shall be noted. Manhole #1 shall be the manhole next upstream when connecting to an existing manhole. Both manhole (or hydrant) and station numbers shall appear on both plan and profile. The length, grade, and size of each span of sewer shall appear on the plan and profile.

The type of pipe material, joints and strength shall be shown on the profile.

The location of all special features such as concrete encasements, siphons, elevated sewers, special cross sections, fittings and valves shall be shown.

Details of all special appurtenances such as manholes, inspection chambers, siphons, regulators, metering devices, elevated sewers, anchors, valves, tees and bends, etc., shall be shown.

- G. All subdivisions and Plat Book page shall be clearly marked including lot numbers. All properties abutting the improvement shall be shown for full width and depth.

The ownership of all property not subdivided by a recorded plat shall be shown on the plan, including Deed Book, page and acreage.

All corporation lines with dimensions and other information that will fix the exact location shall be shown. Section, Township, and Range numbers shall be included.

The location, description, elevation, and tie lines of all bench marks used in connection with the project shall appear on each appropriate sheet.

Test borings shall be located where made and the date of boring shall be shown.

Proposed lines shall be shown as solid dark lines.

Existing lines shall be shown as dashed lines.

Existing or proposed streets and all streams or water surfaces shall be clearly shown.



All stream crossings shall be shown with streambed elevation.

- H. All service sewers shall extend to the property line in the case of public projects and ten (10) feet inside the property line if constructed as part of a new subdivision.

## 2.2 Sanitary Sewer Service Requests

- A. A professional engineer, registered in Ohio, shall submit a preliminary plan showing lot layout and overall sewer collection plan.
- B. The availability of service for the area for the use intended shall be determined by the Sewer District .
- C. Oversize facilities as required by the Master Plan shall be determined.

## 2.3 Revisions

Any deviation from approved plans and specifications affecting capacity, flow, or operation of units or any other such basic design change shall be approved before such changes are made. These revisions, not included on approved plans, shall be submitted well in advance of construction. "As-built" mylar's clearly showing such changes shall be submitted at the completion of the work.

## 2.4 Construction Plans - Approval Period

Approved plans are only valid for one year; after that, they must be resubmitted for re-approval.

## 2.5 Construction Plans - As-Built Drawings

- A. As-built distances must not have any objects, dimensions, elevations, grades, etc., crossed out; they must be erased from the drawing. Flowline and top of casting elevations, distances between manholes and manhole deflection angles are required.

Plugged ends of sanitary sewer and water lines must be located.

All as-built dimensions are to be measured in feet and tenths of a foot

1. Dimension lines shall be shown on drawing except where they would add substantial confusion in interpretation. Written dimensions with an arrow pointing to the item being referred to will then be acceptable.
2. Dimensions shall be from centerline to centerline except for house corners and catch basins.
3. Written dimensions will be considered at right angles with one another unless noted or shown otherwise.

Measurements shall be on the horizontal unless noted under special

circumstances. Abbreviations will be accepted for the following:

Sanitary Manholes San. M.H.

Catch Basin C.B.

Curb C.

Fire Hydrant F. Hyd.

Directions N, S, E, W

Ohio Bell Telephone O. B. T.

Power Pole P. P.

B. The following will be required on all "As-Built" Drawings:

1. Distances between sanitary manholes (or hydrants) and between sanitary manhole (or hydrant) and the plugged end of the line are to be shown on the plan.
2. Length of span, grade, size of pipe, type and invert elevations will be required in the profile.
3. Length of span may vary  $\pm 0.5'$  before manhole location in profile must be changed. The dimension, however, must be marked clearly and correctly.
4. Invert elevations may vary  $\pm 0.5'$  before main line in profile must be changed.

The elevations, however, must be marked clearly and correctly.

5. All valves, and hydrant valves must be located with a minimum of three dimensions at all locations, two dimensions of which shall be to property corners, the third being to a physical object, such as a catch basin, manhole, building corner, etc.

C. The following is a list of objects that will be acceptable for "As-Built" dimensions references:

1. Fire Hydrant
2. Curb
  - a. All curb dimensions must be to the back of the curb and must not be to any curb or extended curb lines with a radius.
3. Catch Basin

- a. Dimensions are to be to the nearest corner of the steel edge on the street side.
  - b. The street and/or corner on which the catch basin is located must be indicated.
- 4. Sanitary Manholes and/or Storm Sewer Manholes
- 5. Utility pole, if it is to be permanent.
  - a. When a dimension to a utility pole is used, the description and number of the pole must be given.
- 6. House Corner
  - a. When a dimension to a house corner is used, the address must be given.
- 7. Corner of a paved drive.
  - a. House number must be given.
- D. As-built drawing submittals shall include one set of plans and AutoCAD compatible file formats on suitable media for use with Windows operating system, in accordance with Holmes County Sewer District requirements.

## 2.6 Available Capacity

All proposed connections to existing Holmes County Sanitary Sewer Systems shall include a review of the receiving sewer system to determine the effect of the proposed connection on a hydraulic capacity of the receiving sewer system.

## 2.7 County Ownership

Upon acceptance by the Holmes County Sewer District, all sewerage or water facilities constructed by any person, firm, or corporation, shall be owned, operated, and maintained by Holmes County.

## 2.8 Easements

When easements are required, they must be filed with the County Recorder's Office before final approval of the project.

## 2.9 Submission of Plans

- A. The number of sets of plans to be submitted for review and approval shall be in accordance with the following schedule:

No. of Sets

Sanitary Sewer Only 1

Sanitary sewer w/pump station 2

Waterline only 2

Sanitary sewer and waterline 2

Sanitary sewer w/pump station & waterline 3

- B. For the number of sets approved and signed plans to be submitted, add four (4) to the quantities noted in Sec. 2.9, A above. A cover sheet shall be provided for all plans.
- C. Once approvals from all applicable agencies have been obtained, plans shall be provided in the most recent version of AutoCad compatible file formats on suitable media, and in accordance with Holmes County Sewer District requirements.

### **SECTION 3 – MATERIALS AND SPECIFICATIONS**

#### 3.1 Requirements

Shall be equivalent to or shall exceed the materials and specifications approved by the Board of Holmes County Commissioners now on file in the Holmes County Sewer District office.

### **SECTION 4 - CONSTRUCTION**

#### 4.1 Requirements

Construction of any sewerage facilities or water facilities that are to be owned and operated by the Holmes County Sewer District, shall be inspected by and meet the requirements of the Holmes County Sewer District.

### **SECTION 5 - INSPECTION**

#### 5.1 Jurisdiction

All sewers which will connect either directly or indirectly into the sewer system and all waterlines which will connect to the water system under the jurisdiction of the Holmes County Sewer District and which are to be constructed by any person, firm or corporation other than municipalities (hereinafter called "owner"), shall be inspected by, and subject to testing under the supervision of the Holmes County Sanitary Engineer or his designated representatives.

## 5.2 Fees

The cost of all inspection performed by the Holmes County Sewer District, shall be at a rate established by the Board of Holmes County Commissioners and shall be borne by the owner responsible for the construction. Said owner is required to deposit with the Holmes County Sewer District, a sum of money payable to the Holmes County Treasurer in an amount to be determined by the Holmes County Sanitary Engineer for each application, before any construction can commence. The Holmes County Sanitary Engineer will require additional deposits to this fund if the original deposit proves inadequate.

When the Holmes County Sewer District certifies that no further field engineering service will be required for the improvement, the Holmes County Sanitary Engineer will prepare a voucher in favor of the Depositor refunding any balance remaining in his account.

## 5.3 Acceptance

No sewer shall be acceptable to or accepted by the Holmes County Sewer District without its written approval.

## 5.4 Notification of Start of Construction

- A. The owner shall give twenty-four (24) hours notice to the Inspection Division of commencement of work so that the Inspection Department can be prepared to have the proper number of inspectors on the job. Notification of stoppage of work must also be given. However, if due to scheduling issues, including but not limited to, the volume of work needing to be scheduled, the Inspection Department may defer the requested schedule to a later date.
  - 1. After the purchase of the sewer permit application and prior to the connection of a building to the sanitary sewer, an inspection of the existing plumbing configuration must be completed by Holmes County Sewer District personnel. This inspection is required in order to determine whether clear water sources, such as footer drains, sump pumps and downspouts, could be potentially connected to the sanitary sewer. These connections are illegal. Upon completion of inspection, the owner will be notified of any necessary changes that will need to be made prior to the actual connection of the building to sanitary sewer. In such case the homeowner will be advised by the inspector in order to arrange for a final inspection. The owner shall give a minimum of twenty-four (24) hours notice to the Permits Department for the purpose of scheduling both the initial and final inspection.
- B. All work must be completed in the presence of and with the approval of an inspector of the Holmes County Sewer District.
- C. All materials and workmanship in connection with any building sewer line or water service to a structure shall conform to the Specifications of the Holmes County Sewer District, as now in force or hereafter amended.

- D. No connection shall be made to any sewer or water line, without a permit from the Holmes County Sewer District.
- E. If the Sanitary Engineer deems that any work is improper, he may order all work stopped. Work shall not proceed until the owner has received permission from the Sanitary Engineer or his Agent.
- F. If any change or modification is deemed necessary in the plans during construction, the Sanitary Engineer shall determine whether such change or modification must be resubmitted for approval on revised plans.
- G. All work and materials shall adhere to the Specifications of the Holmes County Sewer District in effect at the time of construction.
- H. If any plumber, contractor, drain layer or waterline installer shall neglect or refuse to abide by these Rules and Regulations, the County Sanitary Engineer may cause such work to be done and charge the plumber, contractor, drain layer or waterline installer for payment of such work. These matters shall be considered in issuing further permits and in the possible suspension, revocation or non-renewal of drain layers or waterline installers licenses, and may also be considered when awarding future projects to the plumber, contractor, drain layer or waterline installer.
- I. No provision in this article shall be so construed as to relieve a person, firm or corporation of furnishing all private engineering services necessary in connection with the improvements.

#### 5.5 Testing

- A. All testing must be done in the presence of an inspector of the Holmes County Sewer District.
- B. All sanitary sewers and manholes must be air-tested per the Holmes County Sewer District current Specifications for Sewer Line Construction, excluding concrete pipe.
- C. All concrete sanitary sewers must be tested by infiltration or exfiltration tests per the Holmes County Sewer District's current Specifications for Sewer Line Construction.
- D. All waterlines must be pressure tested and disinfected in accordance with current specifications.
- E. All non-rigid sanitary sewers of 8-inch diameter and greater shall be mandrel tested. This test shall occur a minimum of thirty (30) days after backfill over the sewer has been completed.
- F. All sanitary sewers, 8" diameter or larger, must pass internal television inspection. The contractor shall provide complete internal inspection videotape to the Sewer District. The videotaping procedure must be in accordance with Holmes County Sewer District specifications. Videotaping of non-rigid sanitary sewers shall occur a minimum of thirty (30) days after backfill over the sewer has been completed.

### **SECTION 6 – BUILDING SEWERS, WATER SERVICES, AND CONNECTIONS**

#### 6.1 Authorization

- A. No unauthorized person shall uncover, make any connection with, an opening into, use, alter or disturb a public or private sanitary sewer or appurtenance, or a water

connection device thereof, without first obtaining a permit for connection from the Holmes County Sewer District.

## 6.2 Requirements – Sewer

- A. A separate and independent building sewer shall be provided for each separate building. The minimum size shall be six (6) inches for commercial and four (4) inches for single family residential. The minimum depth at the building shall be at a depth that will clear the building footers or at a depth compatible with interception of the septic system, whichever is deeper. For buildings with high rough plumbing and/or no basement plumbing, the building sewer at a point within fifteen (15) feet of the building, shall be laid at the minimum depths as defined. At that point fifteen (15) feet, the building sewer shall be raised as necessary in order to make the connection to the satisfaction of the Holmes County Sewer District.
- B. The building sewer shall be constructed of a size and of materials meeting the current specifications of the Holmes County Sewer District. It shall be laid at a grade no less than the minimum grade of six-tenths (0.6) feet per one hundred lineal feet for a six (6) inch sewer, from the building to the public sewer. A building sewer with a diameter larger than six (6) inches shall be laid at a grade no less than the minimum grade permitted by the current specifications of the Holmes County Sewer District for the given pipe.
- C. The owner of the premises served by a sewer shall be responsible for the operation and cleaning of the building sewer and service sewer from the building to the point of connection with the local or lateral sewer, and for the repair and reconstruction of the building sewer from the building to the service sewer which terminates at the property line. In the case of gravity services, repair and reconstruction of the service sewer from the property line to the point of connection with the local or lateral sewer shall be the responsibility of the Holmes County Sewer District. In the case where services are pressure lines, the property owner shall be responsible for repair and reconstruction from the property line to the point of connection with the local or lateral sewer.
- D. Service sewers as constructed, as part of new subdivisions shall be installed to a minimum of ten (10) feet inside the property line of each lot.
- E. When it becomes necessary to make a tap into the main sewer line, a new saddle tap must be used. A wye tap may be used upon approval by the Sanitary Engineer. Permission to tap any sanitary sewer line must be given by the Sanitary Engineer. Work will be done under the observation of the inspector at the site.
- F. When installation occurs in advance of or at the same time as building excavation (early sanitary sewer connection), but before construction of footers, supplemental requirements are in effect and will be provided. In no case shall a sanitary building sewer be used to drain water from a foundation excavation. Utilizing the sewer to drain an excavation may result in enforcement action against the drain layer up to and including revocation of the drain layers license.

### 6.3 Requirements – Water

- A. When an application is made for the installation of a County service line or for water service or for the reinstatement of water service, the County shall be entitled to assume that the piping and fixtures to which the service will be supplied are in good order to receive such service, but reserves the right to inspect said facilities to assure against possible damage and cross connections. Water will not be furnished where pipes are inferior, the plumbing is defective; or the faucets, water closets or other fixtures leak or not in Good working order. When such conditions are discovered, the supply of water may be cut off until repairs are made. The County, at its discretion, will periodically conduct leak surveys of the system in order to enforce this provision.
- B. In addition to provisions included in this chapter, supplemental requirements entitled *Water Service Policies and Procedures* are in effect and will be provided.
- C. The County cannot guarantee the customer a specific or continuous pressure, nor does it guarantee the water delivered as to quality, purity or temperature. These variables are subject to the conditions that may arise in the operation and maintenance of the system.
- D. The County shall have the sole right to determine the size, type and location of meters, meter settings, valves, service lines and connections necessary to provide the service applied for. Exclusive operating control-of all service lines from main to meter, and of meters and meter installations shall at all times remain with the County, and shall not be interfered with in any respect. Section 6.3, H provides for customer responsibilities.
- E. The County will be responsible for tapping or making any connection with the mains or distribution pipes. All services between he main and the point of connection near the property line, including the curb stop and curb box, will be installed by the County except in such cases as the County allows others to do so by prior approval.
- F. The customer shall not, without County consent, use water for any purpose or upon any premises not stated in the application for service.
- G. The application for the installation of a County service line must state the uses, to which the water is to be applied, and the correct lot and street number or other complete identification of the premises to be supplied. The application for installation of a County service line will be accepted subject to the condition that there shall exist, adjacent to the premises to be served, a supply of water sufficient to provide the service requested. A service line may not be used to supply more than one premises, except in special cases.
- H. Service lines shall be installed to provide for inside meter settings, except in special cases where the County has approved outside meter settings. The curb stop or outside meter vault shall be installed at a place designated by the County between the curb line and the property line. Curb stops or valves in the County's service lines are for the exclusive use and under the exclusive control of the County.
- I. The customer shall at his expense, install, maintain and repair the customer service line which Is that portion from the curb stop to his structure. When a leak in a customer service line is discovered, the County may turn off the water service until the leak is repaired. Without limiting the authority of he County under the preceding



- sentence, the County will endeavor, when the circumstances are such as to make it practicable, to give notice to the customer before discontinuing such service, in order to afford him a reasonable time to make such repairs.
- J. In case of breaks in mains, services, pumps or other water facility equipment, and for the purpose of tapping, extending, repairing, replacing or cleaning mains, the water may be shut off without giving notice and no claims will be considered for damage of any nature whatsoever arising from such action. When possible, customers will be notified.
  - K. When any premises are supplied with water from two or more standard services which originate from different supply systems, such services must be provided with double check valves so that water can flow into the premises but cannot flow out through either of the services.
  - L. The customer service line shall be laid at a minimum depth of four (4) feet below ground level. The service line shall be not less than 1-inch nominal size and shall be either "Type K" copper tubing or other County-approved water pipe. Solder-free joints shall be used on the service line from the water main to the valve located downstream of the water meter.
  - M. If a service line is to be installed where any portion of the line must pass through property not owned by an applicant, the applicant must assume full responsibility for acquiring the right to pass through such property and must provide the County with an appropriate easement.
  - N. When the installation of a customer line has been completed, the customer shall leave the service line turned off.
  - O. The customer service line may be laid in a separate trench or, under special circumstances, and with the approval of the County representative, it may be laid on a ledge on either side of the sewer trench. Said ledge shall be cut into the side of the sewer trench so as to provide a shelf six (6) inches wide of solid firm soil for the entire length of the pipe. The water service line should be laid above the sewer line a minimum vertical separation of 18", measured from its invert to the crown of the sewer. The applicant shall leave the trench open and pipe uncovered until it is inspected and approved by a County representative.

#### 6.4 Permits

- A. Permits to connect to, open, or alter any public sanitary or combined sewer or appurtenance or to install a customer waterline will be issued only to a person, firm or corporation engaged in the business of sewer construction or tapping and possessing a valid Drain Layers License issued by the Holmes County Sewer District, or in the case of waterline installation, who provides evidence of registration with the County Health Department. In the case of installation of a customer waterline, permits may also be issued to the customer.
- B. The person, firm, or corporation to whom a permit is issued, will be held responsible for the proper installation of the building sewer or the waterline in accordance with these Rules and Regulations, subject, however, to the condition that he or it holds the County of Holmes, its officers and agents, harmless from any loss or damage associated with said installation.

- C. The person, firm, or corporation to whom a permit is issued, shall be responsible for obtaining any required permits to open cut or bore under any street, road or highway, from the appropriate political body or official having jurisdiction over such street, road, or highway, and shall comply with all conditions required by such permits.

## **SECTION 7 – SEWAGE LIFT STATIONS**

### **7.1 Requirements**

- A. Lift stations shall not be used if it is at all possible to connect the proposed sewer line to existing sanitary sewer system by gravity.
- B. Developers of lands in the Holmes County Sewer District when authorized by the Holmes County Sanitary Engineer shall provide sewage lift stations.
- C. Sewage lift stations shall comply in all respects with the requirements of the Holmes County Sanitary Engineer and/or the Ohio Environmental Protection Agency, based on safety, layout, access, auxiliary equipment required for proper operation and maintenance, or any other item peculiar to that station which may be required in the judgment of the County Sanitary Engineer and/or the Ohio Environmental Protection Agency.

## **SECTION 8 - ANNEXATION**

### **8.1 Requirements**

- A. From time to time, municipalities annex Township areas containing County Sewers and/or waterlines to their corporation. Such annexation does not automatically convey ownership of County sewers or waterlines in the annexed area to the municipality. A great variety of factors must be resolved before such sewers are formally and legally conveyed to the municipality by specific resolution of the Holmes County Board of Commissioners. Until such conveyance takes place, users of this sewer or water system, although actually citizens of the municipality, remain County customers.

## **SECTION 9 – DRAIN LAYER & WATERLINE INSTALLER**

### **9.1 Requirements**

- A. Any person, firm, or corporation who desires to engage in the work of making connections with the public sanitary sewers, service sewers, and the construction of special sanitary sewers or the construction of water services in the Holmes County Sewer District, must obtain a Drain Layers License from the Holmes County Sewer District in the case of sanitary construction, or must be registered with the County Health Department in the case of water service construction, before engaging in said work.
- B. Any person, firm, or corporation possessing either a Drain Layers License or registered as a plumber with the County Health Department, shall file a bond in the amount currently required by the County Commissioners to the approval of the

County Commissioners, conditioned upon the faithful prosecution of the work undertaken as provided by these Rules and Regulations and the Specification of the Holmes County Sewer District as adopted by the Commissioners, and upon indemnifying and saving harmless the County from all loss or damage occasioned by the performance of the work undertaken.

- C. A minimum of twenty-four (24) hours notice must be given the Holmes County Sewer District Inspection Department before any construction work requiring inspection is started. However, if due to scheduling issues, including but not limited to, the volume of work needing to be scheduled, the Inspection Department may defer the requested schedule to a later date. If a twenty-four (24) hours notice is not given to the Department, inspection may not be scheduled and all the work must be left uncovered until it is properly scheduled and the inspector has approved the work.
- D. Any work scheduled for inspection and not ready for inspection at the scheduled time will necessitate rescheduling through the Department Office and the related charges of mileage and labor associated with the inspector's mobilization to the job site will be charged to the license holder.
- E. Any work scheduled and started on one day and not completed or not cancelled on that same day will be considered scheduled for completion on the following working day.
- F. Failure to comply with the above requirements may result in the revocation or temporary suspension of the appropriate license. A licensed company who allows an unlicensed company to do work under its name may also be subject to this provision.
- G. All applicants for a drain layer's license shall take and pass an examination with a score of 70% or better. For any scores less than 100% the applicant is required to personally review examination and correct answers. In the event an applicant scores less than 70%, a re-examination shall be taken at the next scheduled time.
- H. Company name shall appear on the license.

## 9.2 Service and Building Sewer Requirements

- A. Bedding is required on all sewer pipe within a street right-of-way.
- B. A minimum of 4" of bedding is required below a sewer pipe.
- C. Granular bedding shall extend to 1 ft. above the top of sewer pipe.
- D. A minimum of 3 feet of cover is required over the pipe.
- E. Vitrified clay, ductile cast iron, PVC, ABS composite, or PVC composite pipe may be used for service sewers and building sewers in accordance with material specifications on file in the Sewer District or as hereafter amended. Connection of the building sewer to the service sewer at the right-of-way may be made, in the case where dissimilar pipe materials are being joined, with adapter couplings of the flexible coupling type utilizing steel bands that meet the requirements of ASTM C564-70, F477-76, C425-77 or C443-85A, as applicable.
- F. A building sewer may not be installed closer than 10 feet to a water well.
- G. The drainlayer and the owner of the structure to be connected shall be responsible for assuring that all sanitary discharges, including floor drains, are directed to the sewer.

### 9.3 Waterline Installer

In order to qualify as a waterline installer, an applicant must be registered with the County Health Department as either a journeyman or master plumber.

## **SECTION 10 - DISCONNECTION, CONNECTION FREEZE, RECONNECTIONS**

### 10.1 Disconnection-Sewer

- A. All owners of buildings, or sites of former buildings which are connected to the Holmes County Sewer System and which have not been issued a Razing Permit and have not been sealed according to these Rules and Regulations and the Specifications of the Holmes County Sewer District, shall be subject to the current sewer usage charges of the Holmes County Sewer District.
- B. There shall be no temporary disconnections or exemptions from the sewer usage charges except in those cases in which a recognized court of law has prohibited occupancy.
- C. Where a valid disconnection is authorized, such disconnection shall be made at the property line. A Disconnection permit shall be obtained from the Holmes County Sewer District.
- D. Disconnection shall be made at the property line nearest the main sanitary sewer and shall be accomplished in a manner to assure that no surface or ground water can enter the system.
- E. The disconnection shall be witnessed by a Holmes County Sewer District Inspector and approved by him prior to backfilling the excavation.

### 10.2 Disconnection-Water

- A. When the supply of water is to be temporarily cut off by the County, it will give as much advance notice (except in case of emergency) as is practicable under the circumstances to be affected by the shut-off, stating the probably duration of the interruption of services.
- B. The County may discontinue without notice all or any part of its service to any customer for any of the following reasons:
  - 1. For the use of water for any other purpose or upon any premises not stated in his application.
  - 2. To prevent waste or reasonably avoidable loss of water.
  - 3. For tampering with any service line, meter, curb stop, curb box, seal or other appliance under the control of or belonging to, the County.
  - 4. For continued vacancy of the premises.
  - 5. For connecting the service line, or any pipe, directly or indirectly connected therewith, with any other source of supply or with any apparatus which may, in the opinion of the County, contaminate the County's water supply.

6. For denial to the County of reasonable access to the premises for purpose of inspection, reading, repairing or removing meters.
  7. For any other violation of, or failure to comply with the regulations of the County.
- C. In any case in which two or more customers are supplied through one service line and the County is entitled under the preceding paragraph to discontinue service to any or all of them, the County may shut off such service line.

### 10.3 Connection Freeze

In certain instances where existing sanitary sewer lines or Waste Water Treatment Plants have reached their design capacity and are unable to convey additional sewage resulting from additional building sewer connections, the Holmes County Board of Commissioners shall impose a temporary connection freeze or prohibition of building sewer connections until the capacity of the existing sewer system can be increased.

### 10.4 Reconnection-Sewer

- A. Existing building sewers may be used in connection with new buildings only when they are found to meet all the requirements of these Rules and Regulations and the Specifications of the Holmes County Sewer District upon inspection and testing by said Department.
- B. The charge for a reconnection permit shall be the same as for a "Permit" for Sewer Connection.

### 10.5 Reconnection-Water

- A. If a customer whose service has been disconnected for non-payment of bills or for violation of or failure to comply with the regulations of the County, desires a reconnection, such reconnection may only be made after the customer:
  1. Has paid all unpaid bills for water service Owed to the County.
  2. Has paid a reconnection or turn-on fee as set forth in the County's rate schedule.
  3. Has corrected any condition in violation of the regulations of the County.
- C. When a customer's meter cannot be read for a period exceeding three (3) months for accounts read monthly, after the latest prior reading, the County may discontinue service to the customer upon giving a seven (7) days written notice mailed to him of its intention to do so, unless the customer shall promptly make access to the meter possible during the County's regular business hours on any day except Saturday, Sunday and holidays, access to the meter possible only during a time and day other than during the County's regular business hours, the County shall make a charge for the actual cost of such meter reading service.

## **SECTION 11 - MISCELLANEOUS PROVISIONS**

### 11.1 Severability

If any provision of this Rule is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in full force and effect.

## **SECTION 12 - EFFECTIVE DATE**

This Rule shall be in full force and effect immediately following its passage, approval, and publication, as provided by law.