NORTH CHARLESTON SEWER DISTRICT

RESOLUTION 2022-07

NCSD Use Resolution

July 1, 2023

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RESOLUTION 2017-03

NORTH CHARLESTON SEWER DISTRICT

SEWER USE RESOLUTION

A Resolution Regulating The Use Of Public And Private Sewers And Drains, Private Sewage Disposal, The Installation And Connection Of Building Sewers And The Discharge Of Waters And Wastes Into The Public Sewer System And Providing Penalties For The Violation Thereof: In The North Charleston Sewer District, State Of South Carolina.

Be It Resolved And Enacted By The Commission Of The North Charleston Sewer District Of The State Of South Carolina As Follows:

ARTICLE I. DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this resolution shall be as follows:

Section I.01 AUTHORIZED REPRESENTATIVE.

Authorized representative of an industrial user shall mean:

A) If the industrial user is a corporation, the authorized representative is:

1. A president, secretary, treasurer, or 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
2. 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.

B) If the industrial user is a partnership or sole proprietorship, the authorized representative is a general partner or proprietor.

C) If the industrial user is a Federal, State, or local government facility, the authorized representative is a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

D) The authorized representative may be designated by an individual specified in paragraph (A) through (C) above if the designation is made in writing by the individual and submitted to the District prior to or together with the report being submitted. The designation must specify either an individual or position having responsibility for the overall operation of the facility from which the wastewater originates, such as the plant manager, or having overall responsibility for the environmental matters for the company.

Section I.02 BEST MANAGEMENT PRACTICES (BMPs)

Means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in article vii [40 CFR 403.5(a)(1) and (b) and SCR 61-9.403.5(a)(1) and (b)]. BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal or drainage from raw material storage. BMPs can also include alternative means (i.e., management plans) of complying with, or in place of certain established categorical pretreatment standards and effluent limits.

Section I.03 BIOCHEMICAL OXYGEN DEMAND (BOD5)

Shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five days at 20 degrees c., expressed in milligrams per liter.

Section I.04 BUILDING DRAIN

Shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning 5 feet outside the inner face of the building wall.

Section I.05 BUILDING SEWER (LATERAL)

Shall mean the extension from the building drain to the public sewer or other place of disposal.

Section I.06 CATEGORICAL INDUSTRIAL USER (CIU)

Shall mean any person who is discharging into the public sewer and who is subject to categorical pretreatment standards under 40 CFR part 403.6 and 40 CFR chapter I, subchapter N, as promulgated by the united states environmental protection agency.

Section I.07 CATEGORICAL PRETREATMENT STANDARD OR CATEGORICAL STANDARD

Shall mean any regulation containing pollutant discharge limits promulgated by EPA in accordance with sections 307(b) and (c) of the water pollution control 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.

Section I.08 COMMISSION
Shall mean the North Charleston Sewer District Commission, as defined in Act 1768 of the Acts of the General Assembly for the year 1972 and subsequent Acts amendatory thereto, or any authorized person acting therefore. The terms District and Commission are frequently used interchangeably.

Section I.09 DEVELOPER
Shall be considered the person or entity initiating the development of a new residential or commercial property. This can be, but is not required to be the owner of the property. This person or entity shall have legal authority to execute necessary permits, applications, and legal documents which require the developer's/owner's signature. This same person or entity will execute all documents throughout the project unless the project is sold, and this authority is transferred to the new owner. If the project is sold before it is accepted by the district, the new developer/owner will have to enter into a contract with the district. The new developer/owner will be responsible for contacting the engineer of record and updating all the necessary documentation.

Section I.10 DEVELOPER'S ENGINEER
Shall mean the engineer hired by the developer or property owner to prepare plans for the extension of wastewater infrastructure.

Section I.11 DISTRICT
Shall mean the North Charleston Sewer District as defined in Act 1768 of the Acts of the General Assembly for the year 1972 and subsequent Acts amendatory thereto or any authorized person acting therefore. The terms District and Commission are frequently used interchangeably.

Section I.12 DISTRICT MANAGER
Shall mean the manager of the North Charleston Sewer District or an authorized designee.

Section I.13 DOMESTIC DISCHARGE
Shall mean sewage which is typical in strength and consistency of residential sewage.

Section I.14 DOMESTIC USER
Shall mean any user whose discharge is typical in strength and consistency of residential sewage.

Section I.15 EASEMENT
Shall mean an acquired legal right for specific use of land owned by others.

Section I.16 FOOD SERVICE ESTABLISHMENT
Shall mean any commercial facility discharging kitchen or food preparation wastewater including restaurants, motels, hotels, cafeterias, hospitals, schools, bars, etc. And any other facility that, in NCSD's opinion judgement, would require a grease trap installation by virtue of its operation. Such

definition normally includes any establishment required to have a South Carolina Department of Health and Environmental Control (SC DHEC) food service license.

Section I.17 GARBAGE
Shall mean solid wastes resulting from the domestic and commercial handling, storage, dispensing, preparation, cooking and serving of food.

Section I.18 GENDER
A word importing masculine gender only shall extend and be applied to females and firms, partnerships, and corporations as well as to males.

Section I.19 GREASE TRAP/GREASE INTERCEPTOR
Shall mean the device that is used to affect the separation of grease and oils in wastewater effluents from food service establishments. Such traps or interceptors may be of the "outdoor" or "underground" type (normally referred to as grease interceptors), or the "under-the-counter" package units located near the sink (normally referred to as the smaller grease traps). However, for the purpose of this standard, the words "trap" and "interceptor" are generally used interchangeably.

Section I.20 INDUSTRIAL USER
Shall have the same meaning as, and may be used interchangeably with non-domestic discharger.

Section I.21 INDUSTRIAL WASTES
Shall mean the liquid waste from industrial manufacturing processes, trade or business, as distinct from domestic discharge.

Section I.22 INSTANTANEOUS LIMIT
Shall mean the maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling.

Section I.23 INTERFERENCE
Shall mean a discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

A) Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge process, use or disposal; and

B) Therefore is a cause of a violation of any requirement of the POTW's NPDES Permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued there under (or more stringent State or local regulations):

Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly known as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

Section I.24 LOCAL LIMIT

Shall mean a specific discharge limit developed and enforced by the District upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b) and SCR 61-9.403.5(a)(1) and (b).

Section I.25 MAY

Is permissive, SHALL is mandatory.

Section I.26 MULTIPLE RESIDENTIAL EQUIVALENT UNIT(S)

Shall mean any non-single residential unit to include multiple residential dwellings and commercial properties.

Section I.27 NATIONAL PRETREATMENT STANDARDS

Shall mean any regulation containing pollutant discharge limits promulgated by the united states environmental protection agency in accordance with section 307 (b) and (c) of the Federal Water Pollution Control Act, as amended, which applies to non-domestic dischargers.

Section I.28 NATURAL OUTLET

Shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

Section I.29 NON-DOMESTIC DISCHARGER

Shall mean any user of the wastewater system whose wastewater is not classified as domestic (residential).

Section I.30 NON-SIGNIFICANT CATEGORICAL INDUSTRY

Shall mean an industrial user who never discharges more than 100 gallons per day (GPD) of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the pretreatment standard) and who meets the following conditions:

A) the Industrial User, prior to the District's finding, has consistently complied with all applicable categorical Pretreatment Standards and Requirements;

B) the Industrial User annually submits the certification statement required in Section 7.14(I) [see 40 CR 403.12(q)], together with any additional information necessary to support the certification statement; and

C) the Industrial User never discharges any untreated concentrated wastewater.

Section I.31 OBSTRUCTION
Shall mean any substance or material causing or contributing to a reduction in the diameter of a sewer pipe.

Section I.32 OWNER
Shall mean the person or persons who legally own, lease or occupy private property with wastewater facilities that discharge or will discharge to the district's wastewater system.

Section I.33 PASS THROUGH
Shall mean a discharge which exits the POTW into the waters of the United States or the State of South Carolina in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).

Section I.34 PERSON
Shall mean any individual, firm, company, association, society, partnership, corporation or similar organization, agency or group. This does not apply to employees, agents or representatives of the district.

Section I.35 pH
Shall mean the logarithm of the reciprocal of the hydrogen ion concentration, or the negative logarithm of the hydrogen ion concentration.

Section I.36 PRETREATMENT REQUIREMENTS
Shall mean any substantive or procedural requirement related to pretreatment other than a National Pretreatment Standard imposed on a non-domestic discharger.

Section I.37 PRETREATMENT STANDARDS OR STANDARDS
Shall mean prohibited discharge standards, categorical Pretreatment Standards, and Local Limits.

Section I.38 PRIVATE SEWAGE DISPOSAL SYSTEM
Shall mean sewer infrastructure that serves only one parcel and is owned, operated, and maintained by the property owner.

Section I.39 PROHIBITED DISCHARGE STANDARDS OR PROHIBITED STANDARDS
Shall mean absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 7.02.

Section I.40 PROPERLY SHREDDED GARBAGE

Shall mean garbage that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers with no particle greater than 1/2 inch in any dimension.

Section I.41 PUBLICLY OWNED TREATMENT WORKS (POTW)

Shall mean a treatment works as defined by Section 212 of the Clean Water Act, (33 U.S.C. 1292) which is owned in this instance by the District. This definition includes any sewers that convey wastewater to the POTW treatment plant, but does not include pipes, sewers, or other conveyances not connected to a facility providing treatment.

Section I.42 PUBLIC SEWER
Shall mean a sewer in which all owners of abutting properties have equal rights and which is controlled by public authority.

Section I.43 RESIDENTIAL EQUIVALENT UNIT (REU)
Shall mean the typical discharge from a single residential unit (250 gallons per day).

Section I.44 SANITARY SEWER
Shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

Section I.45 SCAVENGER WASTE
Shall mean waste delivered to the District by other than a sewer line and waste which contains more than 100 MG/L of fats, wax, grease and/or oils.

Section I.46 SCDHEC
Shall mean South Carolina Department of Health and Environmental Control.

Section I.47 SEPTAGE
Shall mean putrid or offensive matter, the contents of all privies, septic tanks and cesspools.

Section I.48 SEWAGE
Shall mean a combination of water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface and storm waters as may be present. The term wastewater and sewage are frequently used interchangeably.

Section I.49 SEWAGE TREATMENT PLANT
Shall mean any arrangement of the devices and structures used for treating sewage.

Section I.50 SEWER
Shall mean a pipe or conduit for carrying sewage.

Section I.51 SEWER CLEAN OUT
Shall mean a capped pipe which provides access to a sewer lateral (service) line for the purpose of performing general maintenance activities and for cleaning out blockages, if necessary.

Section I.52 SEWER SURCHARGE
Shall mean a charge for sewer service and treatment service for wastes having characteristics different from sanitary sewage and for which additional charges must be assessed to compensate for additional expenses incurred.

Section I.53 SEWER USE RESOLUTION
The resolution, as amended, adopted September 14, 2009 by the Commission of the North Charleston Sewer District.

Section I.54 SHALL
Is mandatory, MAY is permissive.

Section I.55 SIGNIFICANT INDUSTRIAL USER
Shall mean any user discharging into the public sewer who falls under one or more of the following:

A) is subject to Categorical Pretreatment Standards under 40 CFR Part 403.6 and 40 CFR Chapter I, Subchapter N, as promulgated by the United States Environmental Protection Agency; or

B) contributes a process waste stream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the District's sewage treatment plant; or

C) discharges an average of 25,000 gallons per day or more of process wastewater excluding sanitary, non-contact cooling and boiler blowdown wastewater; or

D) has, in the opinion of the District, a reasonable potential to adversely affect the operation of the District's sewage treatment plant or for violating any pretreatment standard or requirement.

Section I.56 SIGNIFICANT NON-DOMESTIC DISCHARGER
Shall have the same meaning as and may be used interchangeably with SIGNIFICANT INDUSTRIAL USER.

Section I.57 SIGNIFICANT VIOLATION
Shall mean a violation of discharge limitations that meets one or more of the following criteria:

A) chronic violations in which sixty-six (66%) percent or more of all of the measurements taken for the same pollutant parameter during a six (6) month period exceed a numeric Pretreatment Standard or Requirement, including instantaneous limits, as defined by R61-9.403.3 and 40 CFR 403.3;

B) technical review criteria (TRC) violation in which thirty-three (33%) percent or more of all of the measurements taken for the same pollutant parameter during a six (6) month period equal or exceed the product of the numeric Pretreatment Standard or Requirement including instantaneous limits as defined by R61-9.403.3 and 40 CFR 403.3, multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oils and grease and TRC = 1.2 for all other parameters, except pH.);

C) any other violation of a Pretreatment Standard or Requirement as defined by 40CFR part 403.3 and SCR 61-9.403.3 (daily maximum, long-term average, instantaneous limit, or

narrative Standard) which the District believes has caused, alone or in combination with other discharges, interference or pass-through including endangering the health of POTW personnel or the general public;

D) any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the exercise of the District's emergency authority to halt or prevent such a discharge;

E) any violation by ninety (90) days or more after the scheduled date of any compliance schedule milestone contained in the Non-Domestic Wastewater Discharge Permit or enforcement order;

F) the failure to provide the required pretreatment program reports within forty-five (45) days of the due date;

G) any failure to accurately report noncompliance with pretreatment requirements;

H) any other violation or group of violations, which may include a violation of Best Management Practices, which the District determines will adversely affect the operation or implementation of the pretreatment program.

Section I.58 SLUG

Shall mean any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity of flow exceeds, for any period of duration longer than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hour concentration proposed during normal operation.

Section I.59 STANDARD METHODS

Shall mean the examination and analytical procedures set forth in the most recent edition of Standard Methods of Water, Sewage and Industrial Wastes, published jointly by the American Public Health Association, The American Water Works Association, and the Water Environment Federation.

Section I.60 STORM DRAIN (SOMETIMES TERMED STORM WATER)

Shall mean a sewer which carries storm and surface waters and drainage but excludes sewage and industrial wastes other than unpolluted cooling water.

Section I.61 STREET

Shall be construed to include streets, avenues, drives, boulevards, roads, alleys, lanes and viaducts, and all other public highways in the service area.

Section I.62 SUSPENDED SOLIDS

Shall mean both volatile and nonvolatile solids that either float on the surface of or are suspended in water, sewage, or other liquids which are removable by laboratory filtering.

Section I.63 TOTAL SOLIDS
Shall mean the sum of suspended matter, settleable matter and dissolved matter, both volatile and nonvolatile.

Section I.64 USER
Shall mean any person(s), commercial buildings, or industries who discharge water or wastewater into the wastewater system.

Section I.65 WASTEWATER
Shall mean a combination of water-carried waste from residences, business buildings, institutions and industrial establishments, together with such ground, surface and storm water as may be present. The term wastewater and sewage are frequently used interchangeably.

Section I.66 WASTEWATER SYSTEM
Shall mean all facilities for collecting, pumping, treating and disposing of sewage.

Section I.67 WATERCOURSE
Shall mean a channel in which flow of water occurs, either continuously or intermittently.

ALL OTHER WORDS shall be construed as having the meaning defined by their general usage.

ARTICLE II. GENERAL PROVISIONS

Section II.01 PURPOSE
The purpose of this Resolution is to provide for the maximum possible beneficial public use of the District's wastewater system through regulation of sewer construction, sewer use, and wastewater discharges; to provide for equitable distribution of the costs of the wastewater system; and to provide procedures for complying with the requirements contained herein. All or parts of the Resolutions of the District in conflict with the provisions of this Resolution are hereby repealed to the extent of such conflict.

Section II.02 SCOPE
A) The definitions of terms used in this Resolution are found in Article I. The provisions of this Resolution shall apply to the discharge of all sewage to the District's wastewater system. This Resolution provides for use of the wastewater system, regulation of sewer construction, control of the quantity and quality of sewage discharged, wastewater pretreatment, sewer construction plans, issuance of wastewater discharge permits, minimum sewer construction standards and conditions, and penalties and other procedures in cases of violation of this Resolution.

B) Each and every owner will be held fully responsible and liable by and to the District for all that is done or omitted on, in or about any premises by any agent or tenant or other persons not employed by the District who may gain access thereto. The tenant in or upon any premises of any owner shall at all times, and for all purposes connected with or arising from the District's wastewater service to and for such premises, except the making of the original application for sewer service, be taken and construed to be the properly constituted agent of the owner.

Section II.03 ADMINISTRATION

Except as otherwise provided herein, the District Manager shall administer, implement, and enforce the provisions of this Resolution.

Section II.04 INSPECTIONS

A) The District Manager or authorized designee, bearing proper credentials and identification, shall be permitted to enter properties at any reasonable time for the purposes of inspection, observation, measurement, and sampling of sewage discharge to ensure that discharge to the wastewater system is in accordance with the provisions of this Resolution and the District's rules and regulations.

B) The District Manager or authorized designee, bearing proper credentials and identification, shall be permitted, at reasonable times, to enter all private property through which the District holds an easement for the purposes of inspection, observation, measurement, sampling, repair, and maintenance of the wastewater system within the easement.

C) All entry and any subsequent work on the easement shall be done in full accordance with the terms of the easement pertaining to the private property involved.

Section II.05 VANDALISM

No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment that is part of the District's wastewater system. Any person who violates this section shall be guilty of a misdemeanor and, upon conviction, is punishable by a fine as provided for in this Resolution.

ARTICLE III. USE OF PUBLIC SEWERS REQUIRED

Section III.01 WASTE DISPOSAL

It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the District or in any area under the jurisdiction of the District, any human or animal excrement, garbage, or other objectionable waste.

Section III.02 CONDITIONS

It shall be unlawful to discharge to any natural outlet within the District or in any area under the jurisdiction of the District any sewage or other polluted waters except where suitable treatment has been provided in accordance with subsequent provisions of this Resolution.

Section III.03 SEWAGE DISCHARGES
Sewage discharges to the wastewater system are not authorized unless approved by the District Manager in accordance with provisions of this Resolution.

Section III.04 WASTEWATER DISPOSAL
It shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for disposal of sewage, where public sewers are available.

Section III.05 CONNECTION TO SEWER REQUIRED
The owner of all houses, buildings, or properties used for human occupancy, employment, recreation or other purpose situated within the District and abutting on any street, alley, or right-of-way in which there shall be located a public sanitary sewer of the District is hereby required at his expense to install suitable toilet facilities therein and to connect such facilities directly to the proper public sewer in accordance with provisions of this Resolution within ninety (90) days after written notice from the District to the property owner requiring such property owner to make connection thereto, provided that said public sewer shall be within one hundred (100') feet of the property line.

Charges for sewer service will commence at the end of the ninety (90) day period for which notice is given should the owner of the property fail to connect to the public sanitary sewer provided by the District. Such action of collecting charges by the District for sewer service in no way eliminates the owner's responsibility to connect to the public sanitary sewer.

ARTICLE IV. PRIVATE SEWAGE DISPOSAL

Section IV.01 PRIVATE SYSTEM REQUIREMENT
Where a public sanitary sewer is not available under provisions of Section 3.05, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Resolution and the requirements of the South Carolina Department of Health and Environmental Control (SCDHEC).

Section IV.02 PERMIT
Before commencement of construction of a private sewage disposal system other than a septic tank, privy, privy vault, or cesspool for a single-family dwelling, the owner shall first obtain a written permit signed by the District. The application for such permit shall be made on a form furnished by the District which the applicant shall supplement with any plans, specifications and other information deemed necessary by the District.

Section IV.03 PERMIT REQUIREMENTS

A permit for private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the District. The District shall be allowed to inspect the work at any stage of construction. The applicant for the permit shall notify the District when the work is ready for final inspection and before any underground portions are covered. The inspection will normally be made within two (2) working days of the receipt of notice by the District.

Section IV.04 DESIGN REQUIREMENTS

The type, capabilities, location, and layout of a private sewage disposal system shall comply with South Carolina Department of Health and Environmental Control requirements. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

Section IV.05 SANITARY OPERATION

The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times at no expense to the District.

Section IV.06 CONNECTIONS TO PUBLIC SEWER

At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 3.05, a direct connection shall be made to the public sewer in compliance with this Resolution and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned, cleaned of sludge, and filled with clean bank-run gravel or dirt within sixty (60) days of notification to do so by the District.

Section IV.07 ADDITIONAL REQUIREMENTS

No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by any other applicable authority.

ARTICLE V. BUILDING SEWERS AND CONNECTIONS

Section V.01 CONNECTION PERMIT

No person not authorized by the District shall uncover, make any connection with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the District. When applying for the permit, the applicant may be required to furnish plans, specifications and other information considered pertinent in the judgment of the District. A permit fee, as shown in the Rate Resolution in force at the time of application, shall be paid to the District when the application is made. The reconstruction or modification of all or part of a building sewer shall not be done without satisfying the other provisions of this Article and the payment of a permit and inspection fee as shown in the Rate Resolution in force at the time of issuance.

Section V.02 CONNECTION PERMIT CLASSES

There shall be two (2) classes of building sewer permits:

A) for residential and commercial service; and

B) for service to establishments producing industrial waste.

In either case the owner or his agent shall make application on a special form furnished by the District.

Section V.03 CONNECTION COSTS

All costs and expenses incident to the installation and connection of the building sewer to the District's wastewater system shall be borne by the owner. The owner shall indemnify the District from any loss or damage that may directly or indirectly result from the installation of the building sewer.

Section V.04 INDEPENDENT BUILDING SEWER

A separate and independent building sewer shall be provided for every building. Where one building stands to the rear of another on a single lot and no private sewer is available or can be constructed to the rear of the building through an adjoining alley, courtyard, or driveway, the District may grant permission for the building sewer from the front building to be extended to the rear building and the whole considered as one building sewer, upon a showing by the applicant that it is not feasible that the two (2) buildings so connected will ultimately be on separate building lots.

Section V.05 EXISTING BUILDING SEWER

Old building sewers may be used in connection with new buildings only when they are found, upon examination and testing by the District, to meet all of the requirements of this Resolution.

Existing buildings are required to have an accessible sewer clean out installed within five (5) feet of the property or easement line in order to distinguish between District and private ownership. The property owner is responsible for maintaining clean out accessibility. If a clean out is not present, the property owner is responsible for installing one.

Section V.06 REQUIREMENTS

The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench shall all conform to the requirements of applicable ASTM Specifications or the "Ten State Standards", whichever is the more stringent. All installations are to be subject to the written approval of the District. In no case shall the size of pipe installed be less than four (4") inches in diameter when serving a single family residential unit or less than six (6") inches when serving a commercial or multi-family building. The minimum slope, in either case, shall be sufficient to produce a velocity of at least two (2') feet per second and adequately handle the flows set forth in Appendix A of the South Carolina Department of Health and Environmental Control Standards for Wastewater Facility Construction: R.61-67 (current revision).

All materials used in the construction of sanitary sewer connections shall conform to the most current version of the District's Construction Specifications.

Section V.07 BUILDING SEWER DESIGN

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement or first (1st) floor. No building sewer shall be made parallel to or within three (3') feet of any weight bearing wall which thereby might be weakened. The depth shall be sufficient to afford protection from live loads (automobiles, etc.) which may be superimposed. The building sewer shall be made at uniform grade and in straight alignment insofar as possible. If the building is at an elevation lower than one (1') foot above the top of the next upstream manhole in the sewer system, the building sewer shall include backflow preventers or check valves. During the design process, it is the responsibility of the engineer to provide the finish floor elevations to the District for their review. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sewage carried by such building drains shall be lifted by an approved means and discharged into the building sewer. Where the lowest floor of the building is at an elevation lower than one (1') foot above the top of the next upstream manhole the property owner, prior to connection to the District sewer system, shall be required to execute a Hold Harmless agreement with the District to the effect that the District will not be held responsible for any damage occurring from connection to the wastewater system. Such agreement shall be made on a form prepared by the District and provided to the property owner by the District. Said Hold Harmless agreement shall be recorded in the RMC Office for Charleston County.

Section V.08 SURFACE RUNOFF AND GROUNDWATER DRAINS

No person without the express written permission of the District shall maintain or connect roof downspouts, exterior foundation drains, areaway drains, cooling towers, or other sources of surface runoff or groundwater to any sewer line which in turn is connected directly or indirectly to the District's wastewater system.

Section V.09 CONNECTION INSPECTION

Prior to the covering of any underground portion thereof, the applicant for a building sewer shall notify the District when the building sewer is ready for inspection and connection to the District's wastewater system. The inspection will normally be made within two (2) working days of receipt of notice by the District and shall indicate zero (0) infiltration/inflow and compliance with standard construction practices. If building sewer is already covered, then scheduling a CCTV inspection of the sanitary sewer line with a District representative present may be requested.

Section V.10 SAFETY AND RESTORATION

All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the District.

Section V.11 CONNECTION RECORD

The District shall keep a permanent and accurate record of the location, depth, and direction of all new sewer connections, including such landmarks as may be necessary to make an adequate description.

Section V.12 CONNECTION VIA PRIVATE FORCE MAIN

When connecting to the District's infrastructure via a private force main, a memorandum of understanding, outlining ownership and maintenance responsibility, shall be completed by the property owner and the District and recorded at the county RMC office before approval of the sewer connection.

ARTICLE VI. INSTALLATION OF SEWAGE FACILITIES BY PRIVATE CITIZENS OR CORPORATIONS

Section VI.01 INSTALLATIONS

The District hereby reserves the exclusive right to affect the installation of all sanitary sewers, sewage treatment facilities, pumping stations, force mains, sewer laterals and appurtenances thereto within the District or to require that such installations be effected as prescribed herein.

Section VI.02 ROLES AND RESPONSIBILITIES

The following is a general description of the roles and responsibilities of the parties involved with the design, review and approval of sanitary sewer system projects constructed within the District's service area:

A) The District

1. Determine all applicable fees.
2. Review plans for conformance with the requirements of this Resolution and the District's standard specifications.
3. Identify to the Developer and the Developer's Engineer any required changes to the plans.
4. Prepare a Sewer Extension Contract and Bill of Sale.
5. Submit permitting package.
6. Observe construction related activities to ensure compliance with the requirements of the District's standard specifications.
7. Require work determined to be incompliant with the District's standard specifications to be corrected to the satisfaction of the District.
8. Be present during the final inspection.
9. Submit all documentation to the Commission for their approval.

10. Submit an Operation and Maintenance Letter to DHEC.

B) Developer's Engineer

1. Request determination of wastewater availability.
2. Prepare and submit plans to the District in accordance with the requirements of the District's standard specifications. Refer to the District's Project Submittal Checklist.
3. Ensure plans are consistent with the latest North Charleston Sewer District 201 Master Plan.
4. Make any necessary revisions to the plans in accordance with the District's comments.
5. Submit the permitting package to the District.
6. Submit to the District all encroachment permit applications.
7. Have a representative present during final testing.
8. Certify whether the work performed is or is not in accordance with the plans and the requirements of the District's standard specifications.
9. Promptly inform the District of any changes to the plans during construction. All changes must be approved by the District.
10. Provide all information and submittals as required for project completion and takeover.

C) Developer

1. Provide accurate information as to the person or entity responsible for the development and their contact information.
2. Be responsible for payment of all fees required in accordance with this Resolution.
3. Sign and comply with the Sewer Extension Contract and sign the Bill of Sale.
4. Be financially responsible for future requests for repairs if any arise during the bond period after takeover of the system.

Section VI.03 PLAN REVIEW PROCEDURES

This section outlines the procedures that are required in order to plan, construct, and have accepted for service any wastewater extension to the District's system. The District will not own, operate, or maintain any wastewater system serving a single property. However, the permitting package for DHEC will still be sent through the District.

A) Procedures and Activity Sequence

1. Submittal of sewer availability application;
2. Issuance of Letter of Availability, if appropriate;

3. Preliminary plan submittal;
4. Approval of preliminary plan or request for revisions;
5. Execution and submittal of the District's standard sewer extension contract and Bill of Sale
6. Payment of the District application fee;
7. Submittal to SCDHEC permit package for wastewater projects;
8. Receipt of SCDHEC Permit to Construct;
9. Preconstruction conference, if appropriate;
10. Construction inspections;
11. System testing;
12. Completion of all final inspection punch list items;
13. Submittal of all necessary close-out documentation. Refer to the District's Project Closeout Checklist;
14. Payment of the Maintenance Bond;
15. Acceptance of wastewater system by the District for Operation and Maintenance (O&M);
16. Submittal of O&M letter to SCDHEC;
17. Receipt of SCDHEC Permit to Operate;
18. Maintenance Bond release pending no known outstanding defects (two years from SCDHEC Permit to Operate).

Section VI.04 PRELIMINARY PLAN

Persons seeking the creation of new sewerage facilities or an extension or alteration to existing sewerage facilities shall submit a preliminary plan of the proposed development to the District prior to or concurrent with the submission of the plat to the Planning Board having jurisdiction. The Applicant may be required to design the sewerage facilities to facilitate the extension of sewerage facilities to adjacent areas within the District.

A) Requirements:

1. The plan of the proposed development shall be clearly and legibly drawn to size "D" (36" x 24") to scale no smaller than one (1") inch equals fifty (50') feet. All written notes or numbers shall be 1/8" minimum. One copy of the preliminary plan shall be submitted for review.
2. All preliminary plans shall contain or be accompanied by the following information:
    a. Proposed name of the project, tax map number(s), and address, if appropriate;

b. Name, registration number, seal of registered engineer, and any referenced information provided by others;

c. Exact boundaries of the tract of land being developed shown with bearing and distance;

d. North arrow, graphic scale, written scale, and date, including month, day, and year that the original drawing was completed, and the month, day, and year for each revision of the original drawing;

e. Existing zoning classification of the tract and any proposed rezoning within the tract;

f. Flood zone classification;

g. A vicinity or location map for the purpose of locating the property being developed showing the relation of the property to the adjoining properties and to all streets, roads, and municipal boundaries;

h. Design calculations for wastewater hydraulic loadings.

3. All projects requiring sewer extensions must provide the following information in addition to that required above:

a. All existing streets, including streets of record (recorded but not constructed), on or abutting the tract, including the names and right-of-way widths;

b. Location and names of streams, lakes, swamps, and other water bodies. Areas subject to flood must be designated;

c. Specify whether lines are in easements or public rights-of-way. Plan view must show all proposed sewer easements. Wastewater lines shall not be permitted along back or side property lines unless approved by the District. For eight (8") inch diameter lines not located in rights-of-way, the minimum easement width is fifteen (15') feet for a line six (6') feet deep or less and twenty (20') feet for a line six (6') to ten (10') feet deep. Lines greater than ten (10') feet deep shall have a minimum easement width of thirty (30') feet. Larger diameter and/or deeper lines will be handled on a case by case basis;

d. Wastewater facilities shall not be located in freshwater or saltwater wetlands, unless approved by SCDHEC Office of Ocean and Coastal Resource Management (OCRM), US Army Corps of Engineers, and the District;

e. Size, location, and type of materials of existing wastewater collection, water distribution, stormwater, or other underground facilities within the street or within the right-of-way of streets or roads adjoining the tract (only those that relate to interconnection of proposed facilities). Grade and invert of existing gravity line shall be shown. Location of existing wastewater lines shall be

verified. The District will not be responsible for errors in any as-built drawing or GIS information;

f. Wastewater plan and profile sheets shall indicate inlet and outlet inverts of each manhole, manhole rim elevation, grade, length, and type of pipe. Plan view of wastewater collection system shall include all service locations;

g. Elevations shall be stated relative to Mean Sea Level (MSL);

h. Detailed pump station site layout on separate sheet including proposed dimensions and delineation of boundaries;

i. Proposed layout of the force main including profiles, types of pipe, detailed discharge design, and where necessary, air release valve design;

j. All other proposed utility easements and rights-of-way, including power, gas, telephone, TV cable, and storm drainage systems outside the road rights-of-way;

k. Layout of all streets, roads, alleys, and public walkways, including widths. Road names should be included if available;

l. Designation of any land to be conveyed to the District;

m. Total number of lots and use designation of each lot. The number of subunits or density within each area should be indicated;

n. Phased projects, and/or projects that are closely associated, shall be considered one project for determining the impact on the District's system. When a developer chooses to develop a subdivision in phases, the optimum pumps shall be installed in the pump station(s) to provide the District with the most efficient system possible for total build out;

o. Any other information considered by either the Developer or the District to be pertinent to the plan review.

4. All commercial projects that have wastewater service immediately available shall provide the following:

   a. Site plan showing location of all proposed and existing utility lines;

   b. Location of all proposed and existing easements;

   c. Layout of streets, parking lots, etc.;

   d. Internal plumbing plan showing floor drains, oil/water separators, grease traps, etc. (if applicable).

B) Response to and Approval of Preliminary Plan:

1. The District will normally review the preliminary plan and approve, disapprove, request additional information, and/or request changes in writing within thirty (30) days of receipt of plans.
2. An approval letter will be issued after all issues have been addressed. Any additional off-site improvements or special circumstances will be contained in this letter.
3. Any project that has been inactive for 12 months after the District's approval of preliminary plans will be considered abandoned. Once a project has been abandoned, any future return to active status will require that the project be resubmitted as a new project.

Section VI.05 SCDHEC DELEGATED REVIEW PROGRAM (DRP)

The District is approved by SCDHEC for participation in its Wastewater "Delegated Construction Permit Review Program." This service is offered to developers and engineers as a means of expediting the current submittal process required to obtain a SCDHEC Permit to Construct. The engineer may submit the DRP package once the preliminary plan has been approved. The following items must be submitted as part of the Wastewater DRP packages for review and forwarding to SCDHEC:

A) Two (2) copies of the signed and sealed plans prepared by a licensed engineer registered in South Carolina: one (1) for the District's files and one (1) for the DRP package;

B) The original plus one (1) copy of the SCDHEC Construction Permit Application, properly completed (Felix C. Davis WWTP, NPDES Number SC0024783);

C) One (1) copy of the appropriate design calculations. Wastewater: Design flow (based on R.61-67, Appendix A) and pump station calculations, pump curve, etc.;

D) One (1) copy of a detailed 8-1/2" x 11" location map, separate from the plans;

E) SCDHEC OCRM Certification letter;

F) The 208 Plan Certification from BCD Council of Governments;

G) Any other necessary Agency approvals;

H) Application fee made payable to SCDHEC, for a collection system submitted as a DRP project;

I) One copy of the cost estimate for the installation of the wastewater system.

All plats, plans, specifications and other documents submitted in accordance with Section 6.04 and 6.05 shall become the property of the District.

Section VI.06 REVIEW PERIOD

The District will review the submitted package for accuracy and completeness. The District will normally act on the request no later than thirty (30) days after receipt of all documents required by Section 6.05.

Section VI.07 AGREEMENT AND FEES

Once a complete and accurate DRP package has been submitted, a Contract and Bill of Sale will be sent to the Developer/Owner. The DRP package will be sent to SCDHEC when the Contract is returned and the appropriate fees are paid. If it is the desire of the Applicant to install the proposed sewerage facilities with his own force or under his own contract, the Applicant shall enter into a written agreement with the District requiring the Applicant inter alia:

A) Unless the facilities are to be privately owned, a non-refundable application fee is due, payable in cash, certified check or a cashier's check drawn to the order of the North Charleston Sewer District. This sum shall constitute the normal plan review, legal and inspection fees for the proposed project. The application fee amount is stated in the Sewer District's current rate resolution.

B) A two (2) year maintenance bond is required before Commission acceptance.

C) Without expense to the District to repair and remedy any defect occurring within the sewerage facilities caused by, or arising out of or incidental to, the use of defective material, improper workmanship, or failure to comply with the plans and specifications or any other requirement of this contract, within two (2) years from the date of Commission acceptance of said project by the District.

D) To agree that the District, in order to protect the health and safety of the public, shall have the option to repair any defect either temporarily or permanently and that the Applicant shall indemnify the District for any cost and expense incurred within thirty (30) days after receipt from the District of a verified bill for work performed, within two (2) years from date of acceptance by the District.

E) To obtain and/or assist in obtaining copies of all required encroachment permits from entities requiring such permits.

F) To secure and furnish to the District all easements, rights-of-way, and property necessary to complete the proposed facilities. The title to such easements, rights-of-way and property shall be free and clear of all liens and/or encumbrances and certified to in writing as being unencumbered and marketable by an attorney licensed to practice law in South Carolina, dated subsequent to the recordation of the grant to any such easements, rights-of-way or property. Such property and property rights shall be granted to the North Charleston Sewer District. Should the Applicant be unable to acquire the necessary property and property rights, the District may, at its option, exercise its right of eminent domain and in this event, the Applicant shall reimburse the District for all costs incident thereto. All property and

property rights must be secured and submitted to the District prior to commencement of construction.

G) To guarantee payment to the District, where proposed sewerage facilities include pumping station(s), treatment facilities and/or other facilities requiring frequent routine checks on operation and/or the performance of routine maintenance, the cost of operating and maintaining such sewerage facilities until such time as the sewer service charge revenue realized from the area served by such facilities equals twice the estimated operation and maintenance cost. The Agreement shall further provide that (1), upon its creation, the homeowners' association or equivalent shall be responsible for making the payments required by this section; (2) if the homeowners' association fails to make such payments, each individual lot covered by the Agreement will be billed a pro rata share of the payment; and (3) no sewer service will be provided to any lot for which amounts are owed pursuant to this section, and if applicable, sewer service will be discontinued to any lot failing to make the payments required by this section. No ordinary gravity or force main sewer maintenance shall be considered applicable under this requirement.

H) To convey the completed sewerage facilities by Bill of Sale free of liens and/or encumbrances to the District without further consideration. The District agrees to accept title to the facilities and to operate and maintain said facilities after receiving title and shall charge for sewer service in accordance with its schedule of sewer service charges in force at the time.

Agreements that are not returned within six (6) months will be considered abandoned. Once a project has been abandoned, any future return to active status will require that the project be resubmitted as a new project. If a project has not started construction within one year of receiving the permit to construct or a project has not received a permit to operate within two (2) years of receiving the permit to construct, the project will be considered abandoned. New drawings and necessary paperwork will have to be submitted to the District for review to return to active status. There may be additional fees for this process.

Section VI.08 PROJECT COMPLETION AND CLOSEOUT

Upon completion of the sewer project, the District will audit its direct costs related to plan review, inspection and legal fees. If the total of these costs exceeds the application fee, the District will invoice the Applicant for the additional costs. No service will be provided by the District to the sewer project until full payment has been made by the Applicant. The following items are required for project closeout:

A) Two (2) as-built prints and one (1) mylar sepia as-built drawings;

B) AutoCAD copy of as-builts on a cd;

C) GIS data (see Section 6.10);

D) Recorded easement plats and documents. The easement plats must have the District's stamp at the time of recording;

E) All necessary lien waivers;

F) Attorney's opinion letter;

G) Final inspection documentation

H) Completed/Signed Bill of Sale.

I) Final CCTV inspection of sewer system.

J) Pump station close out submittal, if applicable.

Section VI.09 AS-BUILT DRAWINGS

Two (2) sets of "D" size (36" x 24") blue lined copies and one (1) mylar sepia, signed and sealed, must be submitted to the District with the following information:

A) Use of the State Plane Coordinates NAD 83 shall be used. Only information pertinent to the wastewater facilities being dedicated to the District should be shown. State vertical datum used and any necessary conversation factors.

B) All written numbers will be 1/8" minimum.

C) A revision block shall be provided with the dates and descriptions of any revisions to the as-builts.

D) The size and type of materials of all lines shall be indicated.

E) All easements to be conveyed shall be shown and labeled accordingly, as well as any property deeded to the District.

F) All lot and block numbers shall be shown and drawn to graphic scale. Scale shall be no smaller than 1" equals 50'.

G) Service line locations shall be stationed from the downstream manhole. Each downstream manhole shall be stationed 0+00.

H) All access roads to pump stations shall be shown.

I) Actual locations of all force mains shall be shown and referenced to permanent structures.

J) The rim and invert elevations of all manholes shall be indicated on the plan and profile sheets (measurements shall be accurate to within +/- one hundredth of a foot). Line slopes between adjoining manholes shall also be shown on plan and profile sheets.

K) Each page of the as-builts shall be signed and sealed by a registered engineer and land surveyor.

L) All roads shall be shown and have the center line shown.

M) Location of sidewalks and water or storm water utilities for field reference.

Section VI.10 GPS GIS DATA

This data will be in State Plane Coordinates NAD 83 International feet, and all GPS points delivered will be sub-foot accuracy. The GIS data will be delivered as an ESRI Personal Geodatabase with each feature class metadata filled out. The District will provide a sample Personal Geodatabase.

Section VI.11 ACCEPTANCE FOR OPERATION

Upon completion of the sewer project, the Commission shall consider adoption of a resolution of acceptance. The District will thereafter be responsible for all operation and maintenance of the facilities accepted. An O&M letter will be sent to SCDHEC.

Section VI.12 CONNECTION AND INSPECTION PERMIT

The District will charge a connection and inspection permit fee in accordance with the applicable rates in effect at the time of purchase. Connection permits cannot be purchased for a new system until the Permit to Operate from SCDHEC has been received. Prior to the connection of the sewerage facilities to the District's wastewater system, the Applicant shall purchase one sewer connection and inspection permit for each lot or parcel of land which is:

A) Owned by the Applicant and

B) Shown on the plan submitted under Section 6.03 of this Article and

C) Served directly by the sewers installed under the agreement/contract.

Section VI.13 EXTENSION RIGHTS

The District shall retain and shall have the right to extend or enlarge any sewerage facility installed by it or installed under this Resolution in or to other lands, streets, or avenues, and the Applicant shall not, by reason thereof, be entitled to any benefit or compensation therefore except as set forth in Section 6.14 hereof.

Section VI.14 COST

The Applicant must bear the entire cost of the sewer project which shall be of adequate size to serve his entire development. Where the District requires the installation of sewerage facilities of a greater size, depth, and/or capacity than is required to serve the Applicant's entire development, the Applicant's share of the total expense shall amount to the estimated cost of the sewerage facilities that would adequately serve the Applicant's entire development. The estimate of the additional sewerage facilities shall be made by the District, with consultation with the Applicant's engineers, the District having the final decision as to the amount of the estimate. The District shall pay its share of the cost of such sewerage facilities as determined above upon completion and acceptance of said sewerage facilities.

Section VI.15 DESIGN CRITERIA

The proposed sewer extension shall be designed under the following criteria:

A) Guidelines for the design of wastewater collection systems for North Charleston Sewer District (most recent revision).

B) Recommended standards for wastewater facilities (ten states standards) most recent revision.

C) Applicable ASTM standards.

Where inconsistencies occur between these specifications, the most stringent of the specifications will apply. However, should the intended use of the facility require a more stringent design than is set forth under A, B, or C, the design requirements necessitated by the use shall prevail.

Section VI.16 PRO-RATA PAYBACK

The District, at the time of approval of any application hereunder, shall determine whether or not the proposed sewerage facilities shall be constructed to potentially serve adjacent areas; shall identify the additional costs to the Applicant or the District, because of the District's requirement that the Applicant's proposed sewerage facilities potentially serve adjacent areas; shall determine the pro-rata share of any subsequent user of said sewerage facilities; shall attempt to collect said pro-rata cost from subsequent users at the time of their connection to the sewerage facilities or an extension thereof and shall, to the extent that funds are collected, reimburse the Applicant or the District for such additional costs less the Applicant's or District's pro-rata share; provided, however that the maximum period of time for reimbursement shall be five (5) years.

Section VI.17 REVIEW OF CONNECTION FEES

The District, at its discretion, will perform a one year review of the usage to compare the quoted flows versus the actual flows. If necessary, the District will seek to recoup additional connection fees based on the usage.

ARTICLE VII. USE OF THE PUBLIC SEWERS AND ASSESSMENT OF SEWER SURCHARGES

Section VII.01 GENERAL PROHIBITIONS

No person shall introduce into the POTW directly or indirectly any pollutant(s) or wastewater which causes pass through or interference. These general prohibitions and specific prohibitions in Section 7.02 of this Article apply to each Domestic and Non-Domestic User introducing pollutants into the POTW whether or not the User is subject to other National Categorical Pretreatment Standards or any national, state or local pretreatment requirements.

Section VII.02 SPECIFIC PROHIBITIONS

No person shall discharge or cause to be discharged any of the following waters or wastes to any public sewer:

A) Any liquid, solid or gas which creates or could create a fire or explosion hazard in the POTW, including, but not limited to, wastestreams with a closed cup flashpoint of less than one hundred forty (140o) degrees Fahrenheit using the test methods specified in 40 CFR 261.21. Prohibited substances include, but are not limited to, gasoline, benzene, naphtha, fuel oil, kerosene, ketones and alcohols.

B) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or interaction with other wastes, to injure or interfere with any sewage treatment process, to constitute a hazard to humans or animals, to create a public nuisance, or to create any hazard in the receiving waters or in the sewage treatment plant. Hazardous wastes, as defined by 40 CFR Part 261, shall not be discharged into the sewer system.

C) Any waters or wastes having a pH less than six and five tenths (6.5), without prior District approval, or containing heavy concentrations of salts or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater system.

D) Solids or viscous substances in quantities or of such size capable of causing obstruction in the flow of sewage or other interference to the proper operation of the wastewater system such as but not limited to fats, oils, and grease (FOG); ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, underground garbage, whole or paunch manure, hair and fleshings, or entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

E) Any waters or wastes of such volume or strength which pass through the sewage treatment plant inadequately treated, interfere with the treatment process, or contaminate sewage sludge so that the sludge is unsuitable for reclamation and reuse or interfere with the reclamation process.

F) Any liquid or vapor having a temperature higher than one hundred forty (140o) degrees Fahrenheit or which results in the temperature at the POTW Wastewater Treatment Plant exceeding one hundred four (104o) degrees Fahrenheit or which inhibits biological activity in the POTW resulting in interference.

G) Any pollutant, including oxygen demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW.

H) Any petroleum, oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through but in no case in amounts greater than one hundred (100) mg/l monthly average or one hundred fifty (150) mg/l daily maximum.

I) Any noxious or malodorous gas, (or gas in solution at concentrations above ten (10) mg/l, such as hydrogen sulfide, sulfur dioxide or nitrous oxide) or other substance, which either singly or by interaction with other wastes is capable of creating a public nuisance or hazard to life or of preventing entry into sewers for their repair and maintenance.

J) Any trucked or hauled wastewaters, except at discharge points designated by the District in accordance with Article VIII of this Resolution.

K) Any substance which may cause the District's effluent or any other product of the District, such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in non-compliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Clean Water Act; with any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, Clean Air Act, the Toxic Substance Control Act; or with any State criteria applicable to the sludge management method being used.

L) Any storm water, surface water, uncontaminated groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer;

M) 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 interfering with the Ultraviolet Disinfection process and resulting in violating the District's NPDES permit;

N) Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test.

Section VII.03 CONDITIONALLY PROHIBITED DISCHARGES

No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely, in the opinion of the District, that such wastes can harm either the sewers, sewage treatment process, or equipment having adverse effect on the receiving stream or

can otherwise endanger life, limb, public property or constitute a nuisance. In forming their opinion as to the acceptability of these wastes, the District will give consideration to such factors as the quantities of subject wastes in relation to flows, and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of waste in the sewage treatment plant and other pertinent factors. The substances prohibited are:

A) Any industrial wastewater containing fats, oils or grease of an animal or vegetable origin in excess of one hundred (100) mg/l without prior approval of the District, but in no case greater than three hundred (300) mg/l.

B) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three quarter (3/4) horsepower or greater shall be subject to the review and approval of the District.

C) Any waters or wastes containing strong acid, iron pickling wastes or concentrated plating solutions whether neutralized or not.

D) Any wastewaters containing concentrations of pollutants exceeding the values set forth in the District's Pretreatment Program.

E) Any waters or wastes containing phenols or other taste or odor producing substances in such concentrations exceeding limits which may be established by the District as necessary after treatment of the composite sewage to meet requirements of the State, Federal or other public agencies having jurisdiction of the receiving waters.

F) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State and Federal regulations.

G) Discharges with pH greater than nine and five tenths (9.5) standard units without prior written approval of the District. Approval may be granted up to eleven and five tenths (11.5) standard units.

H) Materials which exert or cause:

1. Unusual concentration of inert suspended solids such as, but not limited to, Fuller's earth, lime slurries, and lime residues; or of dissolved solids such as, but not limited to, sodium chloride and sodium sulfate.
2. Excessive foaming in the POTW as a result of detergents, surface –active agents or other substances.
3. Unusual BOD, chemical oxygen demand, or ultraviolet disinfection requirements in such quantities as to constitute a significant load on the sewage treatment plant.
4. Unusual volume of flow or concentrations of wastes constituting slugs as defined herein.

I) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed or which are amenable to treatment only to such a degree that the sewage treatment plant cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving water.

Section VII.04 PROHIBITED DISCHARGE REQUIREMENTS

If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 7.03 and which in the judgment of the District may have a deleterious effect upon the sewers, sewage treatment plant processes, equipment or receiving waters, or which otherwise may create a hazard to life, limb, property or constitute a public nuisance the District may:

A) Reject the wastes.

B) Require pretreatment to an acceptable condition for discharge to the public sewers.

C) Require control over the quantities and rates of discharge.

D) Require payment to cover the added cost of handling and treating the wastes not covered by existing sewer charges.

E) If the District permits the pretreatment or equalization of waste flows, the design and installation of the pretreatment facilities and equipment shall be subject to the review and approval of the District and subject to the requirements of all applicable codes, resolutions, laws and discharge permits.

Section VII.05 INTERCEPTORS

Grease, oil, and sand interceptors shall be provided when, in the opinion of the District, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand, grit or other harmful ingredients. All interceptors shall be of a type and capacity approved by the District and shall be located as to be readily and easily accessible for cleaning and inspection. All interceptors shall be supplied and properly maintained continuously in satisfactory and effective operation by the owner at his expense.

Section VII.06 GREASE TRAPS, GREASE INTERCEPTORS, AND OIL/WATER SEPARATORS

It is the intent of the North Charleston Sewer District's (NCSD) Fats, Oils, and Grease (FOG) Program Standard to provide for specific standards for oil/water separator and grease trap/interceptor location, design, installation, construction, operation, and maintenance in compliance with NCSD's discharge requirements. Failure to comply with this Standard shall be considered a violation of applicable sections of the existing Sewer Use Resolution and subject to applicable penalties and/or denial or discontinuance of sewer service.

A) Definitions

All definitions shall be as currently supplied in the existing NCSD Sewer Use Resolution with the following additions:

1. Best Management Practices (BMPs): Methods, tools, and techniques that have been used throughout the industry and have been determined to be the most effective and practical means of preventing or reducing FOG pollution/discharge when implemented properly and consistently. These BMPs may help to decrease the required maintenance of grease traps/interceptors and oil/water separators.
2. Change in Operations: Any change in the ownership, food types, or operational procedures that have the potential to increase the amount of FOG generated and/or discharged by Food Service Establishments in an amount that alone or collectively causes or creates a potential for sanitary sewer overflows (SSOs) to occur.
3. FOG (fats, oils and grease): Organic polar compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. Substances that solidify or become viscous at temperatures between 32° F - 150° F, (0° C - 65° C) be referred to as FOG. FOG may be referred to as "grease" or "greases" in this section.
4. Food Service Establishment (FSE): Shall mean any commercial facility discharging kitchen or food preparation wastewater including restaurants, motels, hotels, cafeterias, hospitals, schools, bars, etc. and any other facility that, in NCSD's judgement, would require a grease trap/interceptor installation by virtue of its operation. Such definition normally (though not always) includes any establishment required to have a South Carolina Department of Health and Environmental Control (SCDHEC) retail food establishment (RFE) permit. RFE exemptions that are still considered a FSE under NCSD regulation include, but are not limited to:
    a. Businesses serving non-TCS (Time or Temperature Controlled for Safety) foods
    b. Residential kitchens or home-based food production under SC Cottage Food Law
    c. Bed and breakfasts with ten (10) rental rooms or less

    See *SCDHEC Reg 61-25-8-301.12 (A)* for further information.
5. Grease Interceptor: A plumbing appurtenance or appliance that is installed in a sanitary drainage system to intercept non-petroleum fats, oils, and greases (FOG) from a wastewater discharge (See 2021 Uniform Plumbing Code Chapter 2 for further information).
    a. Gravity Grease Interceptor: A grease interceptor that is identified by volume, 30 minute retention time, baffle(s), not less than two compartments, a total volume of not less than 300 gallons (1135 L), and gravity separation. [These interceptors comply with the requirements of Chapter 10 of the 2021 Uniform

Plumbing Code (UPC) or are designed by a registered design professional.] Gravity grease interceptors are generally installed outside.

b. Grease Removal Device (GRD): A hydromechanical grease interceptor that automatically, mechanically removes non-petroleum fats, oils, and grease (FOG) from the interceptor, the control of which are either automatic or manually initiated.

c. Hydromechanical Grease Interceptor: A plumbing appurtenance or appliance that is installed in a sanitary drainage system to intercept non-petroleum fats, oils, and greases (FOG) from a wastewater discharge and is identified by flow rate, and separation and retention efficiency. The design incorporates air entrainment, hydromechanical separation, interior baffling, or barriers in combination or separately, and one of the following:

   i. External flow control, with an air intake (vent), directly connected.
   ii. External flow control, without air intake (vent), directly connected.
   iii. Without external flow control, directly connected.
   iv. Without external flow control, indirectly connected.

These interceptors comply with the requirements of Table 1014.2.1 of the 2021 UPC. Hydromechanical grease interceptors are generally installed inside. Hydromechanical grease interceptors may be referred to as "grease traps" in this section.

6. Grease Recycle Container: Container used for the storage of yellow grease.
7. Liquid Waste Hauler: One who is licensed to transfer waste from the site of a customer to an approved site for disposal or treatment. The hauler performs maintenance, repair, and other services on a customer's grease trap/interceptor and/or oil/water separator at the customer's directive. The hauler is responsible for assuring that all federal, state, and local laws and regulations are followed.
8. Mobile Food Unit: A self-propelled or vehicle mounted unit intended to be used as a food service facility. Mobile food units shall have an approved location for grease recycling and/or graywater disposal.
9. Oil/Water Separator (OWS): A device used to separate oil from wastewater prior to being discharged into the district's sewer system. There are two common types of oil/water separator units; they are (1) API–type OWS and (2) Coalescing plate separator (CPS). Both types are designed to separate sediment and oil from wastewater. Oil and sediment are stored within the unit until properly collected and disposed of. The water discharges to the sanitary sewer.
10. Vehicle Maintenance Wastewater: Wastewater generated by floor washdown and incidental drippage from vehicles as a result of routine vehicle servicing operations and/or washing of vehicle exteriors or interior equipment components.

11. Yellow Grease: Fats, oils and grease that has not been in contact or contaminated from other sources (water, wastewater, solid waste, etc.) and can be recycled. Yellow grease is normally stored in grease recycle containers or bins for beneficial reuse.

B) General Requirements

1. The requirements herein are applicable to all businesses and FSEs, new or existing, that discharge FOG waste, including those that are undergoing:
    a. New construction.
    b. Interior remodeling, renovation, or reconstruction.
    c. Expansion or operational modifications.
    d. Changes of ownership/occupancy; and
    e. Facilities, which may be experiencing difficulty in achieving compliance with maintenance and/or wastewater discharge limitations.
2. All FSEs in NCSD's sewer service area shall have a grease trap/interceptor approved by NCSD. Establishments whose grease traps/interceptors are not in accordance with this Standard shall be given a compliance schedule with a deadline not to exceed three (3) months from the initial notification date.
    a. Accelerated compliance shall be required for FSEs which are found to be discharging FOG in sufficient quantities to cause blockages or necessitate maintenance on the wastewater collection system to prevent blockages.
    b. Proper installation, operation, maintenance, and repair of grease traps/ interceptors shall be done solely at the property owner and/or FSE owner's expense.
3. All grease traps/interceptors shall be designed, installed, and located in accordance with this Standard to allow for complete access for maintenance, inspection, cleaning, servicing, and/or sampling.
4. All FSEs shall be subject to periodic review, evaluation, and inspection by NCSD representatives. Results of inspections will be made available to the property owner and/or FSE operator with overall ratings assigned and recommendations for correction/improvement (if necessary).
5. The facility receiving two (2) consecutive unsatisfactory evaluations or inspections shall be subject to penalties, restrictions, or other corrective actions for noncompliance with the NCSD Sewer Use Resolution.
6. Property owner(s) and/or FSE owner(s) shall be responsible for maintaining the facility's grease traps/interceptors by removal and disposal by appropriate means of the captured material. Removal and hauling of collected materials not performed by owner's personnel must be performed by a currently licensed liquid waste hauler. Records of the dates and means of disposal, along with any maintenance contracts, must be kept on-site

for a minimum of three (3) years and be available for review at the discretion of NCSD.

a. FSEs shall observe Best Management Practices (BMPs) for controlling the discharge of FOG from their facility.
b. FSEs shall dispose of yellow grease in an approved container, or recycle container, and the contents shall not be discharged to any sanitary sewer line, stormwater grate, drain or conveyance.
c. It shall be a violation of this policy to push or flush any portion of a grease trap/interceptor into the public sewer.

7. NCSD may sample all grease trap effluent flows suspected or perceived to contain an oil and grease concentration in excess of 100 mg/l for analysis by a certified laboratory. FSEs whose sampled flows are found to exceed 100 mg/l of oil and grease shall be liable to NCSD as outlined in the current Rate Resolution.
8. FSEs whose operations cause or allow excessive grease to discharge to or accumulate in the sewer collection system, cause an obstruction of sewer lines or who fail to properly maintain required grease trap documentation shall be notified of any non-compliance and provided a schedule whereby corrections must be accomplished. Failure to complete corrective actions by the schedule provided may be subject to penalties as outlined in the current Rate Resolution. Failure to pay charges may be grounds for sewer service discontinuance.

C) Construction Standards

1. New Food Service Establishments
    a. All newly constructed (or newly located) FSEs shall be required to install a grease trap/interceptor, approved by the NCSD, prior to initiating operations.
    b. FSEs required to install new grease traps/interceptors shall complete and submit a Grease Trap Application to the NCSD FOG Department prior to installation.
        i. Along with the completed required Grease Trap Application, all grease traps/interceptor plans, designs, and specifications must be reviewed and approved by NCSD prior to installation or modification.
        ii. The user, owner, and/or leasee will be held responsible for installation of the approved grease trap/interceptor.
        iii. It is the responsibility of the FSE, new or existing, to notify a NCSD FOG program representative to schedule a preliminary plan review appointment.
        iv. The review and approval of the plans and procedures shall in no way relieve the FSE of the responsibility of modifying the facilities or procedures in the future, as necessary to produce an acceptable discharge, and to meet the requirements of this policy or any

requirements of other regulatory agencies.

c. Grease traps/interceptors shall be constructed and located in accordance with current EPA, UPC, and SC Plumbing Code standards.
d. All underground grease interceptors, whether singular or tanks in series, must be directly accessible from the surface. The minimum access opening dimensions shall be 18 inches x 18 inches or a minimum of 24 inches in diameter. Access to grease interceptors shall be provided by a minimum of one (1) manhole per interceptor division (baffle chamber). Access opening covers should be removable with ease by one person. Concrete or metal coverings in excess of 75 lbs. are not considered removable by one person, therefore the owner must provide personnel to open/close the cover for inspections.
    i. Grease interceptor access manholes shall never be paved over or have any other hindrances to allow access. Any temporary or permanent obstruction to safe and easy access to the areas to be inspected and/or monitored shall be removed promptly by the responsible party at the written or verbal request of NCSD or its authorized agents. The costs of clearing such access shall be borne by the responsible party.
    ii. The access manholes shall extend at least to finished grade and be designed and maintained to prevent water inflow or infiltration.
e. The inlet and outlet piping for a grease interceptor shall have 2-way cleanout tees installed and leveled. The inlet piping shall enter the receiving chamber two-and-one-half (2 ½) inches above the invert of the outlet piping. A pipe installed in the bottom of the inlet tee shall extend to a point of 2/3 the depth of the liquid retained in the tank.
f. The outlet for a grease interceptor must be fitted with an extended sanitary tee that terminates 6 to 12 inches above the tank floor. The outlet piping shall be no smaller than the inlet piping, but in no case smaller than 4 inches in diameter.
g. If the interceptor is two chambered, the inlet compartment shall be 2/3 of the total liquid capacity with the outlet compartment at 1/3 liquid capacity of the interceptor.
h. The grease interceptor shall have a non-flexing (i.e. concrete, steel, etc.) baffle extending the full width of the interceptor, sealed to the walls and the floor, and extending from the floor to within 6" of the ceiling. The baffle wall(s) must be equipped with an extended elbow or extended sanitary tee no less than 4 inches in size that is installed in the inlet compartment side of the baffle and terminates 6 to 12 inches above the tank floor. The horizontal portion of the tee shall extend through the baffle into the outlet compartment. The baffle wall shall be sealed to the sweep.

i. The flow control of the grease interceptor shall be vented and terminate not less than six (6) inches above the flood rim level of the fixtures being served. Vent piping must be a minimum two (2) inches diameter.
j. Grease interceptors shall be structurally designed to withstand any anticipated load to be placed on the interceptor (i.e. vehicular traffic in parking or driving areas).
k. Grease interceptors that are installed in series shall be installed in such a manner to ensure positive flow between the tanks at all times. Therefore, tanks shall be installed so that the inlet invert of each successive tank shall be a minimum of 2 inches below the outlet invert of the preceding tank.
l. Grease traps may be allowed where underground grease interceptors are not feasible. Grease traps shall be located as close to the source fixture as possible and be fitted with flow control fittings to the inlet side of the unit to prevent overloading the grease trap.
    i. Grease traps must have the Plumbing Drainage Institute certification and be installed as per manufacturer's specifications. Grease traps may not be installed so as to be receded into the floor of any building or installed outside any building.
    ii. No grease trap installed within the District may be of a size less than a 20-gallon-per-minute/ 40-pound capacity.
m. Dishwashers, high-temperature equipment (water temperatures greater than 140 F), and garbage grinders piped directly to any grease trap/interceptor are prohibited.
n. Drainage systems conveying sanitary waste (toilets, lavatories, etc.) shall not be connected to the grease trap/interceptor.
o. All grease bearing waste streams should be routed through an appropriate grease trap/interceptor.
p. All grease traps/interceptors must be installed by properly licensed plumbing contractors.

2. Existing Food Service Establishments
    a. All FSEs that are existing, new businesses in existing buildings, renovations, changes in operation, and/or changes of ownership are required to have a grease trap/interceptor approved by NCSD. FSEs without a grease trap/interceptor or whose existing grease trap/interceptor is under-designed, substandard, or poorly operated will be given a compliance deadline not to exceed three (3) months from date of notification to have an approved grease trap/interceptor installed or repaired to be in compliance with this Standard. Failure to come into compliance

within the specified time frame will be considered a violation of the existing NCSD Sewer Use Resolution and will subject the establishment to penalties, corrective actions and/or discontinuance of sewer service.

b. Construction and/or repair of grease traps/interceptors for existing FSEs shall comply with the requirements set forth in this Section 7.06, Subsection C (1), "New Food Service Establishments".
c. A change in property ownership, change in FSE ownership, and/or significant change in operation shall be reported to the NCSD FOG Program in writing within thirty (30) days of the property ownership and/or FSE change.
d. Any FSE that goes out of business shall report such closure to the NCSD FOG Program in writing within thirty (30) days of closure and shall ensure that any grease trap/interceptor shall be cleaned and pumped before the building is vacated.

3. New Multi-Unit (Strip Mall) Facilities:
    a. All new buildings or strip centers containing sections designated for commercial enterprise of the strip center may be required to provide a stub-out for a separate waste line for future grease interceptor installation; all plans are subject to approval by the NCSD FOG Department.
    b. The user, owner, and/or leasee of a new strip center shall consider suitable physical property space and sewer gradient that will be conducive for the installation of an exterior, in ground grease interceptor(s) for any flex space contained within the strip center.

4. Multifamily Dwellings:
    a. All new multifamily dwellings being constructed within NCSD service bounds shall be required to install and properly maintain an approved grease recycle container on the premises.
    b. Existing multifamily dwellings which are found by NCSD to be contributing FOG in sufficient quantities to cause main line stoppages, maintenance problems at lift stations, and/or increased maintenance in the collection system shall be required to install and properly maintain an approved grease recycle container on the premises.

D) Maintenance
1. Maintenance of grease interceptors must include thorough pump-out and/or cleaning with a frequency not to exceed ninety (90) days, or more often as determined by an NCSD inspector.
2. Maintenance of grease traps must include thorough pump-out and/or cleaning with a

frequency not to exceed thirty (30) days, or more often as determined by an NCSD inspector.

3. All grease traps/interceptors shall be maintained for continuous, satisfactory and effective operation by the property owner and/or FSE owner, leaseholder or operator at his expense. The property owner and/or FSE operator is ultimately responsible for ensuring best management practices are followed within the facility to minimize the discharge of fats, oils, and grease.
4. In maintaining the existing grease trap/interceptor, the owner shall be responsible for the proper removal and disposal of captured material by appropriate means and shall maintain records of the dates and means of disposal that are subject to review by the NCSD.
5. The use of chemicals, solvents, acids, caustics, enzymes, hot water, emulsifiers, surfactants, or other additives in the grease trap/interceptor is prohibited.
6. Grease-consuming bacteria may be considered as complimentary maintenance on a case-by-case basis by NCSD, provided this method is effective and satisfactory. Exclusive use of bacteria in lieu of physical cleaning is prohibited. Bacteria shall not be a consideration in determining grease interceptor sizing or maintenance frequency.
7. The FSE shall maintain a file on site of the records and other documents pertaining to the facility's grease traps/interceptors, including but not limited to inspection records, cleaning/maintenance activity records, grease hauler manifests, FOG BMPs, and monitoring data, if required. The file shall be available at all times for inspection and review by NCSD. Records shall be maintained for a period of three (3) years.
    a. Copies of cleaning records and/or manifests shall be submitted by the FSE user, owner, and/or leasee every three (3) months to the NCSD FOG Department.
8. It shall be the responsibility of the property owner or FSE owner/operator to inspect the grease trap/interceptor during the pumping or maintenance procedure to ensure that the cleaning is done properly and that all fittings and fixtures inside the grease trap/interceptor are in working condition and functioning properly. NCSD reserves the right to be present to inspect all maintenance.
9. For each grease trap/interceptor that is rated for 50 gallons per minute (gpm) or more, FSEs are required to utilize a liquid waste hauler to collect, transport and dispose of the waste within the grease trap/interceptor.
10. Skimming the surface layer of waste material, partial cleaning of the grease trap/interceptor or use of any method that does not remove the entire contents of the grease trap/interceptor is prohibited. It is prohibited to allow the discharge of

liquid, semi solids, or solids back into an interceptor during and/or after servicing.

11. All waste removed from each grease interceptor shall be disposed of at a facility permitted and authorized to receive such waste in accordance with all applicable Federal, State, and local laws and regulations. In no way shall the interceptor waste be returned to any private or public portion of NCSD's collection system, into the environment, or be otherwise improperly disposed of.
12. All FSEs shall have Best Management Practices (BMPs) in place to reduce and prevent discharges of FOG to the public sewer and to ensure proper performance of grease traps/interceptors. NCSD may require BMP modifications as necessary to ensure compliance.
13. Any liquid waste hauler, plumber, or contractor that cleans FOG from a FSEs' private sewer lines must ensure that the FOG and other debris cleaned from the private sewer lines is removed and does not cause an obstruction or blockage in the NCSD's sanitary sewer system.

E) Inspections

1. All grease traps/interceptors as well as any pertinent records/files shall be subject to review, evaluation, and inspection by NCSD or their authorized representative as necessary to assure compliance with the requirements herein. NCSD shall also determine if all Best Management Practices agreed upon have been implemented by the FSE.
2. If any deficiencies are recorded by the NCSD Inspector during an inspection, the NCSD Inspector shall provide the FSE a verbal and/or written notice to correct the deficiency and a tentative date for a first re-inspection.
    a. The NCSD Inspector shall re-inspect the FSE which received deficiency notices after the original inspection and charge a re-inspection fee (as set forth and established by the current NCSD Rate Resolution).
    b. The NCSD Inspector shall inspect any repairs or other deficiencies and shall provide verbal and/or written notice of compliance or non-compliance as the case may be. In the event of continuing non-compliance, successive reinspection's will be scheduled and fees (as set forth and established by the current NCSD Rate Resolution) shall be charged to the FSE concerned for all successive reinspection's.

F) Enforcement

1. Enforcement of this Standard shall be in accordance with the provisions of the most current NCSD Sewer Use Resolution. Failure to comply with this Standard may be grounds for penalty imposition and/or discontinuance of wastewater service.

Additionally, failure to comply may result in notification to the SCDHEC for request of

enforcement action that may lead to revocation of retail food service permits.

2. NCSD may elect to request from the appropriate building official that certificates of occupancy be withheld until compliance with NCSD's requirements, including grease trap compliance, is fully met.

G) Requests for Variance or Waiver from Grease Trap/Interceptor Requirements

1. A request for waiver or variance from the requirements or implementation of the requirements contained within this Resolution may be submitted by a FSE to the NCSD FOG Program. The request for variance must specifically state the reason for the request and how the FSE will ensure demonstrated compliance with established limits. The NCSD FOG Program's determination to grant or revoke a waiver or variance will be on a case-by-case basis.
2. In no case shall a variance be issued in lieu of compliance with established discharge limits or when damage to the collection system is evident.
3. A waiver or variance may be revoked at any time when any of the terms and conditions for its issuance is not satisfied or if the conditions upon which the waiver was based change so that the justification for the waiver no longer exists.
4. In the event an FSE is temporarily closed or has significantly decreased food service operations, pump-out and cleaning of an interceptor shall be required at least once every 180 days.

H) FOG Program Rates and Fees

1. An annual fee of $ 45 will be charged for any new grease trap/interceptor added to the District's collection system or when there is a change in ownership or significant change in operation.
2. An additional compliance inspection fee of $ 45 may be charged to each food service establishment for each re-inspection due to noncompliance issues.

**Rates and fees are subject to change. Refer to the current NCSD Rate Resolution for applicable fees.*

I) Oil/Water Separator (OWS) Requirements

1. Installation and Design
    a. An OWS shall be installed at, but not limited to, mechanical/automotive repair shops, car-washing facilities, lube and oil change operations, and any business where floor drains collect vehicle maintenance wastewaters. The owner, user, or leaseholder shall be responsible to have an architect, engineer, plumber, or other qualified person design, properly size, and install an Oil Water Separator for their specific business operation in accordance with the Universal Plumbing Code 2021 and SC Plumbing Code 2018 standards for traps, interceptors, and

separators.

b. The owner, user, or leaseholder shall provide the following to the NCSD FOG Program Authority prior to installation: OWS preliminary application, building blueprints with plumbing plans, calculation(s) used to determine the size of the OWS, and a new customer information form.
c. All equipment, including drains, that have the potential to discharge oil or similar pollutants, shall be connected to the OWS. No valve or piping bypass equipment that could prevent vehicle maintenance wastewater from entering appropriate treatment equipment shall be present at such facility or site. Unless the OWS has a built-in grit interceptor, there may be some industrial and commercial establishments for which separate grit interceptors will be necessary to install prior to an OWS.
d. OWS's shall be installed and maintained continuously in satisfactory and effective operation by and at the expense of the facility owner, user, or leaseholder. Both the facility owner, user, or leaseholder shall be jointly and severally responsible for installing an OWS and for properly servicing and maintaining the device. In the event an existing facility's OWS is either under-designed or substandard in accordance with this policy, the owner, user, or leaseholder will be notified in writing of the deficiencies in addition to the required improvements. There shall be a compliance deadline not to exceed (6) months.
e. Facilities without OWS's will be given a compliance deadline not to exceed six months from the date of notification to have approved equipment installed to be in compliance with this standard. Failure to do so will be considered a violation of the NCSD Sewer Use Resolution and may subject the facility to enforcement proceedings which shall include civil penalties.
f. Applications for a waiver will be considered on a case-by-case basis. If the application is approved, District signature of the application will constitute waiver approval. The waiver will remain effective on a conditional basis pending continued compliance with the oil and grease discharge limits. The waiver is non-transferable. A new application shall be submitted if ownership should change. The waiver may be withdrawn upon development of oil and grease or grit problems in the public sewer traceable to the site; or if the commercial or institutional activity at the site materially changes.

2. Maintenance and Records
    a. Facilities with OWS's shall submit all service manifest records for OWS pumping/cleaning services that are performed by licensed companies that specifically service and haul OWS devices and its waste to the NCSD Fats, Oils,

& Grease (FOG) program department every 6 months. The owner, user, or leaseholder shall be responsible for the proper removal and disposal of OWS contents and are required to maintain on-site records which shall include service manifest forms. Wastes removed from an OWS shall be disposed of at a facility permitted to receive such waste. It is the responsibility of the facility's owner, user, or leaseholder to ensure that the OWS maintenance service company is in compliance with all Federal, State, and local regulations concerning the pumping of OWS's and the hauling & disposal of their contents.

b. The OWS shall have all contents pumped out followed by cleaning of the device equipment which shall be performed by a liquid waste hauler that specifically services OWS equipment devices and waste as often as necessary to assure that the separator continues to operate efficiently. The quantity of oil, grease and grit located within the separator at any time shall not exceed twenty percent (25%) of the distance between the separator base and static liquid level.
c. It is the facility owner, user, or leaseholder's duty to inform the District of any facility name change within thirty (30) days. If a facility name changes and they do not inform the District of such changes within thirty (30) days, they may be subject to enforcement action which may include civil penalties.

Section VII.07 PRETREATMENT FACILITIES OPERATION

A) BEST MANAGEMENT PRACTICES (BMPs). All fats, oils, and grease (FOG) generating Food Service Establishments shall prepare a FOG Best Management Plan (FOG BMP). The FOG BMP shall be designed to minimize the amount of FOG waste discharged into the sanitary sewers. A blank copy of a FOG BMP will be provided by NCSD to the establishment, and the food establishment shall follow its BMP. If requested, the establishment shall make its FOG BMP and all relevant supporting documents available to NCSD inspectors and to SC DHEC. If NCSD or SC DHEC request changes or modifications to the FOG BMP, the changes shall be made within thirty (30) days.

B) Where pretreatment or flow equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

Section VII.08 ADDITIONAL APPURTENANCES

The owner of any property serviced by a building sewer carrying industrial wastes may be required to install a suitable control manhole. When deemed necessary, the District may require additional meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the waste.

Such manhole or other appurtenances shall be constructed in accordance with plans approved by the District. The manhole or other appurtenances shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

Section VII.09 ANALYSIS REQUIREMENTS

All sampling and laboratory analysis shall be performed in accordance with procedures established by EPA and contained in 40 CFR Part 136, and may be determined at the control manhole or other appurtenance provided or upon suitable samples taken at said control manhole or appurtenance. If no special manhole or appurtenance has been required, the control manhole may be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Where 40 CFR Part 136 does not include sampling or analytical technique for the pollutant in question, the District shall provide the technique to be used on the basis of recommendations from the State. All laboratory analysis shall be performed in a State certified laboratory. Sampling techniques must meet proper chain-of-custody procedure.

Section VII.10 INDUSTRIAL WASTE QUESTIONNAIRE FORM

In order for the District to properly evaluate the effect of the waste on the system, an industry must submit, along with the plans, etc., required in previous Sections, an Industrial Waste Questionnaire form. These forms are available from the District. The form must be signed in accordance with the provision in Section 7.14(I).

Section VII.11 COMPLIANCE WITH FEDERAL, STATE AND LOCAL PRETREATMENT GUIDELINES, LAWS AND REGULATIONS

Users shall provide wastewater treatment as necessary to comply with this Resolution and shall achieve compliance with all categorical Pretreatment Standards, Local Limits, and the prohibitions set out in Section 7.01, 7.02, and 7.03 of this Resolution within the time limitations specified by EPA, the State, or the District, 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 District for review, and shall be acceptable to the District 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 the District under the provisions of this Resolution.

A) Upon the promulgation of the Federal Categorical Pretreatment Standards for a particular industrial subcategory, the Federal Standard, if more stringent than limitations imposed under this Resolution for sources in that subcategory, shall immediately supersede the limitations imposed under this Resolution. The District shall notify all affected Industrial Users of the applicable reporting requirements under 40 CFR Section 403.12.

1. Users must comply with the Categorical Pretreatment Standards found at 40 CFR Chapter I, Subchapter N, Parts 405–471.
2. EPA regulations at 40 CFR 403.13 authorize a CIU to obtain a variance from a categorical Pretreatment Standard if the CIU can prove, pursuant to the procedural and substantive provisions in 40 CFR 403.13, that factors relating to its discharge are fundamentally different from the factors considered by EPA when developing the categorical Pretreatment Standard.

B) State requirements and limitations on discharges in South Carolina Regulation 61-9.403 shall apply in any case where they are more stringent than Federal requirements and limitations or those in this Resolution. Optional Federal Pretreatment Categorical Regulations included in South Carolina Regulation 61-9.403.6(d) may be administered by the District.

1. Where a categorical Pretreatment Standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the District may impose equivalent concentration or mass limits.
2. When the limits in a categorical Pretreatment Standard are expressed only in terms of mass of pollutant per unit of production, the District may convert the limits to equivalent limitations expressed either as mass of pollutant discharged per day or effluent concentration for purposes of calculating effluent limitations applicable to individual Industrial Users.
3. When wastewater subject to a categorical Pretreatment Standard is mixed with wastewater not regulated by the same Standard, the District shall impose an alternate limit.
4. The District may convert the mass limits of the categorical Pretreatment Standards of 40 CFR Parts 414, 419, and 455 to concentration limits for purposes of calculating limitations applicable to individual Industrial Users. The conversion is at the discretion of the District. [Note: When converting such limits to concentration limits, the District will use the concentrations listed in the applicable subparts of 40 CFR Parts 414, 419, and 455 and document that dilution is not being substituted for treatment as prohibited by Section 7.10(E) of this Resolution (see 40 CFR 403.6(d)) and R61-9.403.6(e). In addition, the District will document how the equivalent limits were derived for any changes from concentration to mass limits, or vice versa, and make this information publicly available (see 40 CFR 403.6(c)(7)) and R61-9.403.6(d)(7).]
5. Once included in its permit, the Industrial User must comply with the equivalent limitations developed in this Section (7.10) in lieu of the promulgated categorical Standards from which the equivalent limitations were derived.

6. Many categorical Pretreatment Standards specify one limit for calculating maximum daily discharge limitations and a second limit for calculating maximum Monthly Average, or 4-day average, limitations. Where such Standards are being applied, the same production or flow figure shall be used in calculating both the average and the maximum equivalent limitation.
7. Any Industrial User operating under a permit incorporating equivalent mass or concentration limits calculated from a production-based Standard shall notify the District within two (2) business days after the User has a reasonable basis to know that the production level will significantly change within the next calendar month. Any User not notifying the District of such anticipated change will be required to meet the mass or concentration limits in its permit that were based on the original estimate of the long-term average production rate.

C) The District is authorized to establish Local Limits pursuant to 40 CFR 403.5(c) and SC R61-9.403.5(c). Concentration limitations as well as mass limitations may be imposed. The District may also develop Best Management Practices (BMPs) by resolution or in individual discharge permits to implement local limits and the requirements of Section 7.01, 7.02, and 7.03.

D) Right of Revision. The District reserves the right to establish, by Resolution or in individual wastewater discharge permits, more stringent Standards or Requirements on discharges to the POTW consistent with the purpose of the Resolution.

E) Except where expressly authorized to do so by an applicable Pretreatment Standard or Requirement, no Industrial User shall ever increase the use of process water, or in any other way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a Pretreatment Standard or Requirement. The District will use the combined wastestream formula to determine mass limitations on Industrial Users which are using dilution to meet applicable Pretreatment Standards or Requirements or in other cases where mass limitations by combined wastestream formula are appropriate.

Section VII.12 NON-DOMESTIC WASTEWATER DISCHARGE PERMITS

Any violation of the terms and conditions of a pretreatment wastewater discharge permit shall be deemed a violation of this Resolution and subjects the wastewater discharge permittee to the sanctions set out in Sections 10 and 11 of this Resolution. Obtaining a pretreatment wastewater discharge permit does not relieve a permittee of its obligation to comply with all Federal and State Pretreatment Standards or Requirements or with any other requirements of Federal, State, and local law.

A) Pretreatment Permits: All Significant Industrial Users proposing to connect to or to contribute to the POTW shall obtain a Non-Domestic Wastewater Discharge Permit before

connecting to or contributing to the POTW. (NOTE: Non-Significant Industrial Users will be issued an administrative letter for discharge.)

B) Permit Applications: Industrial Users required to obtain a Non-Domestic Wastewater Discharge Permit shall complete and file with the District an application in the form prescribed by the District. Proposed new Industrial Users shall apply at least ninety (90) days prior to connecting to or contributing to the POTW. Existing Industrial Users shall apply for a permit reissuance at least ninety (90) days prior to the expiration date of the Industrial User's existing permit or whenever requested by the District. In support of the application, the Industrial User shall submit, in units and terms appropriate for evaluation, information requested by the District. Confidential information shall be treated in compliance with Section 7.15 of this Article. Permit Applications must be signed in accordance with the statement outlined in Section 7.14 (I).

C) Permit Modification: Within nine (9) months of the promulgation of the National Categorical Pretreatment Standard, the Non-Domestic Wastewater Discharge Permit of Industrial Users subject to such standards shall be revised to require compliance with such standard within the time frame prescribed by such standard. Where an Industrial User, subject to a National Categorical Pretreatment Standard, has not previously submitted an application for a Non-Domestic Wastewater Discharge Permit as required by (B) above, the Industrial User shall apply for a Non-Domestic Wastewater Discharge Permit within one hundred eighty (180) days after the promulgation of the applicable National Categorical Pretreatment Standard. In addition, the Industrial User with an existing Non-Domestic Wastewater Discharge Permit shall submit to the District within one hundred eighty (180) days after the promulgation of the applicable Federal Categorical Pretreatment Standard the following information:

1. Where known, the nature and concentration of any pollutants in the discharge which are limited by any City, State, or Federal Pretreatment Standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis, and if not whether additional Operations and Maintenance (O&M) and/or additional pretreatment is required for the Industrial User to meet applicable Pretreatment Standards.
2. If additional pretreatment and/or O & M will be required to meet the Pretreatment Standards, the shortest schedule by which the Industrial User will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard.
    a. The following conditions shall apply to this schedule:
        i. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the

construction and operation of additional pretreatment required for the Industrial User to meet the applicable Pretreatment Standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contracts for major components, commencing construction, completing construction, etc.).

ii. No increment referred to above shall exceed nine (9) months.

iii. Not later than fourteen (14) days following each date in the schedule and the final date for compliance, the Industrial User shall submit a progress report to the District including, at a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the Industrial User to return the construction to the schedule established. In no event shall more than nine (9) months elapse between such progress reports to the District.

A) Permit Conditions: Non-Domestic Wastewater Discharge Permits shall be expressly subject to all provisions of this Resolution and all other applicable regulations, User charges, and fees established by the District. Permits may contain the following:

1. The unit charge or schedule of User charges and fees for the wastewater to be discharged to a public sewer;
2. Limits on the average and maximum wastewater constituents and characteristics;
3. Limits on average and maximum rate and time of discharge or requirements for flow regulations and equalization;
4. Requirements for installation and maintenance of inspection and sampling facilities;
5. Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedule;
6. Compliance schedules;
7. Requirements for submission of technical reports or discharge reports;
8. Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the District, and affording the District access thereto;
9. Requirements for notification of the District f any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater treatment system;
10. Requirements for notification of slug discharges;

11. Other conditions as deemed appropriate by the District to ensure compliance with this Resolution, including Best Management Practices or pollution prevention alternatives.

B) Permits Duration: Permits shall be issued for a specified time period, not to exceed five (5) years. A permit may be issued for a period less than one (1) year or may be stated to expire on a specific date. The Industrial User shall apply for permit reissuance a minimum of ninety (90) days prior to the expiration of the Industrial User's existing permit. The terms and conditions of the permit may be subject to modification by the District during the term of the permit, as limitations or requirements are modified or other just cause exists. The Industrial User will normally be informed of any proposed changes in his permit at least thirty (30) days prior to the effective date of change. Any changes or new conditions in the permit will normally include a reasonable time schedule for compliance. The District may extend the existing permit to remain in full force and effect beyond the expiration date until a new permit is issued.

C) Permit Transfer: Non-Domestic Wastewater Discharge Permits are issued to a specific Industrial User for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new Industrial User, different premises, or a new or changed operation without the approval of the District. Any succeeding owner or User shall also comply with the terms and conditions of the existing permit.

Section VII.13 PREVENTIVE MEASURES PERTAINING TO ACCIDENTAL DISCHARGES

A) Each Industrial User shall provide protection from accidental discharge of prohibited materials or other substances regulated by this Resolution. The District shall evaluate whether each Significant Industrial User (SIU) needs an accidental discharge/slug control plan. The District may require any SIU to develop, submit for approval and implement such a plan. Review and approval of such plans and operating procedures shall not relieve the SIU from the responsibility to modify the SIU's facility as necessary to meet the requirements of this Resolution. The plan shall contain, at a minimum, the following elements:

1. Description of discharge practices, including non-routine batch discharge;
2. Description of stored chemicals;
3. Procedures for immediately notifying the POTW of slug discharges, including any discharge that would violate a prohibition under Section 7.02 of this Resolution, with procedures for follow-up written notification within five (5) days;
4. If necessary, procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response.

B) If identified in the plan or deemed to be necessary by the District, facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner's cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be approved by the District before construction of the facility.

C) In the case of an accidental discharge, it is the responsibility of the Industrial User to immediately telephone and notify the POTW of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective action. Within five (5) days following an accidental discharge, the Industrial User shall submit to the District a detailed written report describing the cause of the discharge and the measures to be taken by the Industrial User to prevent similar future occurrences. Such notification shall not relieve the Industrial User of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, fish kills, or any other damage to person or property; nor shall such notification relieve the Industrial User of any fines, civil penalties, other liability which may be imposed by this Resolution or other applicable law.

D) Employers shall insure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure.

Section VII.14 NOTIFICATION OF HAZARDOUS WASTE

A) The District will not accept any discharge into the POTW of a substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. If such discharge does occur, the Industrial User shall immediately telephone and notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities followed by a written report within five (5) days. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, the amount of waste discharged, and the type of discharge (continuous, batch, or other).

B) In the case of any notification made under this Section, the Industrial User shall certify that it has a program in place to eliminate any hazardous waste discharges into the POTW.

Section VII.15 INDUSTRIAL WASTEWATER SELF-MONITORING, REPORTING AND RECORD KEEPING

A) Self-Monitoring Requirement: Each Significant Industrial User shall perform, at his own cost and expense, flow measurement, sampling and analysis of the discharge to the public sewer. All conditions concerning the self-monitoring including the location of sampling, frequency of monitoring, method of collection, and parameters to be analyzed shall be as outlined in the Non-Domestic Wastewater Discharge Permit.

1. The District may with prior SCDHEC approval authorize an Industrial User subject to a categorical Pretreatment Standard to forego sampling of a pollutant regulated by a categorical Pretreatment Standard if the Industrial User has demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present in the Discharge, or is present only at background levels from intake water and without any increase in the pollutant due to activities of the Industrial User. [R61-9.403.12(e)(2)] This authorization is subject to the following conditions:
    a. The waiver may be authorized with prior SCDHEC approval where a pollutant is determined to be present solely due to sanitary wastewater discharged from the facility provided that the sanitary wastewater is not regulated by an applicable categorical Standard and otherwise includes no process wastewater and the District does not have an effluent NPDES limit for the pollutant.
    b. The monitoring waiver is valid only for the duration of the effective period of the individual wastewater discharge permit, but in no case longer than 5 years. The User must submit a new request for the waiver before the waiver can be granted for each subsequent individual wastewater discharge permit.
    c. In making a demonstration that a pollutant is not present, the Industrial User must provide data from at least one sampling of the facility's process

wastewater prior to any treatment present at the facility that is representative of all wastewater from all processes.

d. The request for a monitoring waiver must be signed in accordance with Section 1.01, and include the certification statement in 7.14(I)(3) [40 CFR 403.6(a)(2)(ii)] (see I below).

e. Non-detectable sample results may be used only as a demonstration that a pollutant is not present if the EPA approved method from 40 CFR Part 136 with the lowest minimum detection level for that pollutant was used in the analysis.

f. Any grant of the monitoring waiver by the District must be included as a condition in the User's permit. The reasons supporting the waiver and any information submitted by the User in its request for the waiver must be maintained by the District for 5 years after expiration of the waiver.

g. Upon approval of the monitoring waiver and revision of the User's permit by the District, the Industrial User must certify on each report with the statement in Section 7.14 (I)(3) below, that there has been no increase in the pollutant in its wastestream due to activities of the Industrial User.

h. In the event that a waived pollutant is found to be present or is expected to be present because of changes that occur in the User's operations, the User must immediately: Comply with the monitoring requirements of Section 7.14 C, or other more frequent monitoring requirements imposed by the District, and notify the District.

i. This provision does not supersede certification processes and requirements established in categorical Pretreatment Standards, except as otherwise specified in the categorical Pretreatment Standard.

j. A facility determined to be a Non-Significant Categorical Industrial User by the District pursuant to Section 1.25 must annually submit the signed certification statement in Section 7.14(I)(2). [Note: See 40 CFR 403.3(v)(2) and R61-9.403.3(0)(2)]

B) Categorical Baseline Report: Upon promulgation of a Federal Categorical Pretreatment Standard, all affected Industrial Users shall monitor and report to the District within one hundred eighty (180) days of the effective date of the Standard in conformance with the provisions of 40 CFR 403.12.

C) Self-Monitoring Reporting: Each Significant Industrial User shall submit to the District the results of all self-monitoring in accordance with the requirements contained in each Non-Domestic Wastewater Discharge Permit. The User shall submit documentation as

required by the District or the applicable standard to determine compliance with the BMP standard.

D) If an Industrial User monitors any pollutant not required by the District or monitors any pollutant more frequently than required by the District, the results of such monitoring shall be included in the routine self-monitoring report. Where the District has performed the sampling and analysis in Lieu of the Industrial User, the District must perform the repeat sampling and analysis unless it notifies the User of the violation and requires the User to perform the repeat analysis.

E) If any self-monitoring indicates a violation of this Resolution or of any conditions of the Non-Domestic Wastewater Discharge Permit, the Industrial User must notify the District within twenty-four (24) hours of becoming aware of the violation. The Industrial User shall also repeat the sampling and analysis and submit the results of the analysis to the District within thirty (30) days.

F) Record Keeping Requirements: All Industrial Users who discharge or propose to discharge wastewaters to the wastewater treatment system shall maintain such records of production and related facts, effluent flows, and pollutant amounts or concentrations as are necessary to demonstrate compliance with the requirements of this Resolution, including documentation related to BMPs, and any applicable State or Federal pretreatment standards or requirements. Records shall be maintained for a minimum of five (5) years. This period of retention shall be extended during the course of any unresolved litigation or when requested by the District. Such records shall be made available upon request of the District and to officials of the United States Environmental Protection Agency and South Carolina Department of Health and Environmental Control.

G) The owner or operator of any premises or facility discharging industrial wastes into the wastewater system shall install at his own expense suitable monitoring equipment to facilitate the accurate observation, sampling, and measurement of such wastes. Such equipment shall be maintained in proper working order and kept safe and accessible at all times. 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.

H) Whether constructed on public or private property, the monitoring facilities shall be constructed in accordance with the District's requirements and all applicable construction standards and specifications.

I) Certification Statements.

1. Certification of Permit Applications, User Reports and Initial Monitoring Waiver—The following certification statement is required to be signed and submitted by Users submitting permit applications in accordance with Section 7.11; Users submitting baseline monitoring reports under Section 7.14 B [Note: See 40 CFR 403.12 (l)]; Users submitting reports on compliance with the categorical Pretreatment Standard deadlines under Section 7.10(A) [Note: See 40 CFR 403.12(d)]; Users submitting periodic compliance reports required by Section 7.14(C) [Note: See 40 CFR 403.12(e) and (h)], and Users submitting an initial request to forego sampling of a pollutant on the basis of Section 7.14(A)(1)[Note: See 40 CFR 403.12(e)(2)(iii)]. The following certification statement must be signed by an Authorized Representative as defined in Section 1.1:

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

2. Annual Certification for Non-Significant Categorical Industrial Users—A facility determined to be a Non-Significant Categorical Industrial User by the District pursuant to Section 1.01 [Note: See 40 CFR 403.3(v)(2)] must annually submit the following certification statement signed in accordance with the signatory requirements in 1.01 [Note: See 40 CFR 403.120(l)]. This certification must accompany an alternative report required by the District:

   Based on my inquiry of the person or persons directly responsible for managing compliance with the categorical Pretreatment Standards under 40 CFR ____, I certify that, to the best of my knowledge and belief that during the period from _____, _____ to _____, _____ [months, days, year]:

   (a) The facility described as _____ [facility name] met the definition of a Non-Significant Categorical Industrial User as described in Section 1.01; [Note: See 40 CFR 403.3(v)(2)]

   (b) The facility complied with all applicable Pretreatment Standards and requirements during this reporting period; and

   (c) The facility never discharged more than 100 gallons of total categorical wastewater on any given day during this reporting period.

This compliance certification is based on the following information:

3. Certification of Pollutants Not Present
   Users that have an approved monitoring waiver based on Section 7.14(A) must certify on each report with the following statement that there has been no increase in the pollutant in its wastestream due to activities of the User. [Note: See 40 CFR 403.12(e)(2)(v)]

   Based on my inquiry of the person or persons directly responsible for managing compliance with the Pretreatment Standard for 40 CFR _____ [specify applicable National Pretreatment Standard part(s)], I certify that, to the best of my knowledge and belief, there has been no increase in the level of _____ [list pollutant(s)] in the wastewaters due to the activities at the facility since filing of the last periodic report under Section 7.14. A.

Section VII.16 CONFIDENTIAL INFORMATION

Information and data on an Industrial User obtained from reports, questionnaires, monitoring programs, records, inspections, sampling and analysis shall be available to the public or other governmental agencies without restriction unless the Industrial User specifically requests and is able to demonstrate to the satisfaction of the District that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the Industrial User. Any data concerning the nature and concentration of pollutants in the effluent shall not be considered to be confidential. Any release of information will be in accordance with the Freedom of Information Act.

Section VII.17 SURCHARGES

A schedule of surcharges has been established which takes into consideration the total cost for the treatment of wastes. In this schedule, a BOD5 concentration of zero (0) to three hundred (300) ppm and a total suspended solids concentration of zero (0) to three hundred (300) ppm is considered to be a standard sewage waste. Any wastewater having a concentration in excess of the stated limits is subject to a surcharge in accordance with a schedule set forth by the Rate Resolution in effect at the time of the discharge. This surcharge is based on the equitable recovery of wastewater treatment costs as required for those municipalities receiving Federal assistance for the construction of wastewater treatment facilities and is in compliance with the regulations of 40 CFR Part 35. The issuance of a surcharge schedule does not in itself permit, nor does it imply, that any such high strength wastewater will be received by the District for treatment. In each instance, the actual acceptance of the waste for treatment is subject to review and evaluation by the District. In some instances, pretreatment may be required before acceptance of the wastewater for final treatment by the District. The District shall assess surcharges based on periodic monitoring, by the District and/or the discharger, of the discharger's waste.

Section VII.18 PROHIBITED DISCHARGE FEE

Any user that discharges or places into the sewer system any prohibited items per Section 7.02 that causes an obstruction may be subject to the following progressive actions:

A) Receive a written notice of violation via certified mail or hand delivery.

B) Issuance of civil penalty as outlined in the current Rate Resolution.

ARTICLE VIII. REMOVAL, TRANSPORTATION AND DISPOSITION OF SEPTAGE AND SCAVENGER WASTES

Section VIII.01 SEPTAGE AND SCAVENGER WASTE REQUIREMENTS

Persons desiring to discharge septage or scavenger wastes into the sewage treatment plant shall be required to obtain written permission from the District. All other materials and substances, chemicals or chemical compounds and/or industrial wastes will not be permitted to be discharged into the public sewerage system except as heretofore provided.

The discharge of these wastes shall be made only at such location in the sewage treatment plant as shall be designated on said permission by the District. The District reserves the right to refuse septage or scavenger wastes for any reason. Septage and scavenger wastes are subject to surcharge for high strength as outlined in the Rate Resolution.

Section VIII.02 APPROVAL AND LETTER TO DISCHARGE

A) Approval: All applicants requesting to discharge shall furnish the following information with each application:

1. Name and address of applicant;
2. Volume of septage or scavenger waste for each numbered vehicle;
3. Number of septage or scavenger vehicles in collection service;
4. SCDHEC permit number;
5. Any necessary analytical results of representative samples collected of the wastes. The applicant shall be the generator of the wastewater and/or the owner of the vehicle for which approval is applied. Any false, untruthful or misleading statements in any request or in any paper submitted in support of said request will invalidate the approval. Such approval may be suspended or revoked at any time by the District for willful, continued or persistent violations of these rules and regulations or upon such other grounds as the District may deem proper.

B) LETTER TO DISCHARGE: In special instances where the discharge of industrial or scavenger waste is to be accomplished on a one time, intermittent, or short-term basis, a "Letter to Discharge" may be issued. The "Letter to Discharge" will include, but not be

limited to, short term groundwater clean-up, special intermittent industrial wastes and septage or greywater discharges.

Applicants applying for and receiving a "Letter to Discharge" will be subject to the same requirements in Sections 7.01, 7.02, 7.03, and 7.04 of this Resolution.

Section VIII.03 APPROVAL AND FEES

Septage or scavenger wastes will be admitted to the sewerage system only by approval of the District and subject to payment of fees or charges fixed by the Commission. Such a fee or charge shall be based upon the full capacity of each vehicle for each discharge unless otherwise verified. Each truckload shall be documented on forms as required by the District. Assessment shall be on the total capacity of the truck. In the case of drums and totes, assessment will be on the total capacity of said container.

Section VIII.04 EQUIPMENT SAFETY

All equipment (trucks, tanks, pumps, and hoses used in the collection and/or transportation of septage or scavenger wastes) shall be modern equipment in good repair. When more than one (1) vehicle is used by an applicant, each vehicle shall bear an identifying number as issued by the South Carolina Department of Health and Environmental Control.

The District will refuse approval to any person utilizing equipment other than above.

ARTICLE IX. POWERS AND AUTHORITY OF INSPECTORS

Section IX.01 INSPECTOR AUTHORITY

Officials representing EPA, SCDHEC and the District or other duly authorized employees of the District bearing proper credentials and identification shall have the right at all reasonable times to enter upon all properties for the purpose of inspection, observation, measurement, sampling, and testing and to inspect and copy records in accordance with the provisions of this Resolution.

Section IX.02 INSPECTOR SAFETY

While performing the necessary work on private properties referred to in Section 9.01 above, the duly authorized employees of the District shall observe all safety rules applicable to the premises established by the company.

Section IX.03 EASEMENT ENTRY

Duly authorized employees and agents of the District bearing proper credentials and identification shall be permitted to enter all private properties through which the District holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the wastewater system lying within said easement. All

entry and subsequent work, if any, on said easement shall be done in full accordance with terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE X. ENFORCEMENT AND PENALTIES

Section X.01 ENFORCEMENT PROCEDURES - NOTIFICATION OF VIOLATION

When the District finds that any person has violated or is violating this Resolution or any prohibition, limitation or requirement contained herein, it may serve upon such person a written notice stating the nature of the violation and providing a reasonable time, not to exceed thirty (30) days, for the satisfactory correction thereof. A reasonable time may be defined as immediately in the event of a violation affecting health, life or damage to the wastewater facilities or violations which cause interference with wastewater treatment operations. A reasonable time may be less than thirty (30) days under other circumstances but in such other circumstances not less than twenty-four (24) hours.

Section X.02 DISCONTINUANCE OF SERVICE

Service may be refused or discontinued to any property for any of (but not limited to) the reasons listed below. Unless otherwise stated, the customer shall be allowed a reasonable time, not to exceed seven (7) days, in which to comply with the rule before service is discontinued.

A) Without notice in the event of a condition determined by the District to be hazardous or dangerous.

B) Without notice in the event of customer use of equipment in such a manner as to affect adversely the District's service to others.

C) Without notice in the event of unauthorized use of the District's service.

D) For customer tampering with equipment furnished and owned by the District. The customer shall make every reasonable effort to prevent tampering and shall notify the District immediately of any tampering with, damage to, or removal of any equipment.

E) For violation of and/or non-compliance with any rule and regulation of the District.

F) For failure of the customer to fulfill his contractual obligations for service and/or facilities subject to regulation by the District.

G) For failure of the customer to allow the District reasonable and safe access to its equipment.

H) For failure of the customer to furnish permits, certificates, and rights-of-way as necessary to obtain and maintain service, or in the event such permissions are withdrawn or terminated.

I) For misuse of the District's service by the customer.

J) For tampering with any part of the wastewater system or for illegally making connection into any public sewer for the disposal of drainage surface waters.

K) Where the customer who, at the time of such application for service, is indebted under an undisputed bill to the District for sewer service, or any other service previously furnished for such customer or furnished to any other member of the customer's household.

L) Where the customer is in arrears on an account for service at another premise, unless the customer pays a reasonable amount of his arrears account and makes reasonable arrangements with the District to amortize the balance of such past-due account over a reasonable length of time, not to exceed twelve (12) months.

M) Where all bills, fees and charges have not been paid on behalf of the property.

N) The customer's use of the District's service conflicts with or violates orders, resolutions or laws of the State, any political subdivision thereof, or the United States Government.

Except in those cases outlined in subparagraphs (A), (B) and (C) of this section, the District will give the customer written notice of its intention to deny or discontinue service and the reasons therefore. At the expiration of the notice period, the District may discontinue service to the customer at any time without further notice. After the physical discontinuance of any service, the SCDHEC may be notified of the action and the name and address of the customer.

Section X.03 SHOW CAUSE HEARING

A) The Commission may order any person who causes or allows a violation of this Resolution to show cause before the hearing authority why further enforcement action should not be taken. A notice shall be served on the offending party, specifying the time and place of a hearing to be held by the Commission regarding the violation, and directing the offending party to show cause before said authority why an order should not be made directing further enforcement action including the imposition of civil penalties and/or the termination of service. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least five (5) days before the hearing. Service may be made on any agent or officer of a corporation.

B) At any public hearing, testimony taken before the Commission or any person designated by it must be under oath and recorded steno graphically or electronically. The transcript or any part thereof, so recorded, will be made available to the party or to any member of the public upon payment of the costs therefore.

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

1. Issue in the name of the Commission notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in any such hearings.
2. Take the evidence.

3. Determine and notify the Commission of enforcement action taken except in occurrences where civil penalties and/or termination of sewer service are necessary.
    a. Where enforcement action includes civil penalties and/or termination of sewer service, the designate will transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the Commission for action thereon.

D) Where enforcement action includes civil penalties and/or termination of sewer service and after the Commission has reviewed the evidence, the Commission may issue an order to the party responsible for the discharge directing that, following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices or other related appurtenances shall have been installed or existing treatment facilities, devices or other related appurtenances are properly operated, and such further orders and directives as are necessary and appropriate.

Section X.04 ORDERS

A) The Commission may enter into a Consent Order or other similar document of voluntary compliance establishing an agreement with the Industrial User responsible for non-compliance.

B) The Commission may issue an Administrative Order to an Industrial User who has violated or continues to violate this Resolution, the Non-Domestic Wastewater Discharge Permit or other Orders of the Commission. Such Administrative Order may direct that, following a specific time period, sewer service will be discontinued unless appropriate action by the Industrial User occurs. Orders may also contain other requirements as might be reasonably necessary to address the non-compliance.

Section X.05 HARMFUL CONTRIBUTIONS; COMMISSION'S RESPONSE AND USER'S RESPONSIBILITY

A) The District may suspend the wastewater treatment service and/or a Non-Domestic Wastewater Discharge Permit when such suspension is necessary, in the opinion of the District, to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons, to the environment, causes interference to the POTW or causes the District to violate any condition of its NPDES permit.

B) Any Industrial User notified verbally or in writing of a suspension of its discharge resulting from a violation of the Sewer Use Resolution or its Non-Domestic Wastewater Discharge Permit shall immediately stop or eliminate the non-complying contribution. In the event of a failure of the Industrial User to comply voluntarily with the suspension order, the District shall take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW system or endangerment to any individuals. The District shall reinstate the Non-Domestic Wastewater Discharge Permit and/or the wastewater treatment service upon proof of the elimination of the non-complying discharge. A detailed written statement submitted by the Industrial User describing the causes of the harmful contribution and the measures taken to prevent any future occurrence shall be submitted to the District within five (5) days of the date of occurrence.

Section X.06 REVOCATION OF NON-DOMESTIC WASTEWATER DISCHARGE PERMIT

Any Industrial User who violates the following conditions of this Resolution, or applicable state and federal regulations, is subject to having his permit revoked in accordance with the procedures of 10.03 of this Resolution:

A) Failure of an Industrial User to factually report the wastewater constituents and characteristics of his discharge;

B) Refusal of reasonable access to an Industrial User's premises for the purpose of inspection or monitoring; or,

C) Violation of conditions of the Non-Domestic Wastewater Discharge Permit.

Section X.07 LEGAL ACTION

A) Any discharge in violation of the substantive provisions of this Resolution or an Order of the Commission shall be considered a public nuisance. If any person discharges sewage, industrial wastes or other wastes into the treatment system contrary to the substantive provisions of this Resolution or any Order or regulation of the District, the District shall commence an action for appropriate legal and/or equitable relief in the appropriate court of competent jurisdiction. This remedy shall be in addition to the right to terminate service. In

any legal action, the District may recover all damages sustained to the wastewater system as well as any penalties incurred by the District by reason of the violation of this Resolution, or of any City, State or Federal laws, rules, and regulations.

B) Any User, by its use of the wastewater system of the District, does consent to and agree to comply with and abide by the terms and conditions of this Resolution, the rules and regulations promulgated hereunder and agrees to the enforcement procedures and penalty provisions herein.

Section X.08 PUBLIC REPORT OF NON-COMPLIANCE

The District shall publish, at least annually, in the daily newspaper of local distribution, a list of the Industrial Users which were in significant non-compliance with any Pretreatment Requirements or Standards during the twelve (12) previous months or during a defined reporting quarter. The notification shall also summarize the area of non-compliance and any enforcement actions taken against the Industrial User(s) during the same twelve (12) month period or reporting quarter.

Section X.09 CIVIL PENALTY

A) Any Industrial User who has violated, or continues to violate, any provision of this resolution, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement shall be liable to the District for a minimum civil penalty of one hundred dollars ($100) and a maximum civil penalty of two thousand dollars ($2000) 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 District 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 the District.

C) A business, restaurant or other User required to install a grease trap and who does not implement Best Management Practices (BMP) shall be liable to the District as outlined in the Rate Resolution.

D) A business, restaurant, or other User who has an approved grease trap and/or interceptor, is currently implementing a FOG BMP, and does not maintain satisfactory records of the BMP, Inspection Log, Cleaning Log, or other copy records, shall be liable to the District as outlined in the Rate Resolution.

E) In determining the amount of civil liability, the District 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.

F) Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a User.

Section X.10 CRIMINAL PROSECUTION

A) A User who willfully or negligently violates any provision of this resolution, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of not more than two thousand dollars ($2000) per violation, per day, or imprisonment in accordance with State Law or both.

B) A User who willfully or negligently introduces any substance into the POTW which causes personal injury or property damage shall, upon conviction, be guilty of a misdemeanor and be subject to a penalty of at least one thousand dollars ($1000), or be subject to imprisonment in accordance with State Law or both. This penalty shall be in addition to any other cause of action for personal injury or property damage available under State 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 resolution, individual wastewater discharge permit, or order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this resolution shall, upon conviction, be punished by a fine of not more than two thousand dollars ($2000) per violation, per day, or imprisonment in accordance with State Law or both.

D) In the event of a second conviction, a User shall be punished by a fine of not more than two thousand dollars ($2000) per violation, per day, or imprisonment in accordance with State Law or both.

Section X.11 REMEDIES NONEXCLUSIVE

The remedies provided for in this resolution are not exclusive. The District may take any, all, or any combination of these actions against a noncompliant User. Enforcement of pretreatment violations will generally be in accordance with the District's enforcement response plan. However, the District may take other action against any User when the circumstances warrant. Further, the District is empowered to take more than one enforcement action against any noncompliant User.

ARTICLE XI. FEES, RATES CHARGES AND SURCHARGES

Section XI.01 AUTHORITY

The District is empowered to place into effect and to revise, whenever it so wishes or may be required, a schedule of fees, rates and charges for connection to and use of its wastewater system.

Section XI.02 REQUIREMENT OF COSTS

Federal Regulation 40 C.F.R. Section 35.929-1 requires that the cost of operation, maintenance and replacement of waste treatment systems must be distributed proportionately among users and user classes.

Section XI.03 REVIEW

Said regulation requires that sewer service charges be reviewed not less than biannually and revised to reflect the costs of operation, maintenance and repair of the system. (Please refer to the Rate Resolution in force.)

ARTICLE XII. SEWER SERVICE CHARGE, REFUNDS AND BACKCHARGES

Section XII.01 REFUND

If a person not meeting the requirement of Section 3.5 Connection to Sewer Required is billed a sewer service charge, said person shall be entitled to a full refund of all sewer service charges paid from the date of commencement of such charges for a period not to exceed three (3) years.

Section XII.02 BILLING CREDITS OR ADJUSTMENTS

If a sewer system customer is billed a sewer service charge that is deemed to be inaccurate, that customer is eligible to receive a billing credit or adjustment. A sewer service customer must notify the District that a bill received is inaccurate based on one of the following (1) a faulty meter or (2) a recently detected water leak. The customer needs to provide documentation that the problem has been corrected. The billing credit or adjustment will be given as soon as research is completed and will be for the billing period in which the inaccurate billing occurred. The credit will consist of the difference between the amount billed and the most recent twelve-month period consumption average.

Section XII.03 MULTIPLE RESIDENTIAL EQUIVALENT UNIT CORRECTIONS

If a sewer system customer is billed a sewer service charge for multiple REUs and that classification is found to be inaccurate, that customer is eligible to receive a correction or credit. Depending on the method of billing the following will occur: (1) if the sewer system customer is billed a flat rate sewer service charge for multiple dwelling units greater than the number actually proven to exist, a correction will be made for the month the discovery is made or (2) if a sewer system customer, that should be classified as a single residential equivalent unit, is billed by consumption usage and does not receive the residential consumption cap, that customer is entitled to up to one (1) year credit for consumption over the cap with proper documentation

Section XII.04 BACKCHARGE

A sewer system customer found not to have been billed a sewer service charge shall be back charged for sewer service charges based on the schedule of charges in force during the period of time in question. The period is not to exceed one (1) year. In no case will such charges cover a period of time when the present occupant of the property was not responsible for sewer service charges.

ARTICLE XIII. CONFLICT BOX COSTS

Section XIII.01 CONSTRUCTION

Where conflicts between storm drainage piping and sanitary sewer laterals become apparent in the course of new or upgraded construction, by the Highway Department, and it can be determined that the District does not hold "PRIOR RIGHTS", the costs involved by the required modification to the sewer line shall be the responsibility of the District. Construction requiring modification to existing sewer lines located in areas where the District holds "PRIOR RIGHTS" shall be the responsibility of the entity responsible for the construction.

Section XIII.02 PRIVATE PROPERTY OWNER

When a private property owner, at his own expense, installs storm drainage piping in a ditch in the public right-of-way in front of his property or adds on an additional entrance way to his property and the construction initiates modification to the existing sanitary sewer facilities all costs shall be the responsibility of the private property owner.

Section XIII.03 CONFLICTS

Where a conflict exists between a storm drainage piping and any District sanitary sewer pipe and the sanitary sewer pipe is owned by the District, the District will pay nothing towards the cost of a junction box.

ARTICLE XIV. VALIDITY

Section XIV.01 RESOLUTION CONFLICTS

All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Section XIV.02 SEVERABILITY

A finding by any court or other jurisdiction that any part or provision of this Resolution is invalid shall not affect the validity of any other part of this Resolution that can be implemented without the invalid parts or provisions.

Section XIV.03 COMMISSION RESERVATIONS

The Commission, through its duly elected officers, reserves the right to take immediate action for

emergencies not specifically covered herein as they may deem necessary in the interest of Public Health and Safety and, further, reserves the right to establish by resolution more stringent limitations or requirements on discharges to the wastewater system as deemed necessary and to amend this Resolution, in part or in whole.

ARTICLE XV. RESOLUTION IN FORCE

Section XV.01 ENFORCEMENT

This resolution shall be in full force and effect on and after July 1, 2023.

ADOPTED by the North Charleston Sewer District Commission of the State of South Carolina on the 8th day of May 2023.

NORTH CHARLESTON SEWER DISTRICT

Melinda Chamber, Chairman

Sylderrial T. Pryor, Secretary

WITNESS:

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

PERSONALLY appeared before me the undersigned witness and made an oath that (s)he saw the within named North Charleston Sewer District by Melinda Chamber, its Chairman and Sylderrial T. Pryor, its Secretary, sign, seal and as its act and deed, deliver the within written Resolution, and that (s)he with the other witness witnessed the execution thereof.

SWORN to before me this 8th day of May 2023.

Danisha Sheppard

Notary Public for South Carolina

My commission expires: 4/22/2032

WITNESS

RECORDER'S PAGE

NOTE: This page MUST remain with the original document

Filed By:

NORTH CHARLESTON SEWER DISTRICT

PO BOX 63009
NORTH CHARLESTON SC 29419

RECORDED

Date:	May 23, 2023
Time:	12:11:10 PM

Book	Page	DocType
1181	573	Resolution

Karen Hollings, Register of Deeds
Charleston County, SC

MAKER:
NORTH CHAS SEWER DIST

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RECIPIENT:
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Recording Fee	$ 10.00
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