RENEWABLE WATER RESOURCES
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RENEWABLE WATER RESOURCES

SEWER USE REGULATION

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RENEWABLE WATER RESOURCES

SEWER USE REGULATION

Title I – General Provisions

CHAPTER 1 – Purpose, Policy, and Objectives

Section 1.1.1 Purpose and Policy

This Regulation sets forth uniform requirements for Users of ReWa's collection system and Water Resource Recovery Facilities (WRRFs). This Regulation enables ReWa to comply with all applicable Local, State, and Federal laws, including the Clean Water Act (33 United States Code [U.S.C.] section 1251 et seq.), the General Pretreatment Regulations (Title 40 of the *Code of Federal Regulations* [CFR] Part 403) and South Carolina Department of Environmental Services (SC Regulation 61-9 Section 403).

This Regulation provides for the regulation of all discharges to the Publicly Owned Treatment Works (POTW) through the issuance of permits, authorizes enforcement of limitations and requirements, authorizes monitoring, compliance, and enforcement activities, requires User reporting, establishes administrative review procedures, and provides for the setting of fees for the equitable distribution of expenditures. This Regulation applies to any Person who uses the POTW.

Section 1.1.2 Objectives

The objectives of this Regulation are:

(a) to prevent discharges to the POTW which will interfere with the operation of the POTW, including Interference with its intended end use or disposal of resulting sludge;
(b) to prevent discharges to the POTW which will Pass Through the system, inadequately treated, into receiving waters or the atmosphere;
(c) to improve the opportunity to recycle and reclaim wastewaters and sludge;
(d) to protect ReWa personnel and the general public;
(e) to promote economic growth, including residential, commercial, and industrial development; and
(f) to provide for equitable distribution of the cost of the Wastewater Disposal System.

CHAPTER 2 – Administration

Section 1.2.1 Administration

Except as otherwise provided herein, the CEO shall administer, implement, and enforce the provisions of this Regulation. Any powers granted to or duties imposed upon the CEO may be delegated by the CEO to other ReWa personnel.

CHAPTER 3 – Severability

Section 1.3.1 Severability Clause

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

CHAPTER 4 – Conflict

Section 1.4.1 Conflict

All regulations and parts of regulations inconsistent or conflicting with any part of this Regulation are hereby repealed to the extent of such inconsistency or conflict.

CHAPTER 5 – Abbreviations

Section 1.5.1 Abbreviations

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

BMP:	Best Management Practice
BOD:	Biochemical Oxygen Demand
CEC:	Contaminants of Emerging Concern
CFR:	Code of Federal Regulations
COD:	Chemical Oxygen Demand
CROMERR:	Cross-Media Electronic Reporting Rule
CWA:	Clean Water Act
EPA:	Environmental Protection Agency
FOG:	Fats, Oils, and Grease
gpd:	Gallons Per Day
I/I:	Inflow/Infiltration
mg/l:	Milligrams Per Liter
NPDES:	National Pollutant Discharge Elimination System
NSCIU:	Non-Significant Categorical Industrial User
NSIU:	Non-Significant Industrial User
O&M:	Operation and Maintenance
POTW:	Publicly Owned Treatment Works
PMP:	Pollutant Minimization Plan
RCRA:	Resource Conservation and Recovery Act
ReWa:	Renewable Water Resources
SCDES:	South Carolina Department of Environmental Services
SC R61-9:	SCDES Water Pollution Control Permits: R61-9
SIU:	Significant Industrial User
SPCC:	Spill Prevention Control and Countermeasures
SSO:	Sanitary Sewer Overflow

TDS: Total Dissolved Solids

TKN: Total Kjeldahl Nitrogen

TSS: Total Suspended Solids

USC.: United States Code

WRRF: Water Resource Recovery Facility

CHAPTER 6 – Definitions

Section 1.6.1 Definitions

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

Act or "the Act" or the Clean Water Act (CWA). The Federal Water Pollution Control Act, also known as the CWA, as amended (33 U.S.C. §1251 *et seq.*) and the requirements of the South Carolina Pollution Control Act (S.C. Code Ann. §48-1-10 *et. seq*.)

