



## **RULES AND REGULATIONS**

*August 28, 2024*

## TABLE OF CONTENTS

	<b>Page</b>
<b>Article 1. General Provisions</b>	
A. Purpose	5
B. Objectives	5
C. Authority of the Manager	5
D. Definitions	5
E. Abbreviations	14
F. Responsibility of User	15
G. Manhole Covers	15
H. Prohibited Connections	15
I. Tap Authorizations	15
1. Residential Property	15
2. Commercial, Government and Industrial.	16
J. Remedies for Nonpayment	18
K. Violations: Residential Users	18
L. Violations - Commercial, Government and Industrial	18
M. Damage to POTW	18
<b>Article 2 Connecting Jurisdictions</b>	
A. Incorporation of Establishing Agreement and Discharge Permits	18
B. Amendments, Repeal, Additions, and Distribution	19
C. Special Connectors	19
D. Connector Responsibilities	19
E. Regulation of Industrial Users from Connector Municipalities	21
<b>Article 3. Fees and Charges</b>	
A. Summary	23
B. Plan Review	23
C. Miscellaneous Costs and Expenses	23
D. Delinquency Charges, Collection Costs, Liens	24
E. Treatment Capacity Fee	24
F. Withholding Approvals, Acceptances, and Permits. Revocation of Service	24
G. Pretreatment Program Charges and Fees	24
H. Industrial Waste Cost Formula	25
I. Industrial Cost Recovery (ICR)	25

<b>Article 4.</b>	<b>Industrial Pretreatment Program</b>	
A.	Applicability	26
B.	Discharge by Industrial Users	26
C.	Wastewater Discharge Prohibitions and Limitations	26
	1. General Prohibitions	26
	2. Specific Prohibitions	27
	3. Dilution Prohibited	29
	4. Maximum Allowable Industrial Load (MAIL)	30
	5. Most Stringent Limits	30
D.	Categorical Pretreatment Standards	30
E.	Pretreatment and Monitoring Facilities	30
	1. Treatment Required	30
	2. Proper Operation and Maintenance	30
	3. Monitoring Facilities	31
	4. Wastewater Discharge Control	31
	5. Flow Equalization	31
	6. Multitenant Buildings	31
	7. Safety and Access	31
	8. Flow, pH, LEL and other meters and equipment	31
	9. Tampering with metering devices prohibited	31
F.	Special Agreements and Contracts	32
G.	Right of Entry	32
H.	Recordkeeping	33
I.	Confidentiality	34
J.	Sample Collection and Analytical Methods	34
	1. Sample Collection	34
	2. Sample Type	35
	3. Analytical Requirements	35
	4. Records for all Samples	35
K.	Reporting and Notification Requirements	36
	1. Periodic Compliance Reports (PCR)	36
	2. 24 Hour Notice and 30-Day Re-sampling	36
	3. Slug and Spill Discharges- Notification and Plan Development	36
	4. Reports of Spill or Slug Discharges	37
	5. Reports for Other Industrial Users	38
	6. Signatory Certification	38
	7. Notification of Change in Discharge or Operations	38
	8. Notification of the Discharge of Hazardous Waste	39
	9. Requests for Information	39

L.	Significant Industrial User (SIU) Permitting Requirements	39
M.	Other Industrial Users	43
N.	Enforceability	44
O.	Compliance and Enforcement	44
	1. Enforcement Response Plan	44
	2. Publication by EPA or State of Industrial Users in Significant Noncompliance	44
	3. Administrative Enforcement	45
	a. Notice of Violation (NOV)	45
	b. Administrative Order	45
	c. Consent Order	45
	d. Show Cause Hearing	46
	e. Cease-and-Desist Order	46
	f. Administrative Fines	47
	g. Emergency Suspension of Service	47
	h. Revocation of a Control Mechanism Authorizing Discharge	48
	4. Judicial Enforcement Remedies	48
	a. Injunctive Relief	48
	b. Civil Penalties	49
	c. Civil/Administrative Fine Pass Through	49
	d. Civil Liability for Expenses	49
	e. Criminal Penalties	49
P.	Severability	49
Q.	Non-Exclusive Remedies	50
R.	No Damages for Failure to Enforce	50
<b>Article 5. Sector Control Programs</b>		
A.	General Requirements	50
B.	Permitting	51
C.	Best Management Practices (BMPs) for Food Service Establishment (FSEs).	55
D.	Grease Hauler Registration Program	61
E.	Best Management Practices (BMPs) for Petroleum, Oil, Grease, and Sand Facilities (POGS).	63

## **Article 1. General Provisions**

- A. Purpose: It is necessary for the health, safety, and welfare of the public to regulate the collection and treatment of wastewater to provide for maximum public benefit. This Code of Rules and Regulations (hereinafter “Rules and Regulations”) sets forth uniform requirements for residential, commercial, and industrial users of the wastewater collection and treatment system of Plum Creek Water Reclamation Authority (PCWRA) and enables it to comply with all applicable State and federal laws and regulations applicable to the treatment and disposal of wastewater and sludge.
- B. Objectives: The objectives of these Rules and Regulations are to:
1. Prevent the introduction of pollutants into the Publicly Owned Treatment Works (POTW), which will interfere with its operation, including interference with its use or disposal of municipal sludge.
  2. Prevent the introduction of pollutants into the POTWs which will pass through the treatment works or otherwise be incompatible with the POTW.
  3. Protect personnel who may be affected by wastewater and sludge in the course of their employment and to protect the health, safety, and welfare of the general public.
  4. Improve the opportunity to recycle and reclaim water and sludges from the POTW.
  5. To provide for equitable distribution among users of the cost of the POTW and PCWRA’s Pretreatment Program; and
  6. Enable the Authority to comply with its CDPS Permit conditions, federal and state requirements applicable to sludge use and disposal, and any other federal or state laws or regulations to which the POTW is subject.
- C. Authority of the Manager: Except as otherwise provided, the Authority Manager shall administer, implement, and enforce the provisions of these Rules and Regulations. Any powers granted to or duties imposed upon the Authority Manager may be delegated by the Authority Manager to other PCWRA personnel.
- D. Definitions: Unless the context specifically indicates otherwise, the following terms and phrases, as used in these Rules and Regulations, shall have the following meanings. Words not otherwise defined, shall be given their common and ordinary meaning.
1. “Act” or “The Act” is the Federal Water Pollution Control Act, also known as the Clean Water Act, 33 U.S.C. 1251, *et seq.*, as amended.
  2. “Application” means those forms required for PCWRA’s review, action, and record-keeping purposes.
  3. “Authorized Premises” is the land area and improvements thereto to which sewer service is limited under a Tap Authorization.
  4. “Authorized Representative” or “Duly Authorized Representative of the Industrial User” is:
    - a. If the Industrial User is a corporation:
      - (1) The 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 reporting requirements established by the Authority; if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
  - (3) If the Industrial User is a partnership or sole proprietorship: a general partner or proprietor, respectively.
  - (4) If the Industrial User is a limited liability company, the managing member(s) of the limited liability company.
  - (5) If the Industrial User is a federal, state, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or designee of such official.
  - (6) The individuals described in Subsections (1) through (5) above, may designate another Duly Authorized Representative if the authorization is made in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to PCWRA.
5. “Authority” is the Plum Creek Water Reclamation Authority (PCWRA) (formerly “Plum Creek Wastewater Authority”).
  6. “Authority Manager” is the person designated by PCWRA to manage and direct the overall operations and business of PCWRA, subject to the direction and control of the Board.
  7. “Best Management Practices” or “BMPs” are schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Article 4 Section C and Article 5. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage. BMPs shall be considered local limits and Pretreatment Standards for the purposes of these Rules and Regulations and Section 307(d) of the Act, as specified at 40 CFR Section 403.5(c)(4).
  8. “5 Day Biochemical Oxygen Demand” or “BOD<sub>5</sub>” is the quantity of oxygen utilized in the

biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees (20°) Celsius, expressed in milligrams per liter (mg/L) by weight, using methods approved under 40 CFR Part 136.

9. “Board” is PCWRA Board of Directors.
  10. “Categorical Industrial User” is an Industrial User subject to a Categorical Pretreatment Standard.
  11. “Categorical Pretreatment Standard” means any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act, as amended, which apply to a specific category of industrial users and that appear in 40 CFR chapter I, subchapter N, Parts 405-471.
  12. “Chemical Oxygen Demand (COD)” is the measure of the oxygen equivalent of that portion of organic matter in a sample that is susceptible to oxidation by a strong chemical oxidant under laboratory procedures.
  13. “Colorado Discharge Permit System Permit” or “CDPS Permit” is a permit issued by the Colorado Department of Public Health and Environment, pursuant to Regulation 61, that establishes special and general conditions for discharging treatment plant effluent into waters of the State by PCWRA’s POTW.
  14. “Composite sample” is a representative flow-proportioned sample containing at least 12 aliquots and collected within a twenty-four (24) hour period or the industrial user’s operating data as appropriate. The aliquots are combined according to flow. Time-proportional composite samples consisting of at least 12 aliquots may be approved or used by PCWRA where time-proportional samples are believed representative of the discharge.
  15. “Connector Municipality” is a quasi-municipal entity which has users within its legal boundaries that discharge to the sewerage system. The term “Connector” includes both Members of PCWRA and Special Connectors.
  16. “Control Mechanism” is a document used by PCWRA to apply these Rules and Regulations to an Industrial User and may include permits, registrations, authorizations to discharge, notice of discharge requirements or other written communications.
  17. “Cooling water” includes:
    - a. Contact: Water used for cooling purposes which comes in contact with any raw material, intermediate product, waste product or finished product.
    - b. Noncontact: Water used for cooling purposes which does not come in contact with any raw material, intermediate product, waste product or finished product and the only pollutant added is heat.
  18. “Daily Maximum Discharge Limit” means the maximum allowable discharge limit of a pollutant that may be discharged during a twenty-four (24) hour period or as specified in the Industrial Wastewater Discharge Permit or other PCWRA control mechanism. Where daily maximum limits are expressed in units of mass, the daily discharge is the total mass
-

discharged over the sampling period. Where daily maximum limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken during that sampling period.

19. “Direct Discharge” is the discharge of treated or untreated wastewater directly to the waters of the State of Colorado.
20. “Dissolved Solids” means that concentration of matter in the wastewater consisting of colloidal particulate matter one micron in diameter or less, and both organic and inorganic molecules and ions present in solution.
21. “Domestic or Sanitary Wastewater” is water carrying human wastes, including kitchen, bath, and laundry wastes from residences, buildings, industrial establishments, and other places, of similar volume or chemical make-up to that of a residential dwelling unit unless otherwise regulated at an Industrial User by an applicable Categorical Pretreatment Standard.
22. “Enforcement Response Plan” or “ERP” is a document that outlines the general framework for investigating and responding to Industrial User violations of these Rules and Regulations or any control mechanism issued by PCWRA. The ERP is maintained on file at PCWRA offices.
23. “Environmental Protection Agency” or “EPA” is the Region 8 U.S. Environmental Protection Agency, or where appropriate, the term may also be used as a designation for the Regional Administrator or other duly authorized official of said Agency.
24. “Establishing Agreement (EA)” is the Plum Creek Water Reclamation Authority Establishing Agreement dated December 14, 1989, by and among the Town of Castle Rock, Castle Pines Metropolitan District, and Castle Pines North Metropolitan District.
25. “Extra jurisdictional user” is an Industrial User located in a Connector Municipality that contributes wastewater to the POTW.
26. “Fecal Coliform” is the bacteria common to the intestinal tract of humans and animals whose presence in sanitary sewage is an indicator of pollution.
27. “Flex space” means a building or a part of a building providing use flexibility among a range of uses (i.e., office, retail, food service).
28. “Flow” is the volume of wastewater per unit of time.
29. “Fats, Oils and Grease” or “FOG” means non-petroleum organic polar compounds derived from animal or plant sources such as fats, non-hydrocarbons, fatty acids, soaps, waxes, and oils that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using the approved method for Hexane Extractable Materials in the analytical procedures established in 40 CFR Part 136.
30. “Food grinder” is any device installed in the plumbing or sewage system for grinding food waste or food preparation by-products for the purpose of disposing it



in the sewer system.

31. “Food Service Establishment” or “FSE” means an Industrial User where preparation, manufacturing, processing of food or washing/sanitizing of dishes or equipment occurs.
32. “General Pretreatment Regulations for Existing and New Sources of Pollutants” are regulations adopted by EPA and published at 40 CFR Part 403. These regulations establish procedures, pretreatment standards and requirements for EPA, states, municipalities, and industrial users to prevent the introduction of pollutants that would adversely impact a POTW, receiving water, the environment or the health and safety of workers and the public.
33. “Grab Sample” is a sample which is taken from a wastestream on a one-time basis with no regard to the flow in the wastestream and over a period not to exceed fifteen (15) minutes.
34. “Gravity Grease Interceptor” or “GGI” is an in-ground tank containing at least one baffle in which solids, greases and oils are separated from wastewater, located outside the FSE’s building, and made accessible by at least two manhole covers. May be referred to as an Oil-Grease Interceptor (OGI).
35. “Grease trap” or “Hydromechanical Grease Interceptor” or “HGI” is a small device hooked directly to the outgoing drains of sinks located inside a commercial food preparation facility that allows for the separation of fats, oils, and grease of a non-petroleum nature from wastewater prior to being discharged into the POTW. A HGI is only authorized under a variance.
36. “Hazardous waste” is any waste designated as hazardous under the provisions of 40 CFR Part 261 and 6 CCR 1007-3.
37. “Holding Tank Sewage” is any wastewater from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, sealed vaults, and vacuum-pump trucks.
38. “Individual (Private) Wastewater Disposal System” is a septic tank, cesspool or similar self-contained receptacle or facility which collects and/or treats or otherwise disposes of wastewater and which is not connected to the POTW.
39. “Industrial” or ‘Non-Domestic Waste’ means a liquid or solid waste from industrial manufacturing processes, trade, or business activities distinct from domestic wastewater.
40. “Indirect Discharge” is the discharge or introduction of pollutants into the POTW from any Industrial User as defined in these Rules and Regulations and all other industrial users regulated under Section 307(b), (c) or (d) of the Act (33 U.S.C. 1317), including holding tank waste from a non-domestic user discharged into the POTW.
41. “Industrial Surcharge” is that charge calculated annually in accordance with PCWRA rate model and assessed against industrial customers based upon the amount that the strength of their discharged wastewater exceeds normal domestic strength in the parameters of BOD<sub>5</sub>,

COD, or TSS as specified in Article 3 of these Rules and Regulations.

42. “Industrial User” is a source of Indirect Discharge or any other industrial or commercial facility or business that has a sewer connection to the POTW, whether the user discharges non-domestic wastewater.
43. “Industrial Wastewater Discharge Permit” is a type of Control Mechanism issued by PCWRA to an Industrial User that allows, limits and/or prohibits the discharge of pollutants or flow to the POTW as set forth in Article 4 of these Rules and Regulations.
44. “Interceptor” means any major trunk line conveying wastewater to the POTW.
45. “Interference” means 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 processes, use or disposal; and
  - b) Therefore is a cause of a violation of any requirement of PCWRA's CDPS 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 any of the following statutory or regulatory provisions or permits issued thereunder, or more stringent state or local regulations: Section 405 of the Act; the Solid Waste Disposal Act (SWDA), including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.
46. “Instantaneous Discharge Limit” means the maximum or minimum concentration or measurement for a pollutant or pollutant property allowed to be discharged at any time as determined by use of a grab sample or direct measurement.
47. “Local Limit” is a discharge limit developed by PCWRA in accordance with 40 CFR Section 403.5(c) and (d) which is a Pretreatment Standard.
48. “Member” is any public entity or Connector Municipality originally signatory to the EA, or subsequently granted member status by Board action.
49. “Nonresidential Facility” is any structure or building used for commercial purposes, and any private living quarters, dwelling unit or other residential facility where such premises accommodate or include a business or commercial usage that is licensed, registered, or otherwise authorized by the Town of Castle Rock, City of Castle Pines, or Douglas County or another Connector Municipality. See also “Industrial User”.
50. “Normal Domestic Strength Wastewater” means wastewater, when analyzed in accordance with procedures established in 40 CFR Part 136, as amended, contains no more than three hundred (300) mg/L of 5-Day Biochemical Oxygen Demand (BOD<sub>5</sub>) or four hundred (400) mg/L of Total Suspended Solids or three hundred (300) mg/L of Chemical Oxygen Demand (COD). Discharges to the POTW that exceed these concentrations may be surcharged for

the concentrations above these levels.

51. “North American Industry Classification System” or “NAICS Code” is the industrial classification scheme developed by the United States Office of Management and Budget used to classify business establishments for the collection, tabulation, presentation, and analysis of statistical data describing the U.S. economy. Also, see Standard Industrial Classification.
52. “Pass Through” means a discharge which exits the POTW into waters of the State 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 an CPDS Permit issued to PCWRA, including an increase in the magnitude or duration of a violation.
53. “Person” means any individual, partnership, co-partnership, firm, company, association, joint stock company, trust, estate, society, corporation, group, government, governmental agency or other legal entity, or their legal representatives, agents, or assigns. The definition includes all federal, state, and local government entities.
54. “pH” is the intensity of acid or base condition of the solution expressed as the logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in moles per liter of solution and reported as Standard Units (SU).
55. “Petroleum, Oil, Grease, and Sand separator” or “POGS separator” is a plumbing appurtenance or appliance that is installed in a sanitary drainage system to intercept sand (or other aggregate) and petroleum-based oil and grease from a wastewater discharge and are designed considering retention times, volumes in gallons calculated for each facility, and gravity separation; such interceptors include baffle(s) and a minimum of two compartments and as specified in paragraph Art 5, Sec E.13.
56. “Pollutant” means any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, explosives, munitions, medical waste, chemical wastes, corrosive substance, biological material, biological nutrient, toxic substance, radioactive materials, heat, malodorous substance, wrecked or discharged equipment, rock, sand, slurry, cellar dirt, untreatable waste, or industrial, domestic, or agricultural wastes and certain characteristics of wastewater (e.g. pH, temperature, TSS, turbidity, color, BOD<sub>5</sub>, COD, toxicity or odor) discharged into or with water.
57. “POGS facility” is an Industrial User that meets the applicability statement in Art 5, Sec E.1.
58. “Pretreatment” is the reduction of the mass 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 the POTW. The reduction or alteration can be obtained by physical process, biological process, or by other process or means, except as prohibited by 40 CFR Section 403.6(d). Appropriate pretreatment technology includes control equipment, such as equalization tanks or facilities, for protection against surges or slug loadings that might interfere with or otherwise be incompatible with the POTW.
59. ‘Pretreatment Requirement’ is any substantive or procedural requirement related to

Pretreatment, other than a Pretreatment Standard, imposed on an Industrial User.

60. “Pretreatment Standard’ is any regulation containing pollutant limitations promulgated by the EPA accordance with Section 307(b) and(c) of the Act and implemented through CDPS permits or as established by PCWRA which applies to industrial users. The term includes prohibited discharge limits specified in Article 4 and those standards, BMPs, local limits and specific prohibitions established by PCWRA. In cases of differing Standards, the more stringent shall apply.
61. “Prior Agreement’ is an agreement listed in Exhibit 8 to the EA that may affect PCWRA.
62. “Publicly Owned Treatment Works” or “POTW” is a treatment works as defined by Section 212 of the Act (33 U.S.C. 1292), which is owned by PCWRA and/or Connector Municipality. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature and any sewers, pipes or other conveyances which convey wastewater to the treatment plant. The term also means the municipality having jurisdiction over the indirect discharges to and the discharges from such a treatment works.
63. “Sanitary Sewer” is a sewer owned by a Connector Municipality which carries sewage and to which storm, surface, and ground waters are not intentionally admitted, including the pipe or conduit system and appurtenances, for the collection, transportation, pumping and treatment of sewage. This definition shall also include the terms "public sewer", "sewer system", "sewer", and "collection line" and is part of the POTW.
64. “Sector Control Program” is a set of regulations designed to control specific pollutants from industrial users with similar operations, waste generation or treatment through the implementation of Pretreatment Standards and Requirements, including Best Management Practices. The Sector Control Program requirements for various business activities may be found in Article 5 of these Rules and Regulations.
65. “Septic Tank Waste” is sewage and solids from domestic activities pumped from a septic tank serving one or more private residences, wastes from chemical toilets, campers, trailers, or cesspools.
66. “Service Area” is the geographic area in which wastewater is generated and discharged to the POTW. Location within the service area does not create an entitlement to service.
67. “Service Line” or “Customer Line” is the wastewater collector line extending from the wastewater disposal facilities of the premises up to and including the connection to the municipal sanitary sewer.
68. “Shall”, ‘May’ to be treated as follows: “shall" is mandatory; "may" is permissive.
69. “Significant Industrial User” or “SIU” is:
  - a. A Categorical Industrial User.

- b. An Industrial User that:
- (1) Discharges an average of 25,000 gpd or more of process wastewater to the POTW (excluding domestic, noncontact cooling and boiler blowdown wastewater); or
  - (2) Contributes a process wastestream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
  - (3) Is designated as a SIU by the Authority Manager on the basis that the Industrial User has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.
- c. Upon finding that an Industrial User that meets the criteria in Subsection b, above, has no reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement, the Authority Manager may, at any time, on their own initiative determine that such Industrial User is not a Significant Industrial User for the purposes of these Rules and Regulations.

70. "Single-Family Equivalent" or "SFE" is a term is used to describe the basic unit of measurement for treatment capacity fee determination. The unit is based upon the size of a sewer tap used for a single-family residence. However, each residential unit within a multi-family residential structure is classified as a single-family unit, and therefore, represents one SFE.
71. "Sludge" is the accumulated solids separated from liquids, such as water or wastewater, during processing, or deposits on bottoms of streams or other bodies of water, or the precipitate resulting from chemical treatment, coagulation, or sedimentation of water or wastewater.
72. "Slug Load" or "Slug Discharge" is any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate PCWRA's Rules and Regulations or Control Mechanism conditions. This includes a discharge which exceeds the hydraulic or design of an Industrial User's treatment system or any part of the treatment unit.
73. "Special Connector" is a Connector that has signed a Special Connector's Agreement with PCWRA.
74. "Standard Industrial Classification Code" or "SIC Code" is a classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget 1972, as amended. Also, see North American Industry Classification System.
75. "Standard Specifications" are the current specifications used by PCWRA.
76. "State" is the State of Colorado.

77. “Stormwater” means that portion of precipitation, including snowmelt, that does not naturally percolate into the ground or evaporate, but flows via overland flow, interflow, pipes, and other features of a stormwater drainage system into a receiving water or stormwater facility.
78. “Subdivider” or “Developer” is any person who plats and improves undeveloped land for the purpose of commercial or residential use.
79. “Subdivision” is any undeveloped land, which has been platted and is improved for the purpose of commercial or residential use.
80. “Tap Authorization Application” is a form submitted by a User before any connection of any kind is made to the sanitary sewer. A Tap Application must be filed with the Connector Municipality in which the User’s premises to be served is located. Additionally, for commercial and industrial facilities an Application must be filed with PCWRA, as specified in Article 1, section G and shall contain such information and data as may be required from PCWRA.
81. “Tap Authorization” is the official written permission to make a physical connection to the sewer system and discharge wastewater in compliance with Connector Municipality requirements and for industrial users, these Rules and Regulations.
82. “Total Suspended Solids” or “TSS” means the solids that either float on the surface of or are suspended in water, sewage, or other liquid, and which are removable by laboratory filtering in accordance with procedures approved in 40 CFR Part 136, as amended.
83. “Toxic pollutant” is any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the EPA under Section 307(a) of the Act or as otherwise listed in 40 CFR Part 122, Appendix D.
84. “User” is any person who contributes, causes, or permits the contribution of wastewater into the POTW.
85. “Wastewater” or “Sewage” means the liquid and water-carried industrial or domestic wastes from residences, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are discharged to the POTW.
86. “Wastewater Treatment Plant” is that portion of the POTW or any portion thereof designed to provide treatment of wastewater.
87. “Watercourse” means any channel in which a flow of water occurs, either continuously or intermittently.
88. “Waters of the State” means any and all surface and subsurface waters which are contained in or flow in or through this State and are designated as such by the State.

E. Abbreviations: The following abbreviations shall have the designated meanings:

BMPs	Best Management Practices
BOD <sub>5</sub>	5-Day Biochemical Oxygen Demand
°C	degrees Celsius

CDPHE	Colorado Department of Public Health and Environment
CDPS	Colorado Discharge Permit System
CFR	Code of Federal Regulations
CIU	Categorical Industrial User
COD	Chemical Oxygen Demand
EA	Establishing Agreement
EPA	Environmental Protection Agency
°F	degrees Fahrenheit
FOG	Fats, Oils and Grease
FSE	Food Service Establishment
gpd	gallons per day
GGI	Gravity Grease Interceptor
IU	Industrial User
IWS	Industrial Waste Survey
mgd	million gallons per day
mg/L	milligrams per Liter
NAICS	North American Industry Classification System
O&G	Oil and Grease
O&M	Operation and Maintenance
PCWRA	Plum Creek Water Reclamation Authority
PIF	Plant Investment Fee
POGS	Petroleum, Oil, Grease, and Sand

---

- F. Responsibility of User: Any User connecting a collection system that discharges to the POTW shall be responsible for the maintenance of the service line from the public sewer to the structure to be served. The User shall keep the service line for which they are responsible in good condition and shall replace at their expense any portions thereof which have become damaged or disintegrated as to be unfit for further use or is in such condition to permit infiltration into the system. All repairs shall be completed within thirty (30) days, or as determined by PCWRA, after notification and shall be completed by a bonded contractor.
- G. Manhole Covers: No person shall open any sewer manhole owned or controlled by Connector Municipality without approval.
- H. Prohibited Connections: No person shall make, allow or cause to be made any connection to the POTW for the purpose of servicing property that lies outside the legal boundaries of a Connector.
- I. Tap Authorizations:
1. Residential Property
    - a. A User proposing to connect to the wastewater system shall obtain a Tap Authorization from their Connector Municipality before connecting to and/or discharging to the sewerage system.
    - b. To obtain a Tap Authorization the applicant shall complete and submit a Tap Authorization application available from the Connector Municipality that includes:
      - (1) All plans, drawings, specifications, and methods of work. All drawings
-

submitted must be prepared and stamped by a licensed engineer.

- (2) Pay applicable fees for plan review, inspection, and administrative charges, prior to any construction, tap or connection within a Connector's legal boundaries.
- (3) Submit any other data, information or fees as required by the Connector Municipality.

c. Tap Authorization Denial and Appeal.

In the event an application for a tap authorization is denied, the Connector Municipality shall notify the applicant in writing of such denial. Such notification shall state the grounds for denial with a degree of specificity, which will inform the applicant of the measures, or actions, which must be taken by the applicant prior to issuance of a tap authorization.

2. Commercial, Government and Industrial.

- a. All commercial, government and industrial facilities are classified as an Industrial User pursuant to Section D of this Article.
- b. New Industrial User connections to the POTW: The Industrial User shall obtain a Tap Authorization from their Connector Municipality before connecting to and/or discharging to the sewerage system.
- c. Existing Industrial User construction or change in business activity: An Industrial User shall notify their Connector Municipality and the Plum Creek Water Reclamation Authority (PCWRA) of a change in business activity and obtain any required building permits for construction. A change in business activity includes:
  - (1) Transfer of ownership of the business.
  - (2) Modification or installation of a new Gravity Grease Interceptor, Petroleum, Oil, Grease, and Sand separator or other required treatment.
  - (3) Construction of a new building.
  - (4) Change in the trade name under which the business is operated.
  - (5) Change in the nature of the services provided, including changes to the type or quantity of food produced or processed for an FSE, or building use that affects the potential to discharge pollutants for other industrial users; and/or
  - (6) Remodeling of the building that may result in an increase in flow or regulated pollutant loading or that otherwise requires the Industrial User to submit plans or specifications for approval through a building or zoning department, or any other formal approval process of a city, county, or other jurisdiction.
- d. Tap Authorization Applications: Industrial users shall submit to PCWRA and the Connector Municipality the following information to obtain approval to discharge:
  - (1) Submit all plans, drawings, specifications, and methods of work, together with a completed Tap Application request to the Connector Municipality and



PCWRA. All drawings submitted must be prepared and stamped by a licensed engineer.

- (2) Submit a completed and signed Industry Information Questionnaire to PCWRA. Forms are available from the Connector Municipality or on-line at [www.pcwracolorado.org](http://www.pcwracolorado.org). PCWRA will review and notify the Industrial User of any follow-up as described in paragraph e. of this Section.
  - (3) Any other data, information or fees as required by the Connector Municipality or PCWRA; and
  - (4) Comply with industry-specific requirements:
    - (a) Significant Industrial Users: Article 4, Section L.
    - (b) Food Service Facility Requirements: Article 5, sections A, B, & C.
    - (c) Grease Hauler Registration Program: Article 5, sections A and D.
    - (d) Petroleum, Oil, Grease and Sand Facilities: Article 5, sections A, B & E.
    - (e) Other Industrial Users: PCWRA will notify industrial users of any applicable requirements.
- e. PCWRA shall generally approve a tap authorization for the applicant if it finds that all the following conditions are met:
- (1) The applicant has submitted all required information and documents as required by the Authority in response to information provided by the applicant in the Industry Information Questionnaire referenced in paragraph 2.d.(2) above.
  - (2) The proposed discharge would comply with these Rules and Regulations.
  - (3) The POTW has the available hydraulic or loading capacity to accept such waste.
  - (4) The proposed discharge would permit the normal and efficient operation of the POTW; and
  - (5) The proposed discharge would not result in a violation by PCWRA of the terms and conditions in its CDPS permit.
- f. Tap Authorization Denial and Appeal.
- (1) In the event an application for a tap authorization is denied, PCWRA shall notify the applicant in writing of such denial. Such notification shall state the grounds for denial with a degree of specificity, which will inform the applicant of the measures, or actions, which must be taken by the applicant prior to issuance of a tap authorization.
  - (2) Upon notification of denial of a tap authorization, the applicant shall have fifteen (15) business days from the date of such notice to request an appeal to

PCWRA Board of Directors. Such appeal shall be submitted in writing at the administrative offices of PCWRA located at 4255 N. US Hwy 85, Castle Rock, CO 80108, and shall contain a concise statement of the applicant's basis for believing that applicant has met the conditions of these Rules and Regulations. At such hearing, the applicant shall have the burden of establishing that the applicant has met the conditions set out in these Rules and Regulations and that a tap authorization should be issued. The hearing shall be held within thirty (30) days of the applicant's request but may be continued upon a showing of good cause to do so by either PCWRA or the applicant.

- (3) Upon review of the evidence by the Board, it shall make findings of fact and issue an order directing that a tap authorization be issued or directing that such tap authorization shall not be issued or give such other or further orders and directives as are necessary and appropriate.

J. Remedies for Nonpayment

In addition to any other remedies which PCWRA may have, PCWRA may take the following action upon failure to pay any charges or fees by the date specified as due upon the bill, or when they are otherwise due:

1. PCWRA may foreclose the lien imposed by these Rules and Regulations in accordance with law.
2. PCWRA may maintain an action for the charges due in a court of competent jurisdiction including interest as allowed by law.
3. PCWRA may certify the amount of any charge due to PCWRA Board to become an assessment upon the property served.
4. It shall be unlawful to fail to pay the charges imposed by these Rules and Regulations.

K. Violations: Residential Users: It shall be unlawful for any residential only user to violate any provisions of these Rules and Regulations or any amendments or additions thereto. The Authority may issue a penalty to such user for up to three hundred dollars (\$300.00). Each day an offense is allowed or permitted to continue may be deemed to be a separate violation.

L. Violations - Commercial, Government and Industrial: Violations by an Industrial User are specified in Article 4 of these Rules and Regulations.

M. Damage to POTW: Any person who maliciously, willfully, or negligently breaks, damages, destroys, uncovers, defaces, or tampers with any structure, appurtenance or equipment which is part of the POTW shall be subject to penalty.

## **Article 2 Connecting Jurisdictions**

A. Incorporation of Establishing Agreement and Discharge Permits: PCWRA was formed by an agreement among the Town of Castle Rock, Castle Pines Metropolitan District, and Castle Pines North Metropolitan District (hereinafter referred to as "Members"), in

December, 1989, by a written agreement entitled "Plum Creek Wastewater Authority Establishing Agreement (EA)". The provisions of the EA, and the Colorado Discharge Permit System (CDPS) discharge permit issued to PCWRA, as now constituted, and hereafter amended from time to time, is incorporated by reference into these Rules and Regulations and made a part hereof, to the extent that the provisions of the same may apply to or affect the use of the POTW and system.

- B. Amendments, Repeal, Additions, and Distribution: These Rules and Regulations were originally adopted May 7, 1991 and are periodically updated as approved by the Board. Additions and amendments to and repeals and re-enactments of any of the provisions of these Rules and Regulations shall be made by resolution of the Board taking such action by specific reference to the Article and section number hereof. Upon the effective date of any such resolution, PCWRA shall prepare new or reprinted pages incorporating herein the changes so enacted, and such new or reprinted pages shall bear such effective date and shall be prima facie evidence of such action until such time as these Rules and Regulations, as subsequently amended, is readopted in its entirety.
- C. The distribution and updating of these Rules and Regulations shall be done as follows:
1. The Authority Manager shall store and distribute the Code.
  2. A reasonable charge shall be made for each hardcopy of the Code requested, as set from time to time by PCWRA.
  3. A copy of the Code of Rules and Regulations may be downloaded at no cost from the Authority website ([www.pcwra.colorado.org](http://www.pcwra.colorado.org)).
  4. All revisions of the Code will be inserted on a continuing basis, so that, at the time of purchase, the purchaser will receive the most up-to-date version of the Code. Pages containing amendments and revisions will be maintained in the Authority Manager's office or other appropriate place and provided upon request to any owner of a copy of the Code, at a reasonable copying charge.
- D. Special Connectors: Except as provided in the EA or a Prior Agreement, PCWRA has no obligation whatsoever to provide any service. The Board may, at its sole discretion, allow connection to the system by persons or entities located outside the members' legal boundaries, but such permission shall be in the form of a written Special Connector's Agreement, which shall provide, without limitation, for the payment of a Special Connector's Fee as set from time to time by the Board, and for limitation on service to whatever extent may be necessary to enable PCWRA to meet its primary obligation to provide service to its members. All Special Connector's Agreements shall be subject to these Rules and Regulations and shall contain payment terms sufficient for PCWRA to be fully reimbursed for the costs of furnishing service, with an additional amount to be determined by the Board to offset PCWRA's legal and administrative costs in connection with such Agreement.
- E. Connector Responsibilities: The provisions and requirements herein shall apply to all users, and each Connector shall have responsibility to enforce such provisions and requirements as to all users within its legal boundaries, in accordance with the following:
5. In the operation and protection of a Connector's sanitary sewer system and the Authority POTW, all applicable provisions of PCWRA Rules and Regulations, and the CDPS discharge permit issued to PCWRA shall be the minimum standards for

the Connector's system. Each Connector shall abide by all applicable State and Federal laws, rules, regulations, standards or permits, including but not limited to those of the Environmental Protection Agency (EPA), the State of Colorado Department of Public Health and Environment, and the Denver Regional Council of Governments Clean Water Plan, as they are or become effective or implemented.

Connectors shall inform all users, contractors and subcontractors of such laws, standards, rules, and regulations upon inquiry from such persons, and shall not furnish any information inconsistent therewith. It shall be the responsibility of each Connector to obtain from the appropriate governing body the applicable requirements.

6. To the extent possible, the provisions of these Rules and Regulations shall be interpreted in such a way as to remain consistent with all applicable laws, standards, rules, regulations, and permits, including but not limited to those of the agencies or entities mentioned specifically in the preceding section D.1.,; provided however, that no provision or requirement of any other agency or entity shall be, by reason of this subsection 2, dispositive of any conflict or controversy between PCWRA and such agency or entity, or binding upon PCWRA except in accordance with applicable law or a valid agreement to which PCWRA is a party, or which is a Prior Agreement as herein defined. In the event of a perceived conflict or inconsistency between these Rules and Regulations and other laws, standards, rules, regulations, permits, or agreements, the Board shall determine the proper interpretation of these Rules and Regulations, and the proper resolution of any such conflict or inconsistency.
7. A Connector Municipality shall update its legal authority (e.g., rules and regulations, ordinances, city codes) to incorporate PCWRA Rules and Regulations by reference or adopt the text of PCWRA Rules and Regulations. A Connector Municipality shall submit updated legal authorities to PCWRA for review and approval. Once approved, no changes or amendments to the Connector Municipality legal authority related to PCWRA requirements shall be made unless and until PCWRA has given prior written approval of such change or amendment.
8. It is not necessary for PCWRA to review the plans or issue a separate permit for each residential sewer service connection. However, any User that meets the definition of an Industrial User must obtain a PCWRA Tap Authorization based upon submittal of a completed Tap Application and IWS as specified in Article 1, F.
9. Each Connector shall, at all times, properly maintain its sewer system and shall rectify any problems or conditions which have been determined by the Connector or PCWRA to be detrimental to PCWRA's treatment process. Should PCWRA determine that any discharge enters the sewer system contrary to governing laws, ordinances, statutes, rules, regulations, or permits, upon written notice of same, the Connector shall proceed at once, or as determined by PCWRA, to take whatever lawful means may be necessary to rectify any such problem or condition.
10. Each Connector shall maintain, at its own expense, all of its sewerage system lines, or those sewerage system lines now owned and operated by a Connector, or within its legal boundaries, and PCWRA assumes no

responsibility should any of a Connector's lines become blocked, damaged, or require maintenance. Each Connector shall maintain twenty- four (24) hour service to remedy disruption in service. Each Connector shall notify its users of the Connector's procedure to remedy service.

11. Any Connector shall refuse to serve a User or potential User, disconnect the service of a User pursuant to appropriate law, or take other appropriate action in the event of violation of or non-compliance by such User with these Rules and Regulations, rules, permits or regulations of PCWRA.

F. Regulation of Industrial Users from Connector Municipalities.

1. PCWRA may allow an Industrial User to discharge industrial wastewater into PCWRA's POTW if PCWRA determines that it has available capacity, treatment capability and the legal authority to regulate and control such discharges. PCWRA and Connector municipalities shall enter into a Pretreatment Intergovernmental Agreement (PIA) or similar agreement when industrial users are in the Connector municipality and discharge wastewater to the sewerage system. Such agreement shall affix responsibilities in an enforceable manner to assure that PCWRA's Pretreatment Program is fully administered and enforced in all Connector jurisdictions and to ensure that PCWRA has adequate legal authority to oversee implementation and enforcement of PCWRA Rules and Regulations including over-filing where timely and appropriate enforcement has not been taken. PCWRA also requires that the jurisdiction adopts adequate legal authority to assure that emergency termination of a non-complying Industrial User discharge can be made by PCWRA or Connector Municipality. The PIA shall define the distribution of responsibility between PCWRA and Connector Municipality to ensure that PCWRA's Pretreatment Program is fully implemented and enforced.
  2. Prior to entering into the Pretreatment PIA, PCWRA shall obtain the following information from the Connector Municipality:
    - a. A description of the quality and volume of wastewater discharged to the POTW by the contributing jurisdiction.
    - b. An inventory of all industrial users located within the Connector Municipality that are discharging to the POTW.
    - c. A requirement that the Connector Municipality provide PCWRA with access to all information that the Connector Municipality obtains regarding effluent quantity and quality from non-domestic users; and
    - d. Other requirements as necessary for PCWRA to guarantee the effective administration and enforcement of the Pretreatment Program.
  3. A Pretreatment PIA under this Section shall, at a minimum, contain the following provisions.
    - a. A requirement for a Connector Municipality to adopt a sewer use or pretreatment ordinance or rules which establish pretreatment standards and requirements at least as stringent as these Rules and Regulations, along with a requirement to revise such
-

ordinance or rules to reflect any changes to these Rules and Regulations the Authority adopts in the future within a reasonable time frame, but not to exceed nine (9) months. The Connector Municipality may also incorporate these Rules and Regulations by reference. Alternatively, the jurisdiction may adopt sewer use code or rules language that delegates all authority to PCWRA to implement and enforce the pretreatment program for all industrial users located within the Connector Municipality.

- b. A requirement for the Connector Municipality to submit a revised Industrial User inventory on an annual basis, or more frequently if requested by PCWRA.
- c. A requirement for the Connector Municipality to provide an Industry Information Questionnaire to all new Industrial User tap authorizations or for businesses that are obtaining building permits for construction.
- d. A provision specifying which pretreatment implementation activities, including, but not limited to, issuing permits or other control mechanisms, conducting compliance inspections, sampling, and enforcement will be conducted by the Connector Municipality and which activities will be conducted by PCWRA.
- e. A requirement for the Connector Municipality to provide PCWRA with access to all information that the Connector Municipality obtains as part of its pretreatment program activities.
- f. A provision ensuring PCWRA's access to the facilities of all industrial users within the Connector Municipality for inspection, sampling, and to confirm that the pretreatment program is properly administered, and that industrial users are properly categorized; and
- g. Provisions for addressing any breach of the terms of the Pretreatment Intergovernmental Agreement.

3. Existing pretreatment PIAs.

Existing pretreatment intergovernmental agreements that are not in compliance with the provisions of this Article, shall be amended to conform, or shall be superseded by a pretreatment PIA that conforms, to the requirements of this Article within a reasonable time frame, but not to exceed nine (9) months following the effective date of these Rules and Regulations.

4. Industrial Users in Connector Municipality with no PIA In-Place.

Until such time as PCWRA and a Connector Municipality enter into a PIA for pretreatment program responsibilities, PCWRA shall have the option to exercise any of the following options:

- a. Prohibit the discharge of non-domestic wastewater from an Industrial User located in Connector Municipality that was not previously approved by PCWRA or does not comply with these Rules and Regulations.

- b. Request the Connector Municipality issue a permit or other control mechanism to the Industrial User that is equivalent to that of PCWRA that includes all Pretreatment standards and requirements consistent with these Rules and Regulations.
- c. Enter into a contract with the Industrial User that binds the Industrial User to compliance with all Pretreatment standards and requirements specified in a permit or other control mechanism or Best Management Practice issued by PCWRA to the Industrial User.

### **Article 3. Fees and Charges**

- A. Summary: PCWRA charges to its Connectors a wholesale rate for wastewater treatment services, set from time to time by the Board, to fund its budgeted operations costs. To ensure that its members and customers are not unfairly charged for costs and expenses incurred in addition to the budgeted operations costs of PCWRA, it is necessary to assess certain charges and to provide for the reimbursement of PCWRA expenses in certain circumstances.

Unless expressly prohibited by the EA by which PCWRA was formed, or by any Prior Agreement as identified in Exhibit 8 to said EA, PCWRA has the general authority to collect monies and make charges as determined necessary by PCWRA Board of Directors to recover all actual costs of operating, maintaining, repairing, replacing, and expanding the system, such costs including, but without limitation, a reasonable contingency fund. The charges provided below are the personal, joint and several obligations of the persons or entities for which the applicable service is furnished, and of any person who orders or requests PCWRA to perform such service, even though such person may have acted in a representative capacity when doing so.

- B. Plan Review: Whenever plans or designs are required to be submitted to PCWRA for review, the person or entity obligated to submit plans or designs shall pay to PCWRA the assigned amount that is appropriate to the type of facility that is stated below. Plans or any portion thereof requiring revision will be subject to an additional application fee. The application fee is due within three (3) business days of application submittal. Plum Creek Water Reclamation Authority accepts payments by Zelle® or check.
  - 1. Plan Reviews for Industrial Users: A fee of \$100 is required per submittal, per facility. Plan review fees include the initial review and follow-up inspections of the facility. If the Industrial User is determined to be classified as a Significant Industrial User, the fee may be adjusted as determined by PCWRA.
  - 2. Plan Reviews for Food Service Establishments: A flat fee of \$200 is required per submittal, per Fats, Oil and Gravity Grease Interceptor. Plan review fees include the initial review and follow-up inspections of the interceptor.
  - 3. Plan Reviews for Sand/Oil/Water separator Establishments: A flat fee of \$200 is required per submittal, per pretreatment device. Plan review fees include the initial review and follow-up of the separator.

- C. **Miscellaneous Costs and Expenses:** All costs and expenses of service incident to any request, petition, or application to PCWRA, and not otherwise addressed in these Rules and Regulations, the Establishing Agreement, or any Prior Agreement as hereinabove defined, shall be reimbursed to PCWRA by the person or entity making the request, petition, or application.
- D. **Delinquency Charges, Collection Costs, Liens:** Full payment of all charges imposed or assessed by PCWRA is due upon presentation of PCWRA's invoice, unless any resolution or regulation of PCWRA, or the EA, or any Prior Agreement as hereinabove defined provide otherwise for notice or payment of any specific charge. The invoice shall be conclusively deemed presented to any person or entity if personally served, or if mailed postage prepaid by first class mail addressed to any address for such person or entity known to PCWRA. Any amount so invoiced or otherwise due and payable will become delinquent thirty (30) days thereafter, and the full amount of any delinquent balance shall thereafter bear interest at the rate of one and one-half percent (1 1/2%) per month, compounded monthly. Further, PCWRA may impose ten dollars (\$10.00) per day penalty and add the same to any unpaid indebtedness after sixty (60) days from the invoice or due date. Any person or entity liable for such fees and charges shall also be obligated to pay all costs of collection, including reasonable attorney fees and court costs, actually incurred by PCWRA. Until paid, all rates, tolls, fees, charges, interest, penalties, and costs of collection shall constitute a perpetual lien on or against any property held in the name of the liable person or entity that is served by PCWRA.
- E. **Withholding Approvals, Acceptances, and Permits. Revocation of Service:**
1. Notwithstanding any provision of these Rules and Regulations, the EA, or any Prior Agreement as hereinabove defined, PCWRA may withhold permits, approvals, acceptances or other authorizations from any person or entity until all sums then due PCWRA from such person or entity are paid in full.
  2. Service shall be revocable by PCWRA upon non-payment of valid charges, or upon failure to comply with any provision of these Rules and Regulations.
- F. **Pretreatment Program Charges and Fees.**

The Board may adopt reasonable fees for reimbursement of costs of setting up and operating the Authority's Pretreatment Program in Article 4 which may include, but not limited to:

1. Fees for wastewater discharge permit applications and Industrial User permits and controls, including the cost of processing such applications.
2. Fees for monitoring, inspection, and surveillance procedures including the cost of collection and analyzing a user's discharge and reviewing monitoring reports submitted by industrial users.
3. Fees for reviewing and responding to spills and accidental discharges.
4. Fees for filing appeals; and
5. Other fees as the Authority may deem necessary to carry out the requirements contained herein



These fees relate solely to the matters covered by these Rules and Regulations and are separate from all other fees, fines, and penalties chargeable by the Authority.

- G. Industrial Waste Cost Formula: If any water or wastes are discharged, or are proposed to be discharged to the POTW which contain the substances or possess the characteristics stated in Article 4, or exceed Normal Domestic Strength Wastewater defined in Article 1, D. above and, in the judgment of the Board, may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, PCWRA shall also charge the following fees:
- H. Require payment to cover the added cost of handling and treating the wastes considered as “industrial wastes”, by imposing the following formula:

$$SC = QM * 8.34 [UCo (AOD) + UCs (ASS)].$$

SC	surcharge in dollars and cents.
QM	volume of sewage in million gallons per year discharged to the public sewer
8.34	conversion factor; 1 gallon of water to pounds
UCo	unit charge for AOD (additional oxygen demand) in dollars per pound as calculated in PCWRA’s current year rate model
AOD	(COD-normal COD Strength)
COD	chemical oxygen demand strength in milligrams per liter
UCs	unit charge for SS in dollars per pound as calculated in PCWRA’s current year rate model
TSS	suspended solids strength in milligrams per liter
ASS	additional suspended solids = SS – normal SS strength
Normal SS Strength	prior calendar years annual influent average in milligrams per liter
Normal COD Strength	prior calendar years annual influent average in milligrams per liter

The application of the above formula provides for a surcharge for BOD<sub>5</sub>, COD and for TSS. If the strength index of BOD<sub>5</sub>, COD or SS is less than the established Normal Domestic Strength Wastewater that is being subtracted from it, then there shall be no surcharge for that particular category, nor shall there be a credit given to the total surcharge.

- I. Industrial Cost Recovery (ICR): Industries affected shall be those identified in the Standard Industrial Classification Manual, (SIC) 1987 as revised, Divisions A through I, with the specific exception of those industries which discharge only non-process, segregated domestic wastes, or wastes from sanitary conveniences. Significant industrial users shall be required to monitor their discharge in addition to any PCWRA monitoring to determine strength levels. This shall be accomplished according to Article 4 of these Rules and Regulations. The results of sampling and analysis will be recorded, reported to the affected industry, and reported to regulatory agencies per their current directive. Adjustments to individual rates will be made as need to reflect cost to treatment a wastewater and administrative costs or whenever evidence is

received that a major change in wastewater volume and/or characteristics has occurred. Payment will commence within one (1) year of the date of initiation of service.

#### **Article 4. Industrial Pretreatment Program**

- A. **Applicability:** These Rules and Regulations of the Plum Creek Water Reclamation Authority (PCWRA) set forth uniform requirements for all Industrial Users that discharge domestic and/or non-domestic wastewater into the Publicly-Owned Treatment Works (POTW) and enables PCWRA to comply with all applicable Federal and State laws, including the applicable sections of the General Pretreatment Rules and Regulations at 40 CFR Part 403, the Colorado Discharge Permit System (CDPS) Permit issued by the Colorado Department of Public Health and Environment (CDPHE). These Rules and Regulations shall apply to all industrial users connected to the POTW.
- B. **Discharge by Industrial Users:** If wastewaters containing any pollutant, including excess flow, or as otherwise defined in these Rules and Regulations, are discharged, have the potential to discharge in the opinion of the Authority Manager or proposed to be discharged to the POTW, the Authority Manager may take any action necessary to:
1. Prohibit the discharge of such wastewater.
  2. Require an Industrial User to demonstrate that in-plant facility modifications will reduce or eliminate the discharge of such substances in conformity with these Rules and Regulations.
  3. Require treatment, including storage facilities or flow equalization necessary to reduce or eliminate the potential for a discharge to violate these Rules and Regulations.
  4. Require the Industrial User making, causing, or allowing the discharge to pay any additional cost or expense incurred by PCWRA for handling, treating, disposing or remediation costs because of wastes discharged to the wastewater treatment system.
  5. Require the Industrial User to apply for and obtain a permit, registration, certification, authorization to discharge or other control mechanism.
  6. Require timely and factual reports from the Industrial User; or
  7. Take such other action as may be necessary to meet the objectives of these Rules and Regulations.
- C. **Wastewater Discharge Prohibitions and Limitations.**
1. **General Prohibitions.**  
  
No Industrial User shall introduce into the POTW any pollutant which causes Pass Through or Interference. These general prohibitions and the specific prohibitions in subsection 2 of this Section apply to all industrial users of the POTW whether they are subject to a Pretreatment Standard, or any other national, state, or local Pretreatment Requirement.

2. Specific Prohibitions. No Industrial User shall introduce or cause to be introduced into the POTW the following pollutants:
- a. Any substance which either alone or by interaction with other substances create a fire or explosive hazard in the POTW, including, but not limited to wastestreams with a closed-cup flashpoint of less than 140 degrees Fahrenheit (60 degrees Centigrade) using the test method specified in 40 CFR Section 261.21. The Authority Manager may require Industrial Users with the potential to discharge flammable, combustible, or explosive substances to install and maintain an approved combustible gas detection meter or explosion hazard meter. No two (2) successive readings on an explosion hazard meter at the point of discharge shall be more than five percent (5%), nor any single reading more than ten percent (10%), of the Lower Explosive Limit (LEL) of the meter.
  - b. Wastewater having a pH of less than 5.0 or greater than pH 11.0, or any wastewater capable of causing corrosive structural damage to the POTW unless the POTW is specifically designed to accommodate such discharges.
  - c. Solid or viscous pollutants in amounts which cause obstruction to the flow in the POTW resulting in Interference, including any solids greater than one-half inch (1/2") in any dimension.
  - d. Any pollutant, including oxygen-demanding pollutants (BOD, COD, etc.) released in a discharge at a flow rate and/or pollutant concentration which will cause Interference with the POTW.
  - e. Heat in amounts which will inhibit biological activity in the POTW resulting in Interference, but in no case heat in such quantities that the temperature at the POTW Treatment Plant exceeds 40 °C (104 °F) unless the Approval Authority, upon request of the POTW, approves alternate temperature limits.
  - f. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin that will cause or contribute to Pass Through or Interference.
  - g. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity which may cause acute worker health and safety problems or pollutants which singly or cumulatively or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent or interfere with entry into the sewers for their maintenance and repair.
  - h. Trucked or hauled pollutants, except at discharge points designated by PCWRA and as authorized in writing by PCWRA.
  - i. Wastewater which contains grease, oil, or any other substances that will solidify or become discernibly viscous at temperatures between thirty-two degrees (32°) Fahrenheit (0° Celsius) and one hundred fifty degrees (150°) Fahrenheit (65.5° Celsius).
  - j. Wastewater from food service facilities containing free or floating oil and grease, or any discharge containing animal fat or grease by-product more than two hundred milligrams per liter (200 mg/L). This limit will not apply if the
-

Industrial User has installed an appropriately sized Gravity Grease Interceptor (GGI), is properly operating and maintaining the GGI, and implementing all required BMPs as specified in Article 5.

- k. Wastewater generated because of wastes pumped from GGIs, hydromechanical grease interceptors or grease traps, oil/water separators or other storage tanks or treatment units back into the POTW, either directly or indirectly, without written approval of the Authority Manager.
- l. Wastewater which imparts color to the POTW's effluent such as, but not limited to, dye wastes and vegetable tanning solutions.
- m. Wastewater containing any radioactive wastes or isotopes, except in compliance with applicable State and federal regulations.
- n. Medical wastes that cause or contribute to Pass Through or Interference or violate applicable federal or State standards.
- o. Stormwater, surface water, groundwater, subsurface drainage, yard drainage, roof drain, condensate, deionized water, effluent from groundwater pump-and-treat systems and unpolluted water shall not be discharged through any direct or indirect connection to the municipal sanitary sewer system unless authorized in writing by PCWRA.
- p. Any substance that causes PCWRA to violate its CDPS Permit or applicable Water Quality Standards.
- q. Sludge, screenings, or other residues from the pretreatment of Industrial Wastes or industrial processes except as authorized by an Industrial Wastewater Discharge Permit, special approved discharge authorization or other control mechanism issued by PCWRA.
- r. A Slug Discharge as defined in Article 1, Section D.
- s. Any substance which may cause the POTW's effluent or treatment residues, sludge or sludge products produced for public distribution, or scums, to be unsuitable for reclamation or reuse or which otherwise interferes with the reclamation process.
- t. Any waste designated as hazardous under the provisions of 40 CFR Part 261 and 6 CCR 1007-3.
- u. Any pesticides, herbicides or fungicides that cause or contribute to Pass Through, Interference, or other problems at the treatment works or in the receiving waters. In no case, shall an Industrial User discharge wastewater that is generated from the rinsing of any container that contains or contained any concentrated or formulated pesticide, herbicide, or fungicide.
- v. No chemicals, materials, or substances, including but not limited to, paints, solvents, boiler or water treatment chemicals, sludges, chemicals, or wastes shall be stored in proximity to a floor drain or other sewer openings unless secondary containment is provided or there are physical barriers to entry to the wastewater collection system. The

storage of any chemicals, materials, substances, or wastes that leak or have potential to leak or discharge into the POTW which may create an explosion hazard or in any way have a deleterious effect to the POTW or constitute a nuisance or a hazard to POTW personnel, the public, the environment, or the receiving stream shall be prohibited.

- w. Bulk, expired, outdated, or concentrated prescription or non-prescription drugs.
  - x. Wastewater or pollutants discharged directly into a manhole or other opening to the POTW, unless specifically authorized in writing by PCWRA or as otherwise specifically allowed under these Rules and Regulations. Opening of a manhole is otherwise prohibited.
  - y. Wastewater contaminated because of discharge from aboveground and/or underground gasoline, diesel fuels, fuel oil, kerosene, and jet fuel tanks, tank accessories, and/or pipelines without applying for and obtaining authorization prior to discharge.
  - z. Wastewater causing, alone or in conjunction with other sources, the POTW effluent to fail a Whole Effluent Toxicity (WET) test.
  - aa. Detergents, surfactants and other surface-active agents, or other substances which may cause excessive foaming in the POTW or cause or contribute to Pass Through or Interference.
  - bb. Discharge of Nonylphenol from the use of bulk or concentrated Nonylphenol containing detergents as employed by some industrial or commercial laundries, car washes, asphalt manufacturers, and other industrial users.
  - cc. Discharge of any wastewater containing perchloroethylene (PCE) (also known as Tetrachloroethene and Tetrachloroethylene) from any Industrial User involved in the dry-cleaning business.
  - dd. Discharge of any pollutant or pollutant property that interferes with UV transmittance or UV disinfection.
  - ee. Hazardous waste pharmaceuticals or DEA controlled substances to the POTW by a healthcare facility or reverse distributor pursuant to 40 CFR Section 266.505 shall be prohibited.
  - ff. Discharge from any Dental facility except in full compliance with these Rules and Regulations, 40 CFR Part 441, and have provided PCWRA with a copy of all required reports submitted by the Dental facility to EPA or the CDPHE.
3. Dilution Prohibited.

Dilution is prohibited as a substitute for treatment and shall be a violation of these Rules and Regulations. 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. PCWRA may impose mass limitations on Industrial Users which are using dilution to meet applicable pretreatment standards or requirements or in other cases where the imposition of mass limitations is appropriate.

4. Maximum Allowable Industrial Load (MAIL). PCWRA may implement local limits through allocation of the MAIL to Significant Industrial Users and specific permitted non-Significant Industrial Users.
5. Most Stringent Limits.

The Authority Manager may establish more stringent pollutant limits, additional site-specific pollutant limits, Best Management Practices, or additional Pretreatment Requirements when, in the judgment of the Authority Manager, such limitations are necessary to implement the provisions of these Rules and Regulations.

D. Categorical Pretreatment Standards.

1. An Industrial User that is approved to discharge to the POTW and is a Categorical Industrial User as defined at Article 1, Section D shall notify EPA and CDPHE of their business activity pursuant to 40 CFR Section 403.12. The Industrial User shall copy PCWRA on all communications from the CDPHE and EPA and to the CDPHE and EPA regarding any information, self-monitoring, or compliance with 40 CFR Part 403 or a Notice of Discharge Requirements issued by the CDPHE.

E. Pretreatment and Monitoring Facilities.

1. Treatment Required. An Industrial User shall provide wastewater treatment required to comply with these Rules and Regulations and shall achieve compliance with all applicable federal, state, and local pretreatment standards and requirements within the time limitations specified by PCWRA. Any pretreatment facilities necessary for compliance with these Rules and Regulations shall be provided, operated, and maintained at the Industrial User's expense and satisfy applicable requirements established by PCWRA or Connector municipality building and plumbing codes. Unless waived by PCWRA, such reports shall be prepared under the supervision of, and bear the seal of, a professional licensed engineer and submitted to PCWRA for review. The review and acceptance of the engineering report, plans, specifications and operation and maintenance manual, shall in no way relieve the Industrial User from its obligation to comply with the provisions of these Rules and Regulations, including modification of its pretreatment facility as necessary to produce a discharge that complies with these Rules and Regulations.
2. Proper Operation and Maintenance. The Industrial User shall always properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) by qualified personnel which are installed or used by the Industrial User. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by an Industrial User when the operation is necessary to achieve or assure compliance with an authorization to discharge and these Rules and Regulations. Calibration of meters and monitoring equipment shall be performed as required by manufacturers specification or PCWRA.

3. **Monitoring Facilities.** The Industrial User shall install at its expense, a monitoring manhole or 4” cleanout on the discharge line to the municipal collection system. For some industrial users, PCWRA may require suitable monitoring facilities or equipment that allows for the representative sampling and accurate observation of wastewater discharges. Whether constructed on public or private property, the monitoring facilities shall be constructed in accordance with PCWRA's requirements and all applicable construction standards and specifications. Monitoring equipment and structures shall be maintained in proper working order, calibrated as required by manufacturer’s recommendations, and always kept safe and accessible to PCWRA personnel. The monitoring equipment shall be located and maintained on the Industrial User's premises outside of the building unless otherwise approved by PCWRA.

When such a location would be impractical, PCWRA or Connector municipality may allow such facility to be constructed in the public street or easement area, with the approval of the Connector municipality or other agency having jurisdiction over such street or easement and located so that it will not be obstructed by public utilities, landscaping, or parked vehicles. No Industrial User shall cover any manhole, sewer cleanout, or other openings in the wastewater collection system with earth, paving, or otherwise render it inaccessible.

4. **Wastewater Discharge Control.** PCWRA may require an Industrial User to restrict discharge during peak flow periods, designate that certain wastewater be discharged only into specified sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and such other conditions as may be necessary to protect the POTW and demonstrate the Industrial User’s compliance with the requirements of these Rules and Regulations.
5. **Flow Equalization.** PCWRA may require any Industrial User discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. A Control Mechanism may be issued solely for flow equalization.
6. **Multitenant Buildings.** When more than one Industrial User can discharge into a common service line, PCWRA may require installation of separate monitoring equipment, treatment, or structures for each Industrial User.
7. **Safety and Access.** There shall be unobstructed, safe, and easy access to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and associated equipment shall be always maintained in a safe and proper operating condition by the user.
8. **Flow, pH, LEL and other meters and equipment.** If PCWRA determines an Industrial User is required to measure and report (a) wastewater flow, (b) discharge process wastewaters necessitating continuous pH measurement, or (c) discharge wastewater that may contain flammable substances or other pollutants of concern, PCWRA may require the Industrial User to install and maintain, at the Industrial User’s expense, approved meters, and equipment.
9. **Tampering with metering devices prohibited.** No person shall install, change, bypass, adjust, remove, alter, or otherwise tamper with any metering device or any piping arrangement connected to a metering device to show the quantity of water used at or discharged from the facility is different than the actual quantity used or discharged.

F. Special Agreements and Contracts

No statement contained in these Rules and Regulations shall be construed as prohibiting special written agreements between PCWRA and any Industrial User allowing industrial waste or wastewater of unusual strength or character to be discharged to the POTW, provided said Industrial User compensates PCWRA for any additional costs of treatment or administration costs. Such agreement, however, shall not allow or cause:

1. Any adverse effect to the POTW.
2. A violation of the POTW CDPS permit.
3. A violation of a General or Specific Prohibition.
4. A Maximum Allowable Industrial Load (MAIL) to be exceeded; or
5. A violation of State or Federal law or regulation.

Application for a special approved discharge authorization shall be submitted at least ninety (90) days prior to the requested discharge date.

G. Right of Entry.

1. Whenever it shall be necessary for the purposes of these Rules and Regulations, PCWRA may enter upon any Industrial User's property that has a sewer connection that discharges wastewater that enters PCWRA treatment plant and shall have ready access to all parts of the premises subject to these Rules and Regulations for the purposes of:
  - a. Performing all inspection, surveillance and monitoring procedures necessary to determine, independent of information supplied by Industrial User, compliance or noncompliance with applicable Pretreatment standards and requirements by an Industrial User. Compliance monitoring and inspection shall be conducted at a frequency as determined by PCWRA and may be announced or unannounced.
  - b. Setting up on the Industrial User's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the Industrial User's discharge.
  - c. Examining and copying any records required to be kept under the provisions of these Rules and Regulations or of any other local, State, or federal regulation.
  - d. PCWRA may document and photograph any areas of the facility deemed necessary for carrying out the duties of PCWRA's Industrial Pretreatment Program including, but not limited to, documentation of the Industrial User's compliance status and for reinforcement of required written reports. The Industrial User shall be allowed to review copies of photographs for trade secret claims upon request.
  - e. Inspecting any monitoring equipment or method, pretreatment system equipment and/or operation.
  - f. Sampling any discharge of wastewater into POTW; and



- g. Inspecting any production, manufacturing, fabricating or storage area where pollutants, regulated under these Rules and Regulations, could originate, be stored, or be discharged to the POTW.
- 2. The occupant of such property or premises shall render all proper assistance in such activities. Where an Industrial User has security measures in place which require proper identification and clearance before entry into its premises, the Industrial User shall make necessary arrangements with its security personnel so that authorized representatives of PCWRA will be permitted to enter without delay to perform their specified functions.
- 3. The Authority Manager and other duly authorized agents and employees of PCWRA are entitled to enter all Industrial User properties through which PCWRA or any connecting jurisdiction holds an easement or similar access or occupancy right.
- 4. Failure to allow entry or unreasonable delays.

In the event PCWRA or other duly authorized representative of PCWRA is refused admission or unreasonably delayed, such refusal or delay is a violation of these Rules and Regulations and may result in enforcement action as allowed for under these Rules and Regulations including revocation of an authorization to discharge.

- 5. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the Industrial User at the written or verbal request of the Authority Manager and shall not be replaced. The costs of clearing such access shall be borne by the Industrial User.
- 6. Search Warrants.

If PCWRA is refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of these Rules and Regulations, that there is a need to inspect and/or sample as part of a routine inspection and sampling program of PCWRA designed to verify compliance with these Rules and Regulations or any permit, order or other control mechanism issued hereunder, or to protect the overall public health, safety and welfare of the community, the Authority Manager may seek issuance of a search warrant from the Douglas County Court or another Court of competent jurisdiction.

#### H. Recordkeeping.

- 1. In addition to any recordkeeping requirements set forth in a Control Mechanism issued by PCWRA, all industrial users subject to the reporting requirements of these Rules and Regulations and any reports required by EPA or the CDPHE shall retain and make available for inspection and copying, all records, reports, monitoring, calibration logs or other data, applications, permits, control mechanisms and all other information and documentation required by these Rules and Regulations, including documentation associated with Best Management Practices.
- 1. Industrial users shall retain such records and shall keep such records available for inspection for at least three (3) years. This recordkeeping period shall be extended automatically for

the duration of any litigation concerning the Industrial User's compliance with any provision of these Rules and Regulations, or when the Industrial User has been specifically and expressly notified of a longer records retention period by the Authority Manager.

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

#### I. Confidentiality.

1. All records, reports, data, or other information supplied by any person or Industrial User because of any disclosure required by these Rules and Regulations or information and data from inspections shall be available for public inspection, except as otherwise provided in this Section and the Colorado Open Records Act (C.R.S. 24-72-201, *et seq.*).
2. These provisions shall not be applicable to any information designated as a trade secret by the person supplying such information. Materials designated as a trade secret may include, but shall not be limited to, processes, operations, style of work or apparatus or confidential commercial or statistical data. Any information and data submitted by the Industrial User which is desired to be considered a trade secret shall have the words "Confidential Business Information" stamped in a reasonably noticeable manner on each page containing such information. The Industrial User must demonstrate to the satisfaction of PCWRA that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the Industrial User.
3. Information designated as a trade secret pursuant to this Section shall remain confidential and shall not be subject to public inspection. Such information shall be available only to officers, employees or authorized representatives of PCWRA charged with implementing and enforcing the provisions of these Rules and Regulations and properly identified representatives of the U.S. Environmental Protection Agency and the Colorado Department of Public Health and Environment.
4. Effluent data from any Industrial User, whether obtained by self-monitoring, monitoring by PCWRA, or monitoring by any state or federal agency, shall not be considered a trade secret or otherwise confidential. All such effluent data shall be available for public inspection.

#### J. Sample Collection and Analytical Methods.

1. Sample Collection.

Compliance determinations with respect to prohibitions and limitations in these Rules and Regulations may be made based on either grab or composite samples of wastewater as specified by PCWRA. Such samples shall be taken at a point or points which PCWRA determines to be suitable for obtaining a representative sample of the discharge. Composite samples may be taken over a twenty-four (24) hour period, or over a longer or shorter time span, as determined by PCWRA to meet specific circumstances.

2. Sample Type.

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

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

3. Analytical Requirements

All pollutant analysis required under these Rules and Regulations shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by PCWRA or other parties approved by the EPA.

4. Records for all Samples. The Industrial User shall include the following information in reports:

- a. The date, exact place, method, and time of sampling and the name of the person(s) taking the samples.
- b. The date(s) and time analyses were performed.
- c. The name of the person performing the analyses.
- d. The analytical techniques/methods used, including method detection limits and QA/QC sample results.
- e. All chain-of-custody records; and
- f. The results of such analyses.

## K. Reporting and Notification Requirements.

### 1. Periodic Compliance Reports (PCR).

- a. A PCR shall be submitted to PCWRA as required by a Control Mechanism. All PCRs must be signed and certified in accordance with Section K.6. herein. Sampling and analysis that is conducted by the Industrial User at the designated sampling location using the procedures specified in Section J herein, more frequently than is required by the Control Mechanism shall be included in the report.
- b. PCWRA may agree to perform sampling and analysis in lieu of the Industrial User for certain pollutant parameters. If PCWRA agrees to perform such sampling and analysis, PCWRA may charge the Industrial User for such activities based upon the costs incurred by PCWRA for the sampling and analyses, including personnel time. Any such charges shall be invoiced to the Industrial User.

### 2. 24 Hour Notice and 30-Day Re-sampling.

If sampling performed by an Industrial User indicates a violation of these Rules and Regulations or Control Mechanism, the Industrial User shall notify PCWRA 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 repeat analysis to PCWRA within thirty (30) days after becoming aware of the violation. The Industrial User is not required to resample if PCWRA performs sampling at the Industrial User's facility between the time when the Industrial User performs its initial sampling and the time when the Industrial User receives the results of this sampling. It is the sole responsibility of the Industrial User to verify if PCWRA has performed this sampling.

### 3. Slug and Spill Discharges- Notification and Plan Development.

- a. Each Industrial User shall provide protection from spills and slug discharges of pollutants regulated under these Rules and Regulations. Facilities and equipment to prevent the discharge of spills or slug discharges shall be provided and maintained at the Industrial User's expense.
- b. PCWRA may require any Industrial User to develop, submit for approval, and implement a Slug/Spill Control Plan or take such other action that may be necessary to control spills and slug discharges.
- c. A Slug/Spill Control Plan shall address, at a minimum, the following:
  - (1) Detailed plans (schematics) showing facility layout and plumbing representative of operating procedures.
  - (2) Description of contents and volumes of any process tanks.
  - (3) Description of discharge practices, including non-routine batch discharges.
  - (4) Listing of stored chemicals, including location and volumes.
  - (5) Procedures for immediately notifying PCWRA of any spill or Slug Discharge.
  - (6) Procedures to prevent adverse impact from any accidental spill or Slug Discharge. Such procedures include, but are not limited to, inspection and

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

(7) Any other information as required by PCWRA.

d. The Industrial User shall immediately contact PCWRA when a change occurs at its facility affecting the potential for a Slug Discharge. The Industrial User shall follow-up on this immediate notification with a written, detailed report outlining the changes that were identified and how the Industrial User will prevent Slug Discharges to the POTW.

e. Notice to employees. A notice shall be permanently posted on the Industrial User's bulletin board or other prominent place advising employees who to call in the event of a spill or slug discharge. Employers shall ensure that all employees who work in any area where a spill or slug discharge may occur or originate are advised of the emergency notification procedures.

#### 4. Reports of Spill or Slug Discharges.

a. In the case of any spill or Slug Load, the Industrial User shall immediately telephone and notify PCWRA of the incident. The Industrial User shall be deemed to have notified PCWRA "immediately" if such notice is received by PCWRA within thirty (30) minutes after the accidental discharge was first discovered. This notification shall include:

- (1) Name of the facility.
- (2) Location of the facility.
- (3) Name of the caller.
- (4) Date and time of discharge.
- (5) Date and time discharge was halted.
- (6) Location of the discharge.
- (7) Estimated volume of discharge.
- (8) Estimated concentration of pollutants in discharge.
- (9) Corrective actions taken to halt the discharge; and
- (10) Method of disposal if applicable.

b. Within five (5) working days following such discharge, the Industrial User shall, unless expressly waived by PCWRA, submit a detailed written report that includes all the information contained in Subsection (5)(a), above, and any other information describing the cause(s) 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 might be incurred because of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the Industrial User of any fines, penalties, or other liability which may be imposed pursuant to these Rules and Regulations.

5. Reports for Other Industrial Users.

If PCWRA deems it necessary to assure compliance with provisions of these Rules and Regulations, any Industrial User of the POTW may be required to submit an application, questionnaire, report, BMP implementation activities, or other reports and notifications in a format and timeframe as specified by PCWRA.

6. Signatory Certification.

All reports and other submittals required to be submitted to PCWRA shall include the following statement and signatory requirements.

- a. The Authorized Representative of the Industrial User signing any application, questionnaire, any report, or other information required to be submitted to PCWRA must sign and attach the following certification statement with each such report or information submitted to PCWRA.

*"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 ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or the 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 a fine and imprisonment for willful or knowing violations."*

- b. If the Authorized Representative is no longer accurate a new authorization satisfying the requirements of this Section and meeting the definition in Article 1, Section D must be submitted to PCWRA prior to or together with any reports to be signed by an Authorized Representative.

7. Notification of Change in Discharge or Operations.

- a. Every Industrial User that is regulated by a Control Mechanism issued by PCWRA shall file a written notification with PCWRA a minimum of thirty (30) days prior to any significant change either in the volume or character of pollutants in its discharge, or a change in any manufacturing process or pretreatment modifications that may alter the volume or character of pollutants in its wastewater discharge. A significant change shall be a change equal to or greater than twenty percent (20%) in the mass of a pollutant or volume of flow discharged to the POTW. For purposes of this subsection, an Industrial User becomes aware when it knows, or reasonably should have known, of the facts giving rise to a reporting obligation.
- b. PCWRA may require an Industrial User to submit information needed to evaluate the changed discharge. PCWRA may issue, reissue, or modify a Control Mechanism in response to the required notice pursuant to this Section.
- c. Known or anticipated facility closure. An Industrial User shall notify PCWRA at least thirty (30) days prior to facility shutdown or closure which might alter the character, nature, quality, or volume of its wastewater.

8. Notification of the Discharge of Hazardous Waste.

- a. The discharge of hazardous waste to a Connector municipality sewer system or PCWRA POTW is prohibited. An Industrial User shall notify PCWRA, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be hazardous waste under 40 CFR Part 261 or Colorado Department of Public Health and Environment Rules and Standards for Hazardous Wastes. Such notification to PCWRA shall be made immediately of becoming aware of the discharge.

Such notification must include:

- (1) The name of the hazardous waste as set forth at 40 CFR Part 261 and 6 CCR 1007-3.
  - (2) The EPA hazardous waste number.
  - (3) The type of discharge (continuous, batch, or other).
  - (4) An identification of the hazardous constituents contained in the wastes.
  - (5) An estimation of the mass and concentration of such constituents in the discharged.
  - (6) Certification that the Industrial User halted all discharge and instituted measures to prevent any future discharge; and
  - (7) Signatory certification as required by Section K.6. herein.
- b. The Industrial User shall provide notifications to EPA and the CDPHE as required in 40 CFR Section 403.12(p).
- c. This provision does not create a right to discharge any pollutant or pollutant property not otherwise allowed to be discharged pursuant to these Rules and Regulations.

9. Requests for Information.

An Industrial User shall furnish to PCWRA, within the timeframe set by the Authority Manager, any information which PCWRA may request to determine whether cause exists for issuing, modifying, revoking, and reissuing, or terminating a Control Mechanism or to determine compliance with these Rules and Regulations.

L. Significant Industrial User (SIU) Permitting Requirements

1. PCWRA will issue a permit to an Industrial User that meets the definition of a Significant Industrial User (SIU). A new SIU shall apply for a permit at least ninety (90) days prior to discharge and existing SIUs shall reapply for a permit at least ninety (90) days prior to expiration of the current Industrial Wastewater Discharge Permit. An existing SIU that has filed a timely and complete Industrial Wastewater Discharge Permit application in accordance with these Rules and Regulations may continue to discharge if authorized by PCWRA. An Industrial Wastewater Discharge Permit shall be issued for a specified time not to exceed five (5) years.

2. Industrial Wastewater Discharge Permit application forms are provided by PCWRA and contain the information specified in Section L.3. below. An Industrial Wastewater Discharge Permit application containing incomplete or inaccurate information will not be processed and will be returned to the Industrial User. PCWRA may issue an Industrial Wastewater Discharge Permit at any time after receipt of the completed Industrial Wastewater Discharge Permit application.
  3. Industrial Wastewater Discharge Permit Application Contents:
    - a. Name of business, address of the facility, location of the discharge if different from the facility address, and contact information for the owner, operator, and the Authorized Representative of the Industrial User.
    - b. Description of Operations.
    - c. The Standard Industrial Classification(s) (SIC Rules and Regulations) and/or NAICS Rules and Regulations of the operation(s) carried out by such Industrial User.
    - d. A schematic process diagram showing each process step, wastestream, treatment step, internal recycling process, facility drains and points of discharge to the POTW. A listing of all non-domestic process streams and the type(s) of wastes generated from each process.
    - e. A list of all raw materials and chemicals used or stored at the facility.
    - f. Number of employees and hours of operation.
    - g. Information showing the total average daily and maximum daily flow, in gallons per day, to the POTW from all wastestreams.
    - h. SIUs shall measure the effluent for all pollutants specified in Article 4, Section C.4. and for any other pollutants specified by PCWRA. The sample shall be representative of daily operations and shall be collected and analyzed in accordance with procedures set out in Section J herein.
    - i. A list of hazardous waste(s) generated.
    - j. Slug Discharge Control Plan where required by PCWRA.
    - k. Signatory Certification. All Industrial Wastewater Discharge Permit applications, certification statements, and other reports submitted to PCWRA must be signed by the Authorized Representative of the Industrial User and contain the applicable certification statement in Section K.6. herein.
    - l. Any other information as may be deemed by the Authority Manager to be necessary to evaluate the permit application.
  4. Administrative Industrial Wastewater Discharge Permit Appeals.
-



- a. Any Industrial User may file an appeal to reconsider the terms of an Industrial Wastewater Discharge Permit or appeal an Industrial Wastewater Discharge Permit denial by PCWRA. An administrative appeal not submitted within the time period discussed in subsection 4.b. shall not be considered and will be denied for lack of timeliness. The effectiveness of the wastewater discharge permit shall not be stayed pending an appeal.
  - b. An Industrial User must file a written appeal request to the Authority Manager to reconsider a permitting action or decision by PCWRA within ten (10) days of such PCWRA action. The Industrial User shall set forth in detail the facts that support the Industrial User's request for reconsideration. Such facts must include a statement that sets forth any newly discovered relevant fact that was not known or was unavailable to the Industrial User at the time of PCWRA action. The Authority Manager shall render a written decision with respect to such request for reconsideration within sixty days (60) days after receipt of the Industrial User's written appeal.
5. Transferability. An Industrial Wastewater Discharge Permit is issued to a specific Industrial User for a specific operation. An Industrial 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.
6. Industrial Wastewater Discharge Permits may contain the following:
- a. A statement that indicates the Industrial Wastewater Discharge Permit's issuance date, expiration date and effective date and permit reapplication requirements.
  - b. The legal name and trade name, if any, of the user and the address of its corporate offices and a requirement to notify PCWRA at least 30 days prior of a change to the legal name of the permittee.
  - c. The name and contact information of the Duly Authorized Representative of the Industrial User, the mailing address at which such representative may receive notice(s) from PCWRA, and the name and contact information for the facility manager, if different than the Duly Authorized Representative.
  - d. A statement on Industrial Wastewater Discharge Permit transferability.
  - e. Effluent limits and Best Management Practices as necessary to implement these Rules and Regulations.
  - f. Self-monitoring, sampling, reporting, notification, and record-keeping requirements including, but not limited to, identification of the pollutants or BMPs to be monitored, sampling location, sampling frequency and sample type, 24-hour notice of non-compliance and other applicable Pretreatment requirements based on federal, state, and local law.

- g. Statements of applicable enforcement remedies and administrative, civil, and criminal penalties for the violation of a permit or authorization, these Rules and Regulations, and any applicable compliance schedule.
  - h. Requirements to immediately notify PCWRA of any changes at its facility affecting potential for a Slug Discharge and for the Industrial User to immediately report any slug discharges, spills, or accidental discharges, including any discharges that may cause problems at the POTW.
  - i. Applicable schedule of user charges and fees for the wastewater to be discharged into a public sewer.
  - j. Limits on average and maximum rate and time of discharge or requirements for flow equalization.
  - k. Requirements for installation of and maintenance of inspection and sampling facilities and equipment.
  - l. Compliance Schedules.
  - m. Requirements to develop and implement waste minimization plans to reduce the mass of pollutants discharged to the POTW.
  - n. Closure requirements for permitted facilities undergoing partial or complete closure activities to ensure closure activities are completed and wastes have been properly disposed and remaining access to sanitary and storm sewers are protected.
  - o. Other conditions as deemed appropriate by the Authority Manager to ensure compliance with all applicable local, state, and federal rules and regulations.
7. PCWRA may modify an Industrial Wastewater Discharge Permit for good cause, including, but not limited to, the following reasons:
- a. To incorporate any new or revised federal, state, or local Pretreatment standards or requirements or to reflect changes in applicable State or federal Standards.
  - b. To address significant alterations or additions to the Industrial User's operation, processes, or wastewater volume or character since the time of the Industrial Wastewater Discharge Permit issuance.
  - c. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge.
  - d. Information indicating that the permitted discharge poses a threat to the POTW, PCWRA personnel, or the receiving waters.
  - e. Violation of any terms or conditions of the Industrial Wastewater Discharge Permit.
  - f. Misrepresentations or failure to fully disclose all relevant facts in the Industrial Wastewater Discharge Permit application or in any required reporting.

- g. To correct typographical or other errors in the Industrial Wastewater Discharge Permit; or
  - h. Upon request of the Permittee, provided such request does not result in a violation of any applicable Pretreatment standards or requirements, or these Rules and Regulations.
8. PCWRA may revoke an Industrial Wastewater Discharge Permit for good cause, including, but not limited to, the following reasons:
- a. Failure of an Industrial User to accurately disclose or report the wastewater constituents and characteristics of any discharge.
  - b. Failure of the Industrial User to report significant changes in operations or wastewater constituents and characteristics as required.
  - c. Refusal of access to the Industrial User's premises for the purpose of inspection or monitoring.
  - d. Falsification of records, reports or monitoring results.
  - e. Tampering with monitoring methods or equipment.
  - f. Failure to submit, misrepresentation or failure to fully disclose all relevant facts in the Industrial Wastewater Discharge Permit application.
  - g. Failure to pay fines or penalties.
  - h. Failure to pay sewer charges, surcharges, or pretreatment programs fees.
  - i. Failure to meet compliance schedules.
  - j. Failure to provide required reports, including but not limited to a questionnaire, survey, information request, permit application, self-monitoring report or other required reports or notifications within the timeframe required by PCWRA.
  - k. Invoking of PCWRA's emergency authority as cited in Section O.3.b. herein.
  - l. Closure of the facility or failure of the Industrial User to commence discharge within one hundred and eighty (180) days after the effective date of the Industrial Wastewater Discharge Permit; or
  - m. Violation of any terms of the Industrial Wastewater Discharge Permit or these Rules and Regulations.

M. Other Industrial Users.

PCWRA may require other Industrial Users to apply for and obtain an Industrial Wastewater Discharge Permit or other Control Mechanism to carry out the purposes of these Rules and

Regulations. Requirements for certain types of industrial users are specified in Article 5 of these Rules and Regulations.

N. Enforceability.

Failure to apply for or obtain a Control Mechanism prior to discharge is a violation of these Rules and Regulations and subject the Industrial User to enforcement by PCWRA. Obtaining a Control Mechanism from PCWRA does not relieve a discharger of its obligation to comply with all local, State, and federal pretreatment standards or requirements.

O. Compliance and Enforcement.

1. Enforcement Response Plan.

PCWRA may adopt enforcement policies and procedures set forth in PCWRA's Pretreatment Enforcement Response Plan for carrying out the provisions of these Regulations.

2. Publication by EPA or State of Industrial Users in Significant Noncompliance.

If EPA or the State publishes any Industrial User as meeting the definition of Significant Noncompliance (SNC), the Industrial User shall provide a copy of the determination or publication to PCWRA within thirty (30) days of such publication or determination.

Significant Noncompliance with applicable pretreatment standards and requirements is defined as:

- a. Chronic violations of wastewater discharge limits in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter during a six (6) month period exceed by any magnitude, a numeric Pretreatment Standard or Requirement, including instantaneous limits.
- b. Technical Review Criteria (TRC) violations defined here in which thirty-three percent (33%) or more of all 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, multiplied by the applicable TRC (1.4 for BOD, TSS, fats, oils, and grease, and 1.2 for all other pollutants except pH).
- c. Any other violation(s) of a Pretreatment Standard or Requirement, including daily maximum, long-term average, instantaneous limit, or narrative standard, that PCWRA determines to have caused, alone or in combination with other Discharges, Pass Through and/or Interference including endangering the health of the general public or the health of POTW personnel.
- d. Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in PCWRA exercising its emergency authority to halt or prevent such discharge.
- e. Failure to meet, within ninety (90) days after the schedule date, a compliance

schedule milestone contained in a local control mechanism or compliance order for starting construction, completing construction, or attaining final compliance.

- f. Failure to provide, within thirty (30) days after the due date, any required report, including a Baseline Monitoring Report, 90-Day Compliance Report, periodic self-monitoring reports, and reports on compliance with compliance schedules.
- g. Failure to accurately report non-compliance; or
- h. Any other violation or group of violations, which may include a violation of Best Management Practices, which PCWRA determines will adversely affect the operation or implementation of PCWRA Rules and Regulations.

3. Administrative Enforcement.

- a. Notice of Violation (NOV).

Whenever the Authority Manager finds that an Industrial User has violated or continues to violate, any provision of these Rules and Regulations, a Control Mechanism, or any other Pretreatment Standard or Requirement, the Authority Manager may serve upon such Industrial User a written Notice of Violation. Any notification required herein shall be served either personally, by email or certified mail. Within five (5) working days of the receipt of such notice, an explanation of the violation and a plan for satisfactory correction and prevention of further violations shall be submitted to the Authority Manager. Submission of such a plan in no way relieves the Industrial User of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this Section shall limit the authority of PCWRA Manager to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

- b. Administrative Order.

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

- c. Consent Order.

PCWRA may enter into a Consent Order, assurances of voluntary compliance, or other similar documents establishing an agreement with any Industrial User responsible for noncompliance. Such documents shall include specific actions to be taken by the Industrial user to correct the noncompliance within a time period specified by the document. A Consent Order may include penalties, supplemental environmental projects, or other conditions and requirements as agreed to by PCWRA and the Industrial User. A Consent Order shall have the same force and effect as an Administrative Order and shall be judicially enforceable.

d. Show Cause Hearing.

- (1) The Authority Manager, when they find that an Industrial User which has violated, or continues to violate, any provision of these Rules and Regulations, a Control Mechanism or any other Pretreatment Standard or Requirement, may order the Industrial User to appear before PCWRA Board and show cause why the proposed enforcement action should not be taken. Notice shall be served on the user specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the Industrial User show cause why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days prior to the hearing. Such notice may be served on any authorized representative of the Industrial User. A Show Cause Hearing shall not be a bar against, limitation, or prerequisite for taking any other action against the user.
- (2) After PCWRA Board has reviewed the evidence, the Authority Manager may issue an order to the Industrial User 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. Further orders and directives as are necessary and appropriate to correct the violation may be issued.

e. Cease-and-Desist Order.

- (1) When the Authority Manager finds that an Industrial User has violated, and/or continues to violate, any provision of these Rules and Regulations or a Control Mechanism, or any other Pretreatment Standard or Requirement, or that the Industrial User's past violations are likely to recur, the Authority Manager may issue a Cease-and-Desist Order to the Industrial User directing it to cease and desist all such violations and directing the Industrial User to:
  - (a) Immediately comply with all requirements; and
  - (b) Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge.

- (2) Issuance of a Cease-and-Desist Order shall not be a bar against, limitation, or a prerequisite for taking any other action against the Industrial User.

f. Administrative Fines.

- (1) When the Authority Manager finds that an Industrial User has violated, or continues to violate, any provision of these Rules and Regulations, a Control Mechanism, order issued hereunder, or any other Pretreatment Standard or Requirement, the Authority Manager may fine such Industrial User in an amount not to exceed one thousand dollars (\$1,000) per violation per day. In the case of monthly or other long-term average discharge limits, fines shall be assessed for each day during the period of violation. PCWRA may add the actual costs of preparing administrative enforcement actions, such as notices and orders, to the fine.
- (2) Unpaid charges, fines, and penalties shall, after sixty (60) calendar days, be assessed an additional penalty of twenty-five percent (25%) of the unpaid balance. Interest shall accrue thereafter at a rate of one percent (1%) per month. A lien against the Industrial User's property will be sought for unpaid charges, fines, and penalties. The failure to pay a penalty may be the basis for revocation of a Control Mechanism issued by PCWRA.
- (3) Industrial Users that dispute such fines must file a written request for PCWRA to reconsider the fine along with full payment of the fine amount within ten (10) days of being notified of the fine. Where a request has merit, PCWRA may convene a hearing on the matter. In the event the Industrial User's appeal is successful, the payment, together with any interest accruing thereto, shall be returned to the Industrial User.
- (4) Issuance of an administrative fine shall not be a bar against, limitation, or a prerequisite for taking any other action against the Industrial User.

g. Emergency Suspension of Service.

- (1) Endangerment to POTW, Environment, Health or Welfare of the Community: In accordance with the individual agreements between the connecting municipalities water service and/or wastewater service may be suspended when such suspension is necessary, in the opinion of the Authority Manager or the Connecting Municipality in order 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 POTW to violate any condition of its CDPS permit.
- (2) Any person notified of a suspension of the water and/or wastewater treatment service or a Control Mechanism issued by PCWRA shall immediately stop or eliminate the discharge of wastewater to the POTW. In the event of a failure of the person to comply voluntarily with the suspension order, PCWRA and/or Connector 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 individuals or the environment. The Connector in which the non-complying user is located shall give full support and such assistance as requested by PCWRA. PCWRA and Connector municipality may reinstate a Control Mechanism, water service and/or the wastewater treatment service upon proof of the elimination of the non-complying discharge.

- (3) 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 provided to PCWRA and Connector municipality within five (5) days of the date of occurrence.
- (4) The Industrial User shall pay all POTW costs and expenses for any such suspension and restoration of service and other costs associated with PCWRA or Connector municipality's actions.
- (5) Suspension of Service shall not be a bar against, or a prerequisite for, taking any other action against the Industrial User.

h. Revocation of a Control Mechanism Authorizing Discharge.

- (1) A violation of the conditions of these Rules and Regulations, a Control Mechanism, or order shall be reason for revocation of a Control Mechanism authorizing discharge. Upon revocation of the Control Mechanism, any wastewater discharge from the affected Industrial User shall be considered prohibited and discharge of such wastewater in violation of these Rules and Regulations.
- (2) Any Industrial User whose Control Mechanism to discharge is revoked or who is served with a notice of an intended order for the revocation of the Industrial User's authorization to discharge may file with the Authority Manager a request for a hearing with respect thereto. The filing of a request for a hearing shall not stay the existing or proposed suspension.
- (3) If a hearing is requested with respect to an existing or proposed suspension or revocation, other than the suspension of service because of an action taken by PCWRA under Section H.3.g. herein, the Authority Manager shall hold a hearing following the process in Section H.3.d., herein.

4. Judicial Enforcement Remedies.

a. Injunctive Relief.

- (1) When PCWRA finds that an Industrial User has violated, or continues to violate, any provision of these Rules and Regulations, a Control Mechanism, or any other Pretreatment Standard or Requirement, PCWRA may petition a court of competent jurisdiction for the issuance of a temporary or permanent injunction, as appropriate.
- (2) PCWRA may also seek such other action as is appropriate for legal and/or



equitable relief, including a requirement for the Industrial User to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against an Industrial User.

b. Civil Penalties.

- (1) An Industrial User who has violated, or continues to violate, any provision of these Rules and Regulations, a Control Mechanism, or order issued hereunder, or any other Pretreatment Standard or Requirement shall be liable to PCWRA for a maximum civil penalty not to exceed one thousand dollars (\$1,000) per day per violation. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of violation(s).
- (2) PCWRA 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 PCWRA.
- (3) Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against an Industrial User.

c. Civil/Administrative Fine Pass Through.

If an Industrial User discharges such pollutants which causes PCWRA to violate any condition of its CDPS Permit and PCWRA is fined by the EPA or the State for such violation, then such Industrial User shall be fully liable for the total amount of the fine assessed against PCWRA by the EPA and/or the State.

- d. Civil Liability for Expenses. Any Industrial User violating the provisions herein shall be liable for any expense, loss or damage caused to PCWRA by reason of such violation, including the increased costs, if any, for managing effluent and/or sludge, when such increases are the result of the user's discharge of toxic pollutants. PCWRA shall add such charge to the discharger's treatment charge. PCWRA shall have all statutory lien and assessment rights as conferred by law.

e. Criminal Penalties.

PCWRA may refer violations that may warrant criminal prosecution to a Connector Municipality, the U.S. Attorney General's Office, State Attorney General, EPA Criminal Investigation Division, or other appropriate agency. This referral shall not preclude PCWRA from taking a parallel administrative or civil enforcement action.

P. Severability.

In the case that any part, provision, or representation of these Rules and Regulations is held invalid, illegal, unconstitutional, or unenforceable, the validity, legality, and enforceability of the remaining provisions shall not be in any way affected or impaired thereby and such part, provision, or representation shall be ineffective only to the extent of such invalidity, illegality, or

unenforceability.

Q. Non-Exclusive Remedies.

The remedies provided for in these Rules and Regulations are not exclusive of any other remedies that PCWRA may have under Federal, State, or local law. PCWRA may take any, all, or any combination of actions described in these Rules and Regulations against an Industrial User who violates these Rules and Regulations. PCWRA may seek damages from any Industrial User who discharges or causes to be discharged to the POTW, any pollutant that causes damage or detrimental effects on the POTW or otherwise causes PCWRA to expend resources to respond to such discharge. Furthermore, PCWRA may pursue any other available remedies that exist in law or equity against an Industrial User that violates these Rules and Regulations.

R. No Damages for Failure to Enforce: The purposes and provisions of these Rules and Regulations are for the exclusive benefit of PCWRA. Nothing herein shall create any right to damages against PCWRA, its directors, officers, agents, or employees for PCWRA's failure to enforce these Rules and Regulations.

## **Article 5. Sector Control Programs**

A. General Requirements.

1. Authority.

- a. PCWRA may establish specific Sector Control programs for industrial users to control pollutants as necessary to meet the objectives of these Rules and Regulations. Pollutants subject to these Sector Control programs shall generally be controlled using Best Management Practices (BMPs) and specific pollutant limits where appropriate.
- b. PCWRA may implement these Sector Control programs through a Control Mechanism or by directly enforcing these Rules and Regulations. The Industrial User shall apply for and obtain all required tap authorizations and control mechanisms as required in Article 1, Section I. All industrial users that are covered by these Sector Control programs shall comply with this Article and the Rules and Regulations, whether individually notified by PCWRA to do so.
- c. No Industrial User shall discharge or cause to be discharged any wastewater that violates any General or Specific Prohibition listed in Article 4, Section C, subsections 1 and 2.

2. Notification to PCWRA by the Industrial User and Management Review.

PCWRA shall review new construction and existing facilities undergoing any physical change, change in ownership, change in operations, or other change that could change the nature, properties, or volume of wastewater discharge, to ensure that current Sector Control Program requirements are incorporated and implemented.

The Industrial User shall inform PCWRA and Connector Municipality prior to:

- a. Sale or transfer of ownership of the business.
  - b. Change in the trade name under which the business is operated.
  - c. Change in the nature of the services provided that affect the potential to discharge Sector Control Program pollutants.
  - d. Construction of a new building; or
  - e. Remodeling of the facility that may result in an increase in flow, pollutant loading, requires the facility to submit plans or specifications for approval through a building or zoning department, or any other formal approval process of a city, county, or other jurisdiction.
3. Inspections.
- a. PCWRA may conduct inspections of any Industrial User with or without notice for determining applicability and/or compliance with Sector Control programs and these Rules and Regulations as specified in Article 4, G. Inspection results will be provided in writing to the facility.
  - b. If any inspection reveals non-compliance with any provision of a Sector Control Program requirement, corrective action shall be required.
4. Closure.
- PCWRA may require closure of plumbing, treatment devices, storage components, containments, or other such physical structures that are no longer required for their intended purpose. Closure may include the removal of equipment, the filling in and/or cementing, capping, plugging, etc.
5. Enforcement and Compliance.
- a. These Sector Control Program requirements form a part of these Rules and Regulations and enforcement for violations is outlined in Article 4, Section O.
  - b. Any costs incurred by PCWRA due to Interference, damage, Pass Through, or additional maintenance necessary to treat regulated wastes shall be paid by the Industrial User to PCWRA. The direct costs of all labor, equipment and materials incurred in rectifying the Interference or damage, including reasonable attorney's fees, shall be billed directly to the owner or the Industrial User by PCWRA, and such costs shall become part of the total charges due and owing to PCWRA and shall constitute a lien on the Industrial User until paid in full.
6. Biological or enzyme treatment.
- a. Biological treatment or enzyme treatment shall not be a substitute for the servicing of a lift station and/or GGI. Use of enzymes or other chemical or biological treatment or product that emulsifies or acts to emulsify FOG is prohibited.

B. Permitting

1. PCWRA’s Industrial Pretreatment will issue a permit to each of the FOG and POGS facilities that are currently in PCWRA’s service area. This permit does not have an expiration date; however, the permit is non-transferrable and should the facility change in ownership, have a change to menu and/or services, or renovate with changes to plumbing. Because the permit is non-transferrable, if a facility should have a change ownership, changes to menu and/or services, or changes to plumbing a facility representative will be required to reach out to PCWRA and complete the Industry Information Questionnaire (IIQ). The IIQ will identify if any changes require a plan review before issuing a new permit.
2. The user shall have a valid permit posted onsite in a conspicuous location.
3. Categories:

Category	Description
Category 1	<b>In Compliance FOG Facilities.</b> Facilities generating fats, oils, and grease (FOG) that have a properly sized external gravity grease interceptor (GGI) that meet specifications as outlined in PCWRA Rules and Regulations.
Category 2	<b>Out of Compliance FOG Facility.</b> Facilities generating fats, oils, and grease (FOG) with an interior trap or oil/grease interceptor that fails to meet specifications as outlined in PCWRA Rules and Regulations. PCWRA does not permit the use of interior grease traps for facilities that generate FOG. PCWRA must be notified when a change in ownership, menu, or nature of the wastewater characteristics occur. Best Management Practices must be followed to prevent the entrance of grease or greasy waste into the sewer system. If the existing device does not adequately prevent the entrance of grease or greasy waste into the sewer system, a facility in this category may be required to install a properly sized exterior grease interceptor and will be recategorized as a Category 1 facility.
Category 3	<b>No Grease Interceptor or Trap.</b> Facilities generating fats, oils, and grease (FOG), but have no exterior grease interceptor, interior grease trap, or are operating under an approved PCWRA variance. PCWRA Rules and Regulations require an external grease interceptor for all facilities that generate FOG. PCWRA must be notified when a change in ownership, menu, or nature of the wastewater characteristics occur. Best Management Practices are provided to these facilities on a semi-annual basis. If a facility in this category does not adequately prevent the entrance of grease or greasy waste into the sewer system, the facility will be required to install a properly sized exterior grease interceptor and will be recategorized as a Category 1 facility.
Category 4	<b>In Compliance POGS Facilities.</b> Petroleum, oil, grease, and sand (POGS) generating facilities, such as gas stations, commercial garages and car wash facilities with a properly sized exterior sand/oil interceptor that meets PCWRA’s specifications as outlined in their Rules and Regulations.
Category 5	<b>Out of Compliance POGS Facility.</b> Petroleum, oil, grease, and sand (POGS) generating facilities, such as gas stations, commercial garages, or car wash facilities with an interior sand/oil interceptor or trap, or interceptor that fails to meet specifications as outlined in PCWRA Rules and Regulations. PCWRA Rules and Regulations do not permit the installation of interior interceptors/traps for facilities that generate POGS. PCWRA must be notified when a change in ownership or change in the wastewater characteristics occur. Best Management Practices must be followed to prevent the entrance of petroleum, oil, grease, and sand into the sanitary sewer system. If a facility in this category does not adequately prevent the entrance of POGS into the sewer system, a facility in this category may be required to install a properly sized exterior interceptor and will be recategorized as a Category 4 facility.
Category 6	<b>No Sand/Oil Interceptor or Trap.</b> Petroleum, oil, grease, and sand (POGS) generating facilities, such as gas stations, commercial garages and car wash facilities with no sand/oil interceptor or trap. PCWRA Rules and Regulations require an external sand/oil interceptor for all facilities that generate POGS. PCWRA must be notified when a change in ownership or change in wastewater characteristics occur. Best Management Practices must be followed to prevent the entrance of petroleum, oil, grease, and sand into the sewer system. If a facility in this category does not adequately prevent the entrance of POGS into the sewer system, the facility will be required to install a properly sized exterior interceptor and be recategorized as a Category 4 facility.

4. Example Permits for all applicable categories:

- a. Category 1:

# Plum Creek Water Reclamation Authority FOG and POGS Management Program

**Registration Permit #: 000**

*Issued to:*

**PCWRA**

*4255 N US Hwy 85*

*Castle Rock, CO 80108*

**Permit Category: 1**

**Required Cleaning/Maintenance Frequency:** Quarterly pumping; or as required to maintain a combined solids and oil accumulation under 25% volume in secondary/discharge chamber.

The above-named business is authorized to discharge wastewater to the Plum Creek Water Reclamation Authority (PCWRA) wastewater collection and treatment system with wastewater characteristics as identified in PCWRA's Code of Rules and Regulations. Compliance with these regulations does not relieve the above-named business of its obligation to comply with any or all applicable pretreatment regulations, standards, or requirements. This permit expires when the business changes name or ownership, or if the business changes business practices that may impact the quality of wastewater discharge. This permit must be posted in a conspicuous location at the business. The permit is **NON-TRANSFERRABLE**. Please contact PCWRA with any questions about this permit, including questions on how to obtain a new permit following a business change.

PCWRA Office: 303-688-1991

PCWRA Website: <https://pcwracolorado.org/>

PCWRA Address: 4255 US-85, Castle Rock, CO 80108

Date Issued: 00/00/0000

\_\_\_\_\_  
Mr. Weston Martin, Authority Manager



b. Category 2 & 3:

# Plum Creek Water Reclamation Authority FOG and POGS Management Program

**Registration Permit #: 000**

*Issued to:*

**PCWRA**

*4255 N US Hwy 85*

*Castle Rock, CO 80108*

**Permit Category: 2, 3**

**Required Cleaning/Maintenance Frequency:** Follow Best Management Practices (BMPs) per PCWRA's Code of Rules & Regulations. If applicable, quarterly pumping; or as required to maintain a combined solids and oil accumulation under 25% volume in secondary/discharge chamber.

The above-named business is authorized to discharge wastewater to the Plum Creek Water Reclamation Authority (PCWRA) wastewater collection and treatment system with wastewater characteristics as identified in PCWRA's Code of Rules and Regulations. Compliance with these regulations does not relieve the above-named business of its obligation to comply with any or all applicable pretreatment regulations, standards, or requirements. This permit expires when the business changes name or ownership, or if the business changes business practices that may impact the quality of wastewater discharge. Upon expiration, the facility will be required to connect to a properly sized external, pre-cast Interceptor that meets PCWRA's Rules and Regulation specifications. This permit must be posted in a conspicuous location at the business. The permit is **NON-TRANSFERRABLE**. Please contact PCWRA with any questions about this permit, including questions on how to obtain a new permit following a business change.

PCWRA Office: 303-688-1991

PCWRA Website: <https://pcwracolorado.org/>

PCWRA Address: 4255 US-85, Castle Rock, CO 80108

Date Issued: 00/00/0000

\_\_\_\_\_  
Mr. Weston Martin, Authority Manager



c. Category 4:

## Plum Creek Water Reclamation Authority FOG and POGS Management Program

**Registration Permit #: 000**

*Issued to:*

**PCWRA**

4255 N US Hwy 85

Castle Rock, CO 80108

**Permit Category:** 4

**Required Cleaning/Maintenance Frequency:** Bi-annual pumping; or as required to maintain a combined solids and oil accumulation under 25% volume in secondary/discharge chamber.

The above-named business is authorized to discharge wastewater to the Plum Creek Water Reclamation Authority (PCWRA) wastewater collection and treatment system with wastewater characteristics as identified in PCWRA's Code of Rules and Regulations. Compliance with these regulations does not relieve the above-named business of its obligation to comply with any or all applicable pretreatment regulations, standards, or requirements. This permit expires when the business changes name or ownership, or if the business changes business practices that may impact the quality of wastewater discharge. This permit must be posted in a conspicuous location at the business. The permit is **NON-TRANSFERABLE**. Please contact PCWRA with any questions about this permit, including questions on how to obtain a new permit following a business change.

PCWRA Office: 303-688-1991

PCWRA Website: <https://pcwracolorado.org/>

PCWRA Address: 4255 US-85, Castle Rock, CO 80108

Date Issued: 00/00/0000

\_\_\_\_\_  
Mr. Weston Martin, Authority Manager



d. Category 5 & 6:

## Plum Creek Water Reclamation Authority FOG and POGS Management Program

**Registration Permit #: 000**

*Issued to:*

**PCWRA**

4255 N US Hwy 85

Castle Rock, CO 80108

**Permit Category:** 5, 6

**Required Cleaning/Maintenance Frequency:** Follow Best Management Practices (BMPs) per PCWRA's Code of Rules & Regulations. If applicable, Bi-annual pumping; or as required to maintain a combined solids and oil accumulation under 25% volume in secondary/discharge chamber.

The above-named business is authorized to discharge wastewater to the Plum Creek Water Reclamation Authority (PCWRA) wastewater collection and treatment system with wastewater characteristics as identified in PCWRA's Code of Rules and Regulations. Compliance with these regulations does not relieve the above-named business of its obligation to comply with any or all applicable pretreatment regulations, standards, or requirements. This permit expires when the business changes name or ownership, or if the business changes business practices that may impact the quality of wastewater discharge. Upon expiration, the facility will be required to connect to a properly sized external, pre-cast Interceptor that meets PCWRA's Rules and Regulation specifications. This permit must be posted in a conspicuous location at the business. The permit is **NON-TRANSFERABLE**. Please contact PCWRA with any questions about this permit, including questions on how to obtain a new permit following a business change.

PCWRA Office: 303-688-1991

PCWRA Website: <https://pcwracolorado.org/>

PCWRA Address: 4255 US-85, Castle Rock, CO 80108

Date Issued: 00/00/0000

\_\_\_\_\_  
Mr. Weston Martin, Authority Manager



C. Best Management Practices (BMPs) for Food Service Establishment (FSEs).

1. Applicability. These BMPs apply to FSEs that have a sewer connection to PCWRA POTW.
2. Responsibility of the User. It shall be the responsibility of the FSE and/or owner of the property to contact the Connector Municipality for obtaining necessary permits for the installation of a grease removal device or any modifications to the facility's plumbing. Written approval from PCWRA must be obtained prior to installation of the GGI as required. The time of review and approval of such permits shall in no way relieve the FSE from the responsibility of producing a discharge acceptable to PCWRA under the provisions of these Rules and Regulations.
3. Registration Permit: As a part of the Tap Authorization process, a Food Service Establishment will be issued a Registration Permit containing Best Management Practices (BMPs) from PCWRA. These BMPs establish requirements for all Food Service Facilities (FSEs) PCWRA determines that has the potential to discharge floatable or settleable material.
4. When to Reapply for a Registration Permit: A FSE shall submit a Tap Authorization as required in Article 1, Section I.2.
5. Changes to be reported: The FSE shall notify PCWRA and Connector Municipality to reflect changes at the facility as required in Article 1, Section I.2.c.
6. Plan Reviews: PCWRA will process all plan reviews in the order received and will issue findings as soon as practicable, based on time and staff available. Submittals with omissions and deficiencies will be returned for correction, and resubmittals will be processed the same as new submittals. Staff can usually provide an approximate review time expectation at the time of submittal. A flat fee of \$200 is required per submittal, per GGI. Plan review fees include the initial review and follow-up inspections of the GGI.
7. Installation Inspections: It is the FSE's responsibility to schedule inspections with PCWRA. The inspections are separate from any plumbing inspections required by a Connector Municipality or the County. All GGIs will be inspected by PCWRA as follows:
  - a. Upon delivery to the FSE address prior to burial and installation; and
  - b. After all plumbing hookups completed prior to burial.
8. Trucks containing mobile kitchens shall discharge their grease containing wastewater to a discharge point that is upstream of a properly sized Gravity Grease Interceptor (GGI) installed such as a commissary or as otherwise required by PCWRA. If a GGI is not installed, these facilities shall install and maintain a Gravity Grease Interceptor (GGI) within ninety (90) days of being notified of such requirement.
9. Installation Required. Unless otherwise approved in writing by PCWRA, a FSE shall install and properly operate and maintain an external Gravity Grease Interceptor (GGI) of at least 750 gallons and meet the requirements outlined in section B. 14 of this article and implement all required BMPs.

D. Variance for Existing Buildings.

1. A variance from these FSE requirements may be granted by PCWRA using PCWRA's cost/benefit analysis. New buildings are not eligible for a variance.
2. A cost-benefit analysis will be conducted for every variance request and will be reviewed by the PCWRA Board prior to the decision whether to issue a variance. The requesting party will bear the cost of preparing the data and information for the cost-benefit analysis.
3. Variances shall be renewed annually in the form of an annual BMP Inspection. An additional cost-benefit analysis will not be required prior to the annual renewal unless a change has occurred that may increase the organic strength or loading of the effluent discharged to the POTW. The variance is not transferrable. The variance will be terminated if the business violates these Rules and Regulations or causes Interference with the sewer system or treatment plant.
4. The FSE has the burden of proof of demonstrating through data and other information why a variance should be granted after submittal of the Food Service Application. The FSE shall submit a complete Variance Application to PCWRA in support of its request for a variance along with the Tap Authorization specified in Article 1, paragraph I.2. including the following:
  - a. Written letter of request on company letterhead describing why a GGI installation is not feasible and signed by the Authorized Representative of the FSE. This must include a description of kitchen preparation and clean up processes in place and a revenue/expense report that justifies the number of drinks/meals expected to be served.
  - b. Dated copy of the menu or new menu.
  - c. Stamped plumbing plans, specifications, and drawings from a licensed engineer unless Cost-Benefit Analysis is approved regardless of costs. Plans and specifications shall meet applicable plumbing codes and PCWRA Rules and Regulations. If applicable, the engineer shall provide a statement as to why the installation of a GGI is not feasible; and
  - d. Non-refundable Variance application fee of \$200 payable to the Plum Creek Water Reclamation Authority for the initial variance request and each renewal request unless the cost benefit analysis shows approval regardless of installation costs.
5. If a variance is granted, the facility shall institute Best Management Practices (BMPs) and other mitigation measures as specified by PCWRA. If a FSE is granted a variance, the variance may be revoked for non-compliance with these Rules and Regulations. These BMPs may include, but not be limited to:
  - a. Installation of a Hydromechanical Grease Interceptor (HMGI) or continue to allow the use of an HMGI in lieu of installing a GGI. The HMGI shall be cleaned once per week or as otherwise specified by the manufacturer or as needed, whichever is more stringent.



- b. All kitchen and food or drink preparation sinks and drains which are connected to the sanitary sewer shall be equipped with a fixed or removable mesh or screen which shall catch garbage and food debris and prevent it from entering the sewer system.
- c. Food grinders are prohibited.
- d. Use of enzymes or other chemical or biological treatment or product that emulsifies or acts to emulsify FOG is prohibited.
- e. An employee training program shall be instituted on a periodic basis and for all new employees on FOG waste management. Such training shall be documented in writing.
- f. Pay the costs incurred by the Connector Municipality for accelerated sewer line cleaning as required by the Connector Municipality.

E. General Control Requirements.

- 1. A Gravity Grease Interceptor (GGI) shall be required for the proper handling of liquid wastes which may be harmful to, or cause obstruction in the wastewater collection system or cause or contribute to Pass Through or Interference or otherwise violate a General or Specific Prohibition specified in Article 4, Section C paragraphs 1 and 2.
- 2. GGIs shall be located outside the building served on private property and shall be installed and connected as to be always easily accessible for inspection and cleaning. All new commercial buildings including multi-tenant building are required to provide stub-outs for separate waste lines for future GGI installation with 4" sample port riser.
- 3. The design and sizing of GGIs shall be in accordance with applicable Connector Municipality building codes and as specified in Section B.14 of this Article and shall not include any restroom fixture discharges. By default, all non-restroom related DFUs should be tied to the GGI. Plans must show all plumbing and GGI specifications. The GGI shall be designed, sized, installed, maintained, and operated to accomplish the intended purpose of intercepting pollutants from the FSE's wastewater and preventing the discharge of such pollutants to the POTW, including pollutants that result in toxic, noxious, or malodorous conditions that create a public nuisance or unsafe working conditions, which endanger life or the environment.
- 4. Upon change of ownership of any existing facility which would be required to have an interceptor under these Rules and Regulations, the applicant for sanitary sewer service shall have the burden to demonstrate that a properly sized and functioning GGI is installed.
- 5. All sinks which are connected to a GGI shall be equipped with a fixed or removable mesh or screen which shall catch garbage and food debris and prevent it from entering the GGI. Food grinders are prohibited unless the FSE installs and properly operates a solids separator prior to the GGI. Signs shall be posted above all sinks prohibiting the discharge of oil, grease, and food waste down the drains.

6. The FSE must ensure interceptors are easily accessible for inspection, cleaning, and removal of FOG and the FSE shall maintain interceptors at their expense and always keep in efficient operating condition by the regular removal of accumulated FOG.

F. Required Maintenance.

1. GGIs shall be maintained by regularly scheduled cleaning so that they will properly operate as intended to efficiently intercept the fats, oils, and grease from the FSE's wastewater and minimize the discharge of said materials into a sanitary sewer owned by a Connector Municipality. A GGI shall be serviced every ninety (90) days or whenever the combined thickness of the floating greases and settled solids is greater than 25% of the hydraulic working capacity of the GGI, or if toxic, noxious, malodorous conditions create a public nuisance or unsafe working conditions which endanger health whichever is more frequent.
2. PCWRA may require more frequent or less frequent cleaning based upon data provided by the FSE.
3. Maintenance of grease interceptors shall be done in a workman-like manner only by a business/professional normally engaged in the servicing of such plumbing fixtures.
4. All waste cooking oil and grease from deep fryers shall be collected, segregated, and stored properly in waste grease bins or similar devices. Waste grease bins shall have a cover or lid and shall be weather tight and not leak. Waste grease bins shall be pumped before they are 90% full by a licensed waste hauler or an approved recycler to dispose of waste cooking oil. Records of pumping shall be maintained for at least three (3) years. PCWRA maintains a list of Registered Grease Haulers as defined in Article 5, D.
  - f. The FSE must document each pump-out with a waste manifest or trip ticket and be kept by the FSE on site for at least three (3) years. This record shall include the date, the name of the company that pumped or cleaned the GGI and the amount of waste that was removed. Such records shall be made available to PCWRA upon request. The removed contents from any GGI shall be handled by a person licensed to haul such waste and shall be disposed of in accordance with federal, State, and local regulations. If any repairs are made to the GGI, the FSE must document repairs and maintain those records.
  - g. The FSE must take reasonable steps to assure that all waste is properly disposed of in accordance with federal, state, and local regulations (i.e., through a statement certifying proper disposal by the hauler included on the waste manifest or trip ticket for each load).

G. General Specifications and Sizing for Gravity Grease Interceptors (GGIs)

1. Pre-cast Concrete GGIs: Pre-cast GGIs shall conform to the size, shape, form, and details shown on Diagram 1. Concrete for pre-cast units shall be defined in the following specifications:

- a. All units shall be adequate to withstand AASHTO H-20 (44.30% impact, soil weight = 130 pcf, equivalent fluid pressure = 55 pcf) loading and shall be designed in accordance with ACI 301 and ASTM C-858.
- b. All structures not specified in the standard detail shall be submitted to PCWRA for approval as a shop drawing at least three (3) weeks prior to installation.
- c. A flexible plastic joint sealing compound shall be used for any tongue and groove joints to provide a watertight joint. The performing flexible plastic joint sealing compound shall meet Federal Specifications SS-S-210 and AASHTO M198 75 1, Type B.
- d. The sealing compound shall show no visible deterioration when immersed separately in a solution of acid, alkali, and saturated hydrogen sulfide for a period of 30 days.
- e. All piping within these GGIs shall be solvent weld PVC — SCH 40 DWV.
- f. Vertical influent and effluent piping shall be secured to the GGI walls with non-corroding support brackets.
- g. GGIs installed in a parking lot or a roadway shall have manhole rings and covers raised to grade by using pre-cast concrete riser rings that are a minimum of 6" wide.
- h. Manhole Rings and Covers: Manhole rings and covers shall be cast iron in accordance with ASTM A-48, Class 35 B. Twenty-four (24) inch diameter assemblies shall be Neenah- 1706, or approved equal, style with a combined weight of not less than 400 pounds (approx. distribution: Frame 235 lbs., Lid 165lbs.) Covers shall be checkered with letters designating "sewer". All bearing surfaces shall be machined. Manhole lids shall be manufactured with a 1" wide elongated oval lifting hole. Manhole lids with more than one lifting hole shall not be accepted. Rim elevation shall be 2" to 4" above grade in open space and shall be 0" to 1/2" below grade of any finished surface.
- i. Concrete: Class A concrete shall be used for all pre-cast concrete GGIs. The concrete shall have a minimum 28-day compressive strength of 4,000 psi for pre-cast structures. Class B concrete shall be used for all thrust blocks, protective pads, and encasements. Class B concrete shall have a minimum 28-day compressive strength of 2000 psi.
- j. The sizing of the GGI shall be determined using Tables 1-3 (2009 UPC)

k. Table 1. Drainage Fixture Units (DFUs)

Fixture Type	Drain Size	Drainage Fixture Units (DFUs)	Quantity	TOTAL
Floor Drain	2.0-3.0"	2.0		
Floor Sink	2.0"	4.0		
	3.0"	6.0		
	4.0"	8.0		
Mop Sink	2.0-3.0"	3.0		
Hand/Bar Sink	1.5-2.0"	2.0		
Additional Fixture(s) (direct connection)	1.5"	3.0		
	2.0"	4.0		
	3.0"	6.0		
	4.0"	8.0		
<b>TOTAL DFUs</b>				

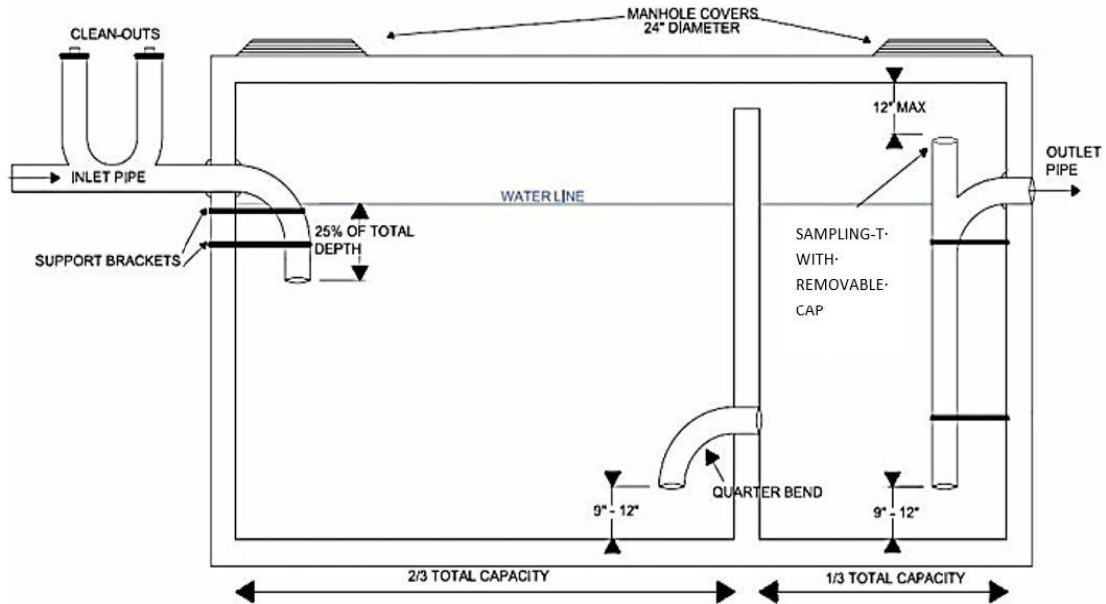
l. Table 2. Gravity Grease Interceptor (GGI) Sizing

Total DFU's (from Table 1)	GGI Volume (gallons)
2-21	750
22-35	1000
36-90	1250
91-172	1500
173-216	2000
217-307	2500
308-342	3000
343-428	4000
429-576	5000
577-720	7500
721-2112	10000
2113-2640	15000

m. Table 3. Core and Shell GGI Sizing

GCI Inlet Pipe Size (inches)	Interceptor Size (gallons)
2	750
3	1000
4	2000
5	4000
6	7500

n. DIAGRAM 1  
 DIAGRAM OF AN APPROVED GRAVITY GREASE INTERCEPTOR (GGI)



## 2. GGI Design Requirements

- a. Concrete lid and base of GGI shall be a minimum of 8" thick. Sidewalls shall be a minimum of 5" thick. Baffle wall shall be a minimum of 3" thick.
- b. Baffle wall shall extend a minimum of 10" above water level.
- c. PVC screw plug clean outs shall be taken to grade and protected by a cast iron lamp hole cover with a locking lid marked "sewer". Lamp hole covers shall be secured in a square concrete pad. The concrete pad shall extend 12" beyond the center of each cleanout and have a depth equal to the lamp hole cover. Concrete pad to be poured at time of final grade.
- d. Inlet invert shall be a minimum of 2" higher than outlet invert.
- e. Vent must be PVC, schedule 40, taken to 6" above roof line or grade depending on location.
- f. GGI shall be bedded in a minimum of 6" of 3/4" crushed rock.
- g. Solids/Grease capacity rated for large compartment only. Secondary compartment has volume equal to 1/3 of total capacity.
- h. No bolt down covers allowed without permission from PCWRA.
- i. Within trap, all pipe and fittings shall be solvent welded schedule 40 PVC min. 3" diameters.
- j. Grey water use only; black water shall be carried by separate sewer.
- k. Recommendation for clean out(s) on outlet.

## H. Grease Hauler Registration Program

1. Grease Hauler Registration: A Grease Hauler that operates within the Connector jurisdictions served by the Plum Creek Water Reclamation Authority, (PCWRA) may apply for and obtain a "Grease Hauler Registration". The Connector municipalities include the Town of Castle Rock, Castle Pines Metropolitan District, and Castle Pines North Metropolitan District.

2. A Grease Hauler is any Industrial User that collects, pumps, or hauls grease generated by Food Service Establishments (FSEs). PCWRA requires that a Grease Hauler must obtain a Grease Hauler Registration to be considered a registered Grease Hauler. Where a Grease Hauler is a registered hauler, PCWRA will include the Grease Hauler on a list of registered haulers to new and existing FSEs.
3. Grease Hauler Registration Application: A Grease Hauler that desires to be on the Grease Hauler Registration List must obtain an application from PCWRA. The application must be completed and submitted to PCWRA. Incomplete or inaccurate applications will not be processed and will be returned to the Grease Hauler for revision. Within thirty (30) days of receipt of a complete Grease Hauler Registration application, PCWRA will determine whether to issue a Grease Hauler Registration, require more information or deny the request. Issuance or denial of a Grease Hauler Registration is at the sole discretion of PCWRA.
4. Signatories and Certification: All Grease Hauler Registration applications and Grease Hauler reports must contain the “Authorized Representative Certification Statement,” as set forth below, and be signed by an authorized representative of the Grease Hauler.

Authorized Representative Certification Statement:

*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.*

5. Reports and Recordkeeping
  - a. The Registered Grease Hauler agrees to provide PCWRA information on the pumping of FOG within PCWRA service area and all locations for the disposal of FSE grease waste by the 15<sup>th</sup> of the month following the month in which grease was collected from an FSE and disposed of within PCWRA service area. If waste information is not submitted to PCWRA for two consecutive months, the Grease Hauler’s Registration will be terminated.
  - b. Reporting Information for FSE FOG Collection. When a Grease Hauler picks up waste from an FSE, the following information shall be provided to the FSE and reported to PCWRA:
    - (1) Name of Grease Hauler, driver’s name, and truck license #.
    - (2) Location where waste was disposed and date of disposal.
    - (3) FSE name and address where waste was collected.
    - (4) Date waste was pumped, size of tank, gallons pumped, and description of waste.
    - (5) Signatory certification in paragraph C.4. above.

- c. All waste disposal records shall be kept on file as required for at least three (3) years.
  6. Grease Hauler Registration Renewal: Grease Hauler registrations shall be issued for the period January 1 through December 31 for each calendar year. A Grease Hauler shall apply for registration renewal by submitting a complete Grease Hauler Registration Application in accordance with this Article by no later than November 15 each year.
  7. Grease Hauler Registration Appeals: Any Grease Hauler, may petition PCWRA to reconsider the denial of a Grease Hauler Registration within ten (10) days of its denial.
- I. Best Management Practices (BMPs) for Petroleum, Oil, Grease, and Sand Facilities (POGS).
1. Applicability. These BMPs establish requirements for any facility that has the potential to discharge petroleum oil, mineral oil, cutting oils, non-food grease, sand, and solids. All facilities subject to these BMPs must comply with the requirements which include both the requirement for installation and proper operation and maintenance of a separator and other reporting requirements.
  2. Prohibited Discharge. No POGS facility shall discharge petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin that will cause or contribute to Pass Through or Interference.
  3. Responsibility of the User. It shall be the responsibility of the POGS facility and/or owner of the property to contact the Connector Municipality for obtaining necessary permits for the installation of a POGS separator or any modifications to the facility's plumbing. Written approval from PCWRA must be obtained prior to installation of the POGS separator as required. The time of review and approval of such permits shall in no way relieve the POGS facility from the responsibility of producing a discharge acceptable to PCWRA under the provisions of these Rules and Regulations.
  4. Registration Permit: As a part of the Tap Authorization process, a POGS facility will be issued a Registration Permit containing Best Management Practices (BMPs) from PCWRA. These BMPs establish requirements for all POGS facilities PCWRA determines that have the potential to discharge petroleum, oil, grease and/or sand to the POTW.
  5. When to Reapply for a Registration Permit: A POGS facility shall submit a Tap Authorization as required in Article 1, Section I.2.
  6. Changes to be reported: The POGS facility shall notify PCWRA and Connector Municipality to reflect changes at the facility as required in Article 1, Section I.2.c.
  7. Plan Reviews: PCWRA will process all plan reviews in the order received and will issue findings as soon as practicable, based on time and staff available. Submittals with omissions and deficiencies will be returned for correction, and resubmittals will be processed the same as new submittals. Staff can usually provide an approximate review time expectation at the time of submittal. A flat fee of \$200 is required per submittal, per POGS separator. Plan review fees include the initial review and follow-up inspections of the POGS separator.
  8. Installation Inspections: It is the POGS facility's responsibility to schedule inspections with
-

PCWRA. The inspections are separate from any plumbing inspections required by a Connector Municipality or the County. All POGS separators will be inspected by PCWRA as follows:

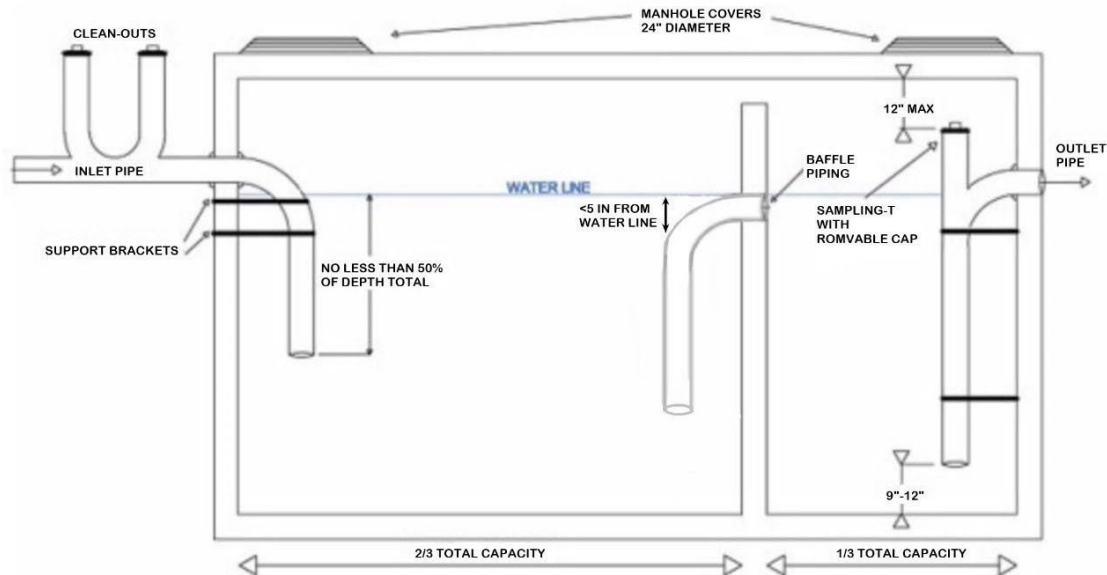
- a. Upon delivery to the POGS facility address prior to plumbing connections; and
  - b. After all plumbing hookups is completed and before the separator is buried.
9. Installation Required. Unless otherwise approved in writing by PCWRA, a POGS facility shall install and properly operate and maintain a POGS separator and implement all required BMPs. A POGS separator that was legally and properly installed at an Industrial User's facility prior to the effective date of these Rules and Regulations shall be acceptable as an alternative if such device is effective in removing floatable and settleable material and is designed and installed in such a manner that it can be inspected and properly maintained. If PCWRA determines at any time that such POGS separator is incapable of adequately retaining the floatable and settleable material or if it was installed in such a manner that it cannot be inspected and properly maintained, the Industrial User shall install a separator that complies with all PCWRA and Connector Municipality requirements within ninety (90) days after being notified of such requirement.
10. Variance: PCWRA does not allow variances to these requirements for Petroleum, Oil, Grease, and Sand separator installations.
11. General Control Requirements.
- a. A separator shall be required for the proper handling of liquid wastewater that may contain petroleum, oil, grease, and sand.
  - b. Upon change of ownership of any existing facility which would be required to have a separator under this Section, the applicant for sanitary sewer service shall have the burden to demonstrate that a properly sized and functioning separator is installed.
  - c. Toilets, urinals, and similar restroom fixtures shall not waste through a separator. Such fixtures shall be plumbed directly into the building sewer and waste system. By default, all non-restroom related DFUs should be tied to the POGS interceptor. Plans must show all DFU routes and Interceptor specs as applicable.
  - d. The Industrial User shall ensure the separator are easily accessible for inspection, cleaning, and removal of accumulated wastes.
  - e. The Industrial User shall always maintain separators at their expense and keep in efficient operating condition by the regular removal of waste materials.
  - f. Mesh screens or a similar device shall be installed for facilities with the potential to discharge debris greater than ½" in any dimension.
  - g. POGS separators shall not be used as a means for disposal of unused, spent, or spilled chemicals, automotive waste fluids, hazardous wastes or sludges. Such wastes shall be stored in appropriate containers in volumes consistent with local and state environmental regulations until collected for recycling and/or disposal.
  - h. Employee training on proper handling of material and implementation of procedures to prevent and minimize unnecessary discharges to the sewer.



- i. Signs shall be posted above all sinks, drains and similar devices located in process areas prohibiting the discharge of oil and other chemical waste down the drains and who to contact at PCWRA and the Connector Municipality in the event of a spill to the POGS separator.
  
  12. Required Maintenance.
    - a. Petroleum, Oil, Grease, and Sand separators shall be maintained by regularly scheduled cleaning so that they will properly operate as intended to efficiently intercept the sand and oil from the industrial user's wastewater and prevent the discharge of said materials into PCWRA's POTW through a Connector Municipality sanitary sewer system. A separator shall be serviced once per six (6) months unless sand and oil accumulation (25% of depth) requires more frequent evacuation or, subject to approval by PCWRA, it is determined that less frequent pumping is sufficient. The Industrial User should periodically check the separator for the accumulation of pollutants or solids to avoid exceeding the capacity of the separator.
  
    - b. Maintenance of separators shall be done in a workman-like manner only by a business/professional normally engaged in the servicing of such plumbing fixtures. Contents shall be hauled and disposed of properly, and legally, off-site and in accordance with all Federal and Local laws and ordinances.
  
    - c. Each Industrial User that is required to use and maintain a separator shall keep a record of every time the separator is pumped or cleaned or repaired. This record shall include the date, the name of the company that pumped or cleaned the separator and the amount of waste that was removed. Such records shall be made available to the Manager upon request. The removed contents from any separator shall be handled by a person licensed to haul such waste and shall be disposed of in accordance with federal, state, and local regulations. These records must be made available to PCWRA upon request. Records shall contain the following information:
      - (1) Date of maintenance.
      - (2) Person performing maintenance.
      - (3) Size of Tanks and estimated volume removed.
      - (4) Final destination/disposal location; and
      - (5) Signature of person performing maintenance.
  
    - d. The Industrial User must document all service receipts, cleaning logs, and maintenance records with a waste manifest or trip ticket and keep on site for at least three (3) years.
  
    - e. The Industrial User must take reasonable steps to assure that all waste is properly disposed of in accordance with federal, State, and local regulations (i.e., through a statement certifying proper disposal by the hauler included on the waste manifest or trip ticket for each load).
  
  13. General Specifications and Sizing for Petroleum, Oil, Grease and Sand (POGS) Separators
-

- a. Petroleum, Oil, Grease and Sand (POGS) separators shall be required for all POGS facilities. Sizing and installation shall follow applicable building codes and as shown below. Those POGS separators not able to achieve compliance with the Authority's Rules and Regulations shall be subject to modification and/or replacement.

(14) DIAGRAM OF AN APPROVED POGS SEPARATOR



b. POGS Separator Design Requirement

- (1) Concrete lid and base of POGS separator shall be a minimum of 8" thick. Sidewalls shall be a minimum of 5" thick. Baffle wall shall be a minimum of 3" thick.
- (2) Baffle wall shall extend a minimum of 10" above water level.
- (3) PVC screw plug clean outs shall be taken to grade and protected by a cast iron lamp hole cover with a locking lid marked "sewer". Lamp hole covers shall be secured in a square concrete pad. The concrete pad shall extend 12" beyond the center of each cleanout and have a depth equal to the lamp hole cover. Concrete pad to be poured at time of final grade.
- (4) Inlet invert shall be a minimum of 2" higher than outlet invert.
- (5) Vent must be PVC, schedule 40, taken to 6" above roof line or grade depending on location.
- (6) POGS separator shall be bedded in a minimum of 6" of 3/4" crushed rock.
- (7) Solids/oil capacity rated for large compartment only. Secondary compartment has volume equal to 1/3 of total capacity.
- (8) No bolt down covers allowed without permission from the Authority.
- (9) Within trap, all pipe and fittings shall be solvent welded schedule 40 PVC min. 3" diameters;
- (10) Grey water use only; black water shall be carried by separate sewer; and
- (11) Recommendation for cleanout(s) on outlet.

(15) Table 1. Drainage Fixture Units (DFUs)

Fixture Type	Drain Size	Drainage Fixture Units (DFUs)	Quantity	TOTAL
Floor Drain	2.0-3.0"	2.0		
Floor Sink	2.0"	4.0		
	3.0"	6.0		
	4.0"	8.0		
Mop Sink	2.0-3.0"	3.0		
Hand Sink	1.5-2.0"	2.0		
Additional Fixture(s) (direct connection)	1.5"	3.0		
	2.0"	4.0		
	3.0"	6.0		
	4.0"	8.0		
<b>TOTAL DFUs</b>				

(16) Table 2. Sand/Oil Interceptor Sizing

Total DFU's (from Table 1)	Interceptor Volume (gallons)
2-21	750
22-35	1000
36-90	1250
91-172	1500
173-216	2000
217-307	2500
308-342	3000
343-428	4000
Total DFU's (from Table 1)	Interceptor Volume (gallons)
429-576	5000
577-720	7500
721-2112	10000
2113-2640	15000

(17) Table 3. Core and Shell POGS separator Sizing

GCI Inlet Pipe Size (inches)	Interceptor Size (gallons)
2	750
3	1000
4	2000
5	4000
6	7500