

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County

of LIVINGSTON

Local Law No. 3 of the year 19 86

A local law Repealing Local Law No. 4 - 1972, for the County of Livingston,
(insert title)
and establishing a Sewer Use Law for the Conesus Lake County Sewer District

Be it enacted by the Board of Supervisors of the
(Name of Legislative Body)

County

of Livingston as follows:

Section 1. Local Law No. 4 of the year 1972 of this County is hereby REPEALED.

Section 2. The "Conesus Lake County Sewer District Sewer Use Law" is added to read as follows: (The text of the Conesus Lake County Sewer District Sewer Use Law is attached hereto and incorporated herein).

Section 3. This local law shall take effect immediately, subject, however, to the provisions of Section twenty-seven of the Municipal Home Rule Law.

*Sec. - Repealed / signed M. 1986
3/26/86*

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 19 86.
County
of the Livingston was duly passed by the Board of Supervisors
(Name of Legislative Body)
on April 9, 19 86 in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer, * or repassage after disapproval.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19_____
County
of the City of _____ was duly passed by the _____
Town of _____ (Name of Legislative Body)
Village _____
on _____ 19_____, not disapproved and was approved by the _____
repassed after disapproval Elective Chief Executive Officer *
and was deemed duly adopted on _____ 19_____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19_____
County
of the City of _____ was duly passed by the _____
Town of _____ (Name of Legislative Body)
Village _____
on _____ 19_____, not disapproved and was approved by the _____
repassed after disapproval Elective Chief Executive Officer *
on _____ 19_____. Such local law was submitted to the people by reason of a
mandatory referendum, and received the affirmative vote of a majority of the qualified electors voting
permissive general
thereon at the special election held on _____ 19_____, in accordance with the appli-
annual
cable provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19_____
County
of the City of _____ was duly passed by the _____ on
Town of _____ (Name of Legislative Body)
Village _____
_____ 19_____, not disapproved and was approved by the _____ on
repassed after disapproval Elective Chief Executive Officer *
_____ 19_____. Such local law being subject to a permissive referendum and no
valid petition requesting such referendum having been filed, said local law was deemed duly adopted on
_____ 19_____, in accordance with the applicable provisions of law.

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village or the supervisor of a town, where such officer is vested with power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19..... of the City of..... having been submitted to referendum pursuant to the provisions of § 36 § 37 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the special election held on general 19 became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as Local Law No. of 19..... of the County of, State of New York, having been submitted to the Electors at the General Election of November, 19, pursuant to subdivisions 5 and 7 of Section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph above.

[Handwritten Signature]
Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: April 11, 1986

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF LIVINGSTON

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

[Handwritten Signature]
.....
Signature
.....
COUNTY ATTORNEY
.....
Title

Date: April 11, 1986

County
of LIVINGSTON

LOCAL LAW NO. 3, 1986
COUNTY OF LIVINGSTON, NEW YORK

Local Law repealing Local Law No. 4 - 1972, for the County of Livingston, and establishing a Sewer Use Law for the Conesus Lake County Sewer District

BE IT ENACTED by the Board of Supervisors of the County of Livingston as follows:

Section 1. Local Law No. 4 of the year 1972 of this County is hereby REPEALED.

Section 2. The "Conesus Lake County Sewer District Sewer Use Law" is added to read as follows: (The text of the Conesus Lake County Sewer District Sewer Use Law is attached hereto and incorporated herein)

Section 3. This local law shall take effect immediately, subject, however, to the provisions of Section twenty-seven of the Municipal Home Rule Law.

CONESUS LAKE COUNTY SEWER DISTRICT SEWER USE LAW

ARTICLE I	SHORT TITLE AND STATEMENT OF PURPOSE
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ARTICLE I

SHORT TITLE AND STATEMENT OF PURPOSE

Section 1. Short Title
Section 2. Purpose

Section 1. Short Title: These rules and regulations shall be known as the Conesus Lake County Sewer District Sewer Use Law.

Section 2. Purposes: The purposes of these rules and regulations are specifically stated as follows:

1.21 To permit the discharge into the sanitary sewer of the District Sewer System or tributaries thereto of sanitary sewage and normal sewage.

1.22 To prohibit excessive volumes and/or inordinate rates of flow of sewage and wastes into the District sewer system and all local sewer collection systems and all other public sewers tributary thereto.

1.23 To prohibit the contribution of sewage, industrial wastes or other wastes of a flammable nature or which create in any way a poisonous or hazardous environment for sewage maintenance and operation personnel.

1.24 To prohibit the contribution of sewage, industrial wastes or other wastes which may cause maintenance difficulties in the trunk sewers, force mains, pumping stations, sewage regulators and other structures and appurtenances to the District system and public sewers tributary thereto.

1.25 To prohibit the contribution of sewage, industrial wastes or other wastes which may create operating difficulties at the water pollution control plants as they now exist or may be constructed, modified or improved in the future.

1.26 To prohibit and/or to regulate by permit the contribution of sewage, industrial wastes or other wastes which require for treatment at the plants, greater expenditures than are required for equal volumes of normal sewage and to surcharge users for permitted contributions requiring treatment beyond "normal sewage".

1.27 To require the treatment, before introduction into the District sewer system, local sewer collection systems and all

other public sewers tributary thereto, of such wastes as may otherwise impair the strength and/or durability of the structures appurtenant to the system, by direct or indirect chemical action, or interfere with the normal treatment process.

1.28 To provide the authority and procedure for the District to promulgate rules, to investigate and prepare findings of fact, to issue permits, to hold hearings, to make decisions, orders and opinions, and to give notice and make public all rules and decisions affecting substantial rights of persons or property.

1.29 To provide cooperation with the Livingston County Health Department, New York State Department of Environmental Conservation, New York State Department of Health, United States Environmental Protection Agency and any other agencies which have requirements or jurisdiction for the protection of the physical, chemical and bacteriological quality of water courses within or bounding the County.

1.30 To protect the public health and to prevent nuisances.

ARTICLE II

DEFINITIONS

Section 2.1 Definitions

Section 2.1 Definitions: Unless the context specifically indicates otherwise the meaning of terms used in these rules and regulations shall be as follows:

2.11 "Administrator" shall mean the administrator of the Conesus Lake County Sewer District or his authorized deputy, agency or representative.

2.12 "B.O.D." (denoting Biochemical Oxygen Demand) as defined and determined in the Standard Methods for the examination of water and wastewater.

2.13 "Board" shall mean the Board of the Conesus Lake County Sewer District, comprised of the Administrator and Public Works Committee of the Board of Supervisors.

2.14 "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet outside the inner face of the building wall.

2.15 "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

2.16 "Camp Site" a tract of land which is arranged, intended and equipped, as a camp site for mobile homes, travel campers, recreational vehicles and/or non-vehicular camping of a transient or seasonal nature.

2.17 "COD" (Chemical Oxygen Demand) shall mean the oxygen equivalent to that portion of the organic matter in a sample that is susceptible to oxidation by a strong chemical oxidant. The determination is made by dichromate reduction by oxidizable organic matters measured by the oxygen equivalent proportion of the dichromate consumed, expressed as milligrams per liter.

2.18 "Chlorine Demand" shall mean the difference between the amount of chlorine added to water, sewage or industrial wastes and the amount of residual chlorine remaining at the end of

fifteen minute contact period at room temperature. It is expressed in milligrams per liter.

2.19 "Contested Case" means a proceeding, including but not restricted to rate making, surcharging, and issuance of permits in which the legal rights, duties or privileges of a party are required by law to be determined by the Conesus Lake County Sewer District after an opportunity for hearing.

2.20 "Control Manhole" shall mean an accessible manhole at the connection between an industrial building sewer and the public sewer. It shall be constructed to provide for sampling, measuring and observation of industrial flows.

2.21 "Cooling Water" shall mean the water discharged from any system of condensation, air conditioning, cooling, refrigeration, or other sources. It shall contain no polluting substances which would produce BOD or Suspended Solids in excess of ten milligrams per liter, toxic substances as limited elsewhere herein, prohibited materials as listed under Sec. 4.2, or cause thermal pollution of the receiving waters.

2.22 "County" shall mean the County of Livingston.

2.23 "County Sewer" shall mean any sewer owned by the designated county sewer districts and/or operated by the Conesus Lake County Sewer District.

2.24 "County Sewer Districts" shall mean any County Pure Waters sewer districts as created, altered, or modified in the future by action of the Livingston County Board of Supervisors.

2.25 "County Sewer System" shall mean the trunk sewers, collection sewers, force mains, pumping stations, sewage regulators, water pollution control plants (sewage treatment plants) and other appurtenant structures either owned or leased by the Conesus Lake County Sewer District and/or operated by any other public district now or hereafter created in the County of Livingston.

2.26 "Department of Health" shall mean the Livingston County Health Department.

2.27 "District" shall mean Conesus Lake County Sewer District.

2.28 "District Superintendent" shall mean "superintendent" as

defined in 2.67 below.

2.29 "Hearing Board" means the persons appointed to preside at a hearing as outlined in Section XI; Hearing Officer is the member of the Hearing Board who is an attorney at law and will preside at the hearing and file the final report.

2.30 "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food, the handling, storage and sale of produce, and from the packaging and canning of food.

2.31 "Grease or Fats" shall mean any material which is extractable from an acidified sample of a waste by hexane or other designated solvent.

2.32 "Industrial User" shall mean any industrial or commercial establishment with a classification as designated in the "Standard Industrial Classification Manual" 1972, edition, as published by the Executive Office of the President and who utilizes the services of the sewer system.

2.33 "Industrial Wastes" shall mean any liquid, gaseous or solid substance or a combination thereof resulting from any process of industry, manufacturing, trade or business or from the development or recovery of any natural resources.

2.34 "National Categorical Pretreatment Standard or Pretreatment Standards" - any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b)(c) of the act (33 USC 1347) which applies to a specific category of Industrial Users.

2.35 "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

2.36 "Normal Sewage" shall mean sewage, industrial wastes or other wastes, which when analyzed show by weight the following characteristics:

- a. B.O.D. 2085 lbs. per million gallons (250 milligrams per liter) or less,
- b. Chlorine Demand 208 lbs. per million gallons (25 milligrams per liter) or less,
- c. C.O.D. 4170 lbs. per million gallons (500

- milligrams per liter) or less,
- d. Suspended Solids 2085 lbs. per million gallons
(250 milligrams per liter) or less,
- e. Phosphate as phosphorus 167 lbs. per million
gallons (20 milligrams per liter) or less.

The values for these characteristics are subject to revision by the Superintendent, if, in his opinion, data obtained during the previous year indicates.

The Superintendent may also add values for other characteristics or delete characteristics if such action becomes appropriate and applicable to the treatment or transportation of sewage.

2.37 NYSDEC/The New York State Department of Environmental Conservation or duly authorized official of said department.

2.38 "Other Wastes" shall mean garbage (shredded or unshredded) refuse, wood, egg shells, coffee grounds, flour, sawdust, shavings, bark, sand, lime, cinder, ashes, and all other discarded matter not normally present in sewage or industrial wastes.

2.39 "Order" means the Hearing Board or Hearing Officer's final order which ends the hearing process.

2.40 "P" - Phosphate shall mean the concentration of phosphate as phosphorus expressed in milligrams per liter.

2.41 A "Party" means each person or agency named or admitted as a party or properly seeking and entitled as of right to be admitted as a party.

2.42 "Petroleum Hydrocarbons" shall mean that portion of the total extractable grease or fats, as defined in Section 2.31 which is not retained on an activated alumina absorption column after elutriating with hexane.

2.43 "Permit" means a permit issued to allow the use of the sewer system or tributary sewer for specific wastes over a limited period of time. Continuing discharge of wastes requiring permission by law shall also require a permit.

2.44 "Person" shall mean any individual, firm, company,

association, society, corporation, institution or group.

2.45 "Phosphate" shall mean the concentration of phosphate or phosphorus expressed in milligrams per liter.

2.46 "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

It indicates the intensity of acidity and alkalinity of the pH scale running from 0.0 to 14.0. A pH value of 7.0, the midpoint of the scale, represents neutrality. Values above 7.0 represents alkaline conditions and those below 7.0 represents acid conditions.

2.47 "Portable Toilet" shall mean a device that is not used for treatment or disposal of human wastes and used on a temporary basis, not requiring a permit. It is not a privy as referred to in Section 3.3.

2.48 "POTW" - publicly owned treatment works.

2.49 "POTW Treatment Plant" - that portion of a POTW which is designed to provide treatment (including recycling and reclamation) of municipal sewerage and industrial wastes.

2.50 "Pretreatment" - the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, or process changes or other means except as prohibited by 40 CFR Section 403.6(d).

2.51 "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking and dispensation of food 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 having a dimension greater than one quarter ($\frac{1}{4}$) inch in any dimension.

2.52 "Public Sewer" shall mean the sewer manholes, intercepting sewers, sewage pumping, treatment and disposal works, and any other plant, works or equipment and accessories within any

municipality that discharges its sewage and liquid into the District Sewer System.

2.53 "Receiving Waters" shall mean a natural water course or body of water into which treated sewage is discharged.

2.54 "Report" means the Hearing Officer's summary of the proceeding before the Hearing Board and written recommendation.

2.55 "Rule" means each statement of general applicability that implements, interprets or prescribes law or policy or describes the organization, procedure or practice requirements of or in the District. The term includes the amendment or repeal of a prior rule but does not include (A) statements concerning only the internal management of the District and not affect private rights or procedures available to the public or (B) declaratory rulings issued pursuant to Article XI, Section 11.6 or (C) intra-agency memoranda.

2.56 "Sanitary Sewage" shall mean sewage discharging from the sanitary conveniences of dwellings (including apartment houses and hotels, but not commercial kitchens therein), office buildings, factories, institutions, and filter backwash from swimming pools.

2.57 "Sanitary Sewer" shall mean a sewer which carries sewage to and which storm, surface and ground waters are not intentionally admitted.

2.58 "Scavenger Wastes" shall mean the matter collected from privies, septic tanks, cesspools, chemical toilets, portable toilets, camper and marine holdings tanks, sludge from biological treatment of industrial wastes, and other domestic waste collection devices.

2.59 "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground surface and storm water as may be inadvertently present. The admixture of sewage as above defined with industrial wastes or other wastes also shall be considered "sewage" within the meaning of this definition.

2.60 "Sewer" shall mean a pipe or conduit for carrying sewage.

2.61 "Sewerage System" shall mean all facilities for collecting, regulating, pumping, and transporting sewage to the sewage treatment plant.

2.62 "Sewerage Surcharge" shall mean the demand payment for the use of a public sewer and/or sewage treatment plant for handling any sewage, industrial wastes or other wastes accepted for admission thereto in which the characteristics thereof exceed the maximum values of such characteristics in normal sewage.

2.63 "Shall" is mandatory: "May" is permissive.

2.64 "Slug" shall mean any discharge of water, sewage or industrial waste which in concentration of any given constituent or in volume of flow exceeds for any period of duration longer than five (5) minutes more than five (5) percent the average twenty-four (24) hour concentration or flow during normal operation.

2.65 "Standard Methods" shall mean the latest addition of standard methods for Examination of Water and Wastewater, published by the American Public Health Association, Water Pollution Control Federation and American Water Works Association.

2.66 "Storm Sewer" (Storm Drain) shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes other than cooling waters and unpolluted waters.

2.67 "Superintendent" shall mean the Superintendent of Sewage Works of the District, or Chief Operator, or his authorized deputy, agency, or representative.

2.68 "Suspended Solids" (total non-filterable residue) as defined and determined in the Standard Methods for the Examination of Water and Wastewater.

2.69 "Toxic Substances" shall mean any substance whether gaseous, liquid or solid which, when discharged to a public sewer in sufficient quantities, will be detrimental to the sewer system, interfere with any biological sewage treatment process, or constitute a hazard to human beings or animals, or inhibit

aquatic life, or create a hazard to recreation in the receiving waters of the effluent from a POTW treatment plant.

2.70 "Unit Charge" In the District the sewer use charge may be based on a standard volume of sewage flow from an average household; this volume, as determined by methods described herein, may vary and is subject to revision by the Board and the Livingston County Board of Supervisors if data accumulated under actual conditions so indicate.

2.71 "USEPA" - United States Environmental Protection Agency or duly authorized official of said agency.

2.72 "Volume Charge" In the District the sewer use charge may be based in part or wholly on the volume of discharge into the sewer system. The charge shall be based on a specific cost per 27,000 gallons; the specific cost is determined for the District based on the overall cost of treating sewage and is subject to the approval of the Board and the Livingston County Board of Supervisors.

2.73 "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

2.74 "Terms" not otherwise defined herein shall be as adopted in the latest edition of Glossary - Water and Wastewater Control Engineering, published by the American Waterworks Association and the Water Pollution Control Federation:

ARTICLE III
USE OF PUBLIC SEWERS

Section 3.1 Limitation of use; exception
Section 3.2 Health Regulations
Section 3.3 Formal sewer use charges
Section 3.1 Limitation of use; exception

Section 3.1 The use of the District sewers and public sewers tributary thereto shall be strictly limited and restricted to receive and accept the discharge of sewage, industrial wastes, and other wastes generated on, or discharged from, real property lying within the bounds of the Conesus Lake County Sewer District as established and altered, changed, modified, reduced, enlarged, combined and/or consolidated by action of the Livingston County Board of Supervisors and/or the respective District Board.

Section 3.2 The discharge of sewage, industrial wastes and other wastes generated on or discharge from real property lying outside the bounds of Conesus Lake County Sewer District into the District sewers and thereto shall be made only with express consent of District Board and/or the Livingston County Board of Supervisors and upon the issuance of a Permit setting forth the terms and conditions for such discharge.

Section 3.3 Except as hereinafter provided, it shall be unlawful to construct or maintain in the District any privy, privy vault, septic tank, cesspool, or other facility intended or used for the treatment or disposal of wastewater.

Section 3.4 The owner(s) including governmental entities, of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the District and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the District, is hereby required at the owner(s)' expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this sewer use law, within sixty (60) days after date of official notice to do so.

Section 3.5 Health Regulations: All requirements, directives and orders calling for the mandatory use of the District sewers

for the proper discharge of sewage, industrial wastes and other wastes with these rules and regulations, shall be established and given by the local municipality having jurisdiction, the Livingston County Department of Health, the New York State Department of Environmental Conservation or other state or federal agencies having jurisdiction.

Section 3.6 Formal Sewer Use Charges: Quarterly Unit Sewer Charges shall be based on the cost of treating normal sewage including all other costs of the District.

ARTICLE IV

MATERIALS AND SUBSTANCES EXCLUDED FROM PUBLIC SEWERS

Section 4.1 Exclusion of unpolluted waters

Section 4.2 Prohibited materials, substances and wastes

Section 4.3 Possible exclusion of certain materials and substances

Section 4.4 Action by the Conesus Lake County Sewer District

Section 4.5 Emergency Action by the Superintendent

Section 4.1 Exclusion of unpolluted waters: No person shall discharge or provide a connection for discharging or draining into the District sewer system or public sanitary sewer tributary any storm water, surface water, ground water, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process water, nor drain any catch basin, lake, swamp, pond or swimming pool, except with the permission of the District evidenced by a properly issued permit.

Section 4.2 Prohibited materials, substances and wastes: Except as hereinafter provided, no person shall discharge or cause to be discharged, or allow to run, leak, or escape into any public sewer, pipe, channel, sewer appurtenance or waterway connecting with any public sewer, or into any private sewer connected with a public sewer any of the following described materials, substances or wastes, except such small quantities as may be present in normal household wastes:

- a. Any gasoline, benzine, naphtha, fuel, oil, alcohols, or other flammable or explosive liquid, solids or gases.
- b. Any waters or wastes containing toxic or poisonous solids, liquids or gases. See Article V.
- c. Any water or wastes having a pH lower than (6.0) or having a pH higher than (9.0) or having any other corrosive property capable of causing damage or hazard to structures, equipment or the sewer system, or personnel employed in its operation.
- d. Construction materials including but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood, paunch manure, sugar and syrup, coffee grounds, flour, fur, wax, cement, hops, spent grain, whole blood, filter

media or any solids or viscous substances capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewer system.

- e. Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, or to constitute a hazard to humans or animals, or to create a public nuisance, or to create any hazards in the receiving waters of a POTW treatment plant effluent.
- f. Any waters or waste having a temperature so high as to raise the incoming flow at the treatment facility in excess of 104° F (40°C).

Section 4.3 Possible exclusion of certain materials and substances: No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes or any wastes listed within the rules of the District found to harm the trunk sewer system structures, the sewage treatment process or the equipment, have an adverse effect on the receiving stream or would endanger life, limb, public property or constitute a nuisance. The criteria used in forming the rules of the District include such factors as: the quantities of said wastes in relation to flows and velocities in the sewers, materials or construction of the sewers, nature of the POTW treatment plant, the capacity of the sewage treatment facilities and the likelihood of harm, injury or nuisance. The characteristics of the effluent subject to review will be determined from the sampled wastewater collected at a control manhole prior to entering the public sewers. The substances, materials or wastes prohibited in the first instance, but subject to review by the District are:

- a. Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees Fahrenheit (65 degrees C.).

- b. Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100) milligrams per liter, or containing substances which may solidify or become viscous at temperatures between thirty-two (32) degrees and one hundred fifty (150) degrees Fahrenheit (0 and 65 degrees C.).
- c. Any garbage that has not been properly shredded or triturated. The installation and operation of garbage grinders equipped with a motor greater than three-fourth (3/4) horsepower (0.76 h.p. metric shall be by permit issued by the Superintendent.
- d. Any water or wastes containing strong acid metal pickling wastes, or concentrated plating solutions whether neutralized or not.
- e. Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances. See Article V.
- f. Any water or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which shall be established by the Superintendent as necessary, after treatment of the composite sewage to meet the requirements of the State, Federal or other public agencies of jurisdiction for such discharge to the receiving waters.
- g. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State or Federal regulations. See Section 6.2.
- h. Materials which contain or cause:
 - 1. Unusual concentrations 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 sulphate.
 - 2. Excessive discoloration at the treatment plant or

In the receiving waters such as, but not limited to, dye wastes and vegetable tanning solutions.

3. Unusual biochemical oxygen demand (BOD), chemical oxygen demand (COD), or chlorine requirements in such quantities as to constitute a significant additional load on the sewage treatment works.

Except as provided for under Article X.

4. Unusual volume of flow or concentration of wastes constituting "Slugs" as defined herein.

i. Waters or wastes containing substances which are not amenable to treatment or reduction in concentration by the POTW treatment plant processes employed, or are amenable to treatment only to such a degree that the POTW treatment plant effluent cannot meet the requirements of regulatory agencies having jurisdiction over discharge to the receiving waters.

Section 4.4 Action by the District: The District, after a hearing, shall either prevent the discharge of unacceptable water and wastes or issue a permit which is properly conditioned upon findings and the standards of safety prescribed by this law. The rules of the District shall include surcharges, pre-treatment requirements, control over quantities or rates of discharge, time of discharge and holding facilities, and any measure or combination of measures which are necessary to preserve the sewer system, its structures and equipment, and the health, safety and well being of the employees, the community and the biota of the receiving waters.

Section 4.5 Emergency action by the Superintendent: The Superintendent shall take any temporary action necessary to protect the public health, safety or welfare without a prior hearing or order of the Board in regard to any discharge which, in the belief of the Superintendent, will cause serious, imminent harm, injury or adverse effect on the sewer system structures or equipment, or to any persons or to the biota of the receiving waters. Review of any emergency action by a hearing will be accomplished without delay to determine what, if any, permanent restriction is

necessary. The Superintendent, acting upon the belief that an emergency exists, shall be indemnified against any personal liability that may arise in the performance of his duties to protect the public health, safety or welfare of Livingston County.