Authorized Representative or Duly Authorized Representative of User.

1. If the User is a corporation:

   (a) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other Person who performs similar policy or decision-making functions for the corporation; or

   (b) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; and who can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit or a General Permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

2. If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

3. If the User is a Federal, State, or Local governmental entity: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

4. The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the entity, and the written authorization is submitted to ReWa.

5. If an authorization under paragraph 4 of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for environmental matters for the company, a new authorization

satisfying the requirements of paragraph 4 of this section must be submitted to ReWa prior to or together with any reports to be signed by an Authorized Representative.

Best Management Practices (BMPs). Schedules of activities, prohibitions of practices, maintenance procedures, Pollutant Minimization Plans (PMPs), and other management practices to implement the prohibitions listed in Section 3.1.1 General Prohibitions and Section 3.1.2 Specific Prohibitions. BMPs may also be used to control, reduce and/or eliminate the discharges of Contaminants of Emerging Concern (CECs). BMPs may 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.

Biochemical Oxygen Demand (BOD). The quantity of oxygen, expressed in milligrams per liter, utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five days at 20°C.

Biological Additive. A microbiological culture, enzyme, or nutrient additive that is deliberately introduced to promote biodegradation in order to reduce the effects of the discharge.

Building Drain. That part of the lowest horizontal piping of a drainage system which receives wastewater and is located inside the walls of a building and conveys the wastewater to the Building Sewer, which begins five feet outside the building wall.

Building Sewer. The extension from the Building Drain to the sanitary sewer or other discharge location.

Business Plan. A document consisting of three sub-plans: a Facilities Plan, a Management Plan, and a Financing Plan, as applicable, which shows how a wastewater system (or group of systems under a common Owner) will be self-sustaining and that the Owner has the commitment and capability (financial, managerial, and technical capability) to consistently comply with applicable Federal, State, and Local requirements governing wastewater collection, treatment, and disposal.

Bypass. The intentional diversion of wastestreams from any portion of an Industrial User's treatment facility.

Categorical Pretreatment Standard or Categorical Standard. Any regulation containing Pollutant discharge limits promulgated by EPA in accordance with sections 307(b) and (c) of the Act (33 U.S.C. section 1317) that apply to a specific category of Users and that appear in 40 CFR Chapter I, Subchapter N, Parts 405-471 and SC R61-9.403, Appendix C.

Categorical Industrial User (CIU). An Industrial User subject to a Categorical Pretreatment Standard or Categorical Standard.

Certified Laboratory. Laboratories currently certified by the State to perform specified wastewater analyses.

Chemical Additive. Liquids, gases, or solids composed of non-living substances introduced into the grease control device, Grease Trap, or Grease Interceptor for the purpose of changing the chemical nature or physical properties of the Fats, Oils, and Grease (FOG) retained in the grease control device, Grease Trap, or Grease Interceptor.

Chemical Oxygen Demand (COD). The quantity of oxygen, expressed in milligrams per liter, required to oxidize the organic and inorganic matter in wastewater as prescribed in 40 CFR 136 or equivalent methods approved by EPA.

Chief Executive Officer (CEO). The Person designated to manage the activities and responsibilities of ReWa or the CEO's duly Authorized Representative.

Color. Any visible or measurable effect on the hue, tint, or Color of wastewater that is atypical of Domestic Wastewater.

Collection System Users General Permits. A type of General Permit issued to Subdistricts discharging to ReWa's System.

Contaminants of Emerging Concern (CEC). Chemicals and other waste contaminants posing unique issues and challenges to the environmental community as a result of (a) the recent development of new chemicals or other products; (b) new or recently identified byproducts or waste products; (c) newly discovered or suspected adverse health or environmental impacts; (d) physical or chemical properties that are not fully evaluated or understood; (e) an absence of or pending changes to fully defined risk levels, water quality standards or guidance or other environmental program levels of control; and/or (f) other factors

Cooling Water. The water used for air conditioning, refrigeration, or other cooling applications.

CROMERR. EPA's Cross-Media Electronic Reporting Rule (CROMERR) provides the legal framework for electronic reporting under EPA's regulatory programs. The Rule sets performance-based, technology-neutral system standards, and provides a streamlined, uniform process for Agency review, and approval of electronic reporting. The CROMERR program ensures the enforceability of regulatory information collected electronically by EPA and EPA's State, tribal, and local government partners.

Daily Maximum Limit. The maximum allowable discharge limit during a calendar day. Where a Daily Maximum Limit is expressed in units of mass, the Daily Maximum discharge is determined from the total mass discharged over the course of the day. Where Daily Maximum Limit is expressed in terms of a concentration, the Daily Maximum discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

Discharge Authorization. A control mechanism created by ReWa and issued to users outside the Pretreatment permit program that may impose conditions, limitations, or require BMPs of a User connected to ReWa's system. This includes, but is not limited to, letters of acceptance, permits, and other control mechanisms.

Domestic Wastewater. Wastewater from sanitary conveniences in bathrooms, kitchens, canteens, from primary dwellings, commercial buildings, and institutions and home laundries originated primarily from dwellings. In certain cases, the wastewater discharged from an Industrial User would be Domestic Wastewater if it originates from the above type of sanitary conveniences only and does not contain industrial wastewater. Also referred to as "Sanitary Wastewater."

Environmental Protection Agency (EPA). The United States Environmental Protection Agency or, where appropriate, the Administrator, or other duly authorized official of the EPA.

Existing Source. Any source of discharge, the construction or operation of which commenced prior to the publication by EPA of proposed Categorical Pretreatment Standards and Requirements, which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.

Fats, Oils, and Grease (FOG). Organic polar compounds derived from animal and/or plant sources.

Floatable Oil. Oil, fat, or grease in a physical state such that it will separate by gravity from wastewater.

FOG Control Program. ReWa's regulatory, educational, and customer service activities that support elimination of the deleterious impact of FOG discharges on the wastewater.

FOG Waste. Any liquid, semi-liquid, or solid fats, oils, and grease (FOG) that is removed from commercial operations through the use of a Grease Trap or Grease Interceptor.

Food Courts. Areas predominantly found in shopping centers or amusement parks and festivals where several food preparation establishments having different Owners may share seating space or plumbing facilities.

Food Service Establishment (FSE). Any establishment, business, or facility engaged in preparing, serving, or making food available for consumption. This includes, but is not limited to, restaurants, cafeterias, deli's, grocery stores, hospitals, hotels, motels, churches, school kitchens, assisted living facilities, ice cream shops, coffee shops, Food Courts, butcher shop operations, and Mobile Food Units. An FSE can include any facility which cuts, prepares, cooks, fries, bakes, or serves food; or which disposes of food related wastes.

Garbage. The animal or vegetable wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the commercial handling, storage, and sale of produce.

General Permit. An authorization to discharge issued to a group of Users with similar operations and/or types of discharge which may include limitations or other requirements related to the use of or existing/new connection to ReWa's sewer system.

Generator. Any FSE which produces FOG Waste or owner of the origin of any other sources of Hauled Waste.

Grab Sample. A sample that is taken from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes. Grab sampling is the process of collecting Grab Samples.

Grease Interceptor. A device so constructed, typically in the ground, as to separate and hold FOG from the wastewater in order to reduce the FOG entering the sanitary sewer. Grease Interceptors are large tanks typically ranging in size from 1,000 gallons to 3,000 gallons.

Grease Trap. A device utilized to separate grease and oils from the waste stream. A Grease Trap is usually located under the sink and is a small container with baffles, or a floor trap.

Hauled Waste. Transported Holding Tank Waste including waste from vessels, chemical toilets, campers, trailers, septic tanks, Grease Traps, Grease Interceptors, and vacuum pump tank trucks.

Hazardous Material. A substance or combination of substances which, because of its quantity, concentration, or characteristics, may (1) due to human exposure, cause or significantly contribute to mortality, illness, or incapacitation; (2) pose a substantial hazard to human health or the environment if improperly handled; or (3) be defined to be a hazardous waste under the Resource Conservation and Recovery Act, under regulations promulgated pursuant to said Act, or under any other Local, State, or Federal law.

Holding Tank Waste. Any wastewater and/or sludges from holding tanks such as vessels, chemical toilets, camper trailers, septic tanks, and vacuum pump tank trucks which are not directly connected to the sanitary sewer.

Indirect Discharge. The discharge of non-domestic Pollutants from any source, regulated under Section 307(b), (c), or (d) of the Act, to the POTW.

Industrial User. A source of Indirect Discharge.

Infiltration. Water other than wastewater that enters the sewer system (including sewer service connections and foundation drains) from the ground through such means as, but not limited to, defective pipes, pipe joints, connections, or manholes. Infiltration does not include and is distinguishable from Inflow.

Inflow. Water other than wastewater that enters a sewer system (including sewer service connections) from sources such as, but not limited to, roof leaders, basement drains, yard drains, area drains, drains from springs and swampy areas, manhole covers, cross connections between Storm Sewers and sanitary sewers, catch basins, cooling towers, Stormwaters, surface runoff, street wash waters, or drainage. Inflow does not include, and is distinguished from, Infiltration.

Inflow/Infiltration ((I/I)). The total quantity of water from I/I.

Inhibition. Event that occurs when Pollutant levels in a POTW's wastewater or sludge cause operational problems for biological treatment processes involving secondary or tertiary wastewater treatment and alter the POTW's ability to adequately remove BOD, TSS, and other Pollutants.

Instantaneous Limit. The maximum concentration of a Pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composite sample collected, independent of the flow rate and the duration of the sampling event.

Interference. A discharge which, alone or in conjunction with a discharge or discharges from other sources, causes or contributes to:

1. Inhibition or disruption to the POTW, its treatment processes or operations, or its sludge processes use or disposal; and/or
2. A violation of any requirements of the POTW's NPDES Permit. The term includes prevention of sewage sludge use or disposal by the POTW in

accordance with Section 405 of the Act, or any criteria, guidelines, or regulation developed pursuant to the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA), the Clean Air Act, the Toxic Substances Control Act, or more stringent State criteria (including those contained in any State sludge management plan prepared pursuant to Title IV of SWDA) applicable to the method of disposal or use employed by the POTW.

Local Limitation. Specific discharge limits developed and enforced by ReWa upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b) and Section 3.1.1 General Prohibitions and Section 3.1.2 Specific Prohibitions of the Regulation.

Manifest. A multi-part reporting form required by ReWa to document the point of generation, transportation, and disposal of Hauled Waste as outlined in Title IV – Hauled Waste Regulation.

Medical Waste. Isolation wastes, infectious agents, human blood, and blood byproducts, pathological wastes, sharps, body parts, fomites, etiologic agents, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes and dialysis wastes.

Mobile Food Unit. A self-propelled or vehicle mounted unit intended to be used as an FSE. Mobile Food Units must have an approved location to discharge used oil and FOG Waste.

Monthly Average Limit. The average allowable discharge limit during a calendar month. Where a Monthly Average Limit is expressed in units of mass, the monthly average discharge is determined from the total mass of all daily discharges measured during a calendar month divided by the number of measurements taken that month. Where a Monthly Average Limit is expressed in terms of a concentration, the monthly average discharge is the arithmetic average of the concentrations from all measurements taken that month.

National Pollutant Discharge Elimination System (NPDES) Permit. A permit which authorizes a discharge to Waters of the United States.

Natural Outlet. Any outlet into a watercourse, pond, ditch, lake, or other surface water or groundwater.

New Source.

1. Any building, structure, facility, or installation from which there is (or may be) a discharge of Pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under section 307(c) of the Act that will be applicable to such source if such Standards are thereafter promulgated in accordance with that section, provided that:
   a. The building, structure, facility, or installation is constructed at a site at which no other source is located; or
   b. The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of Pollutants at an Existing Source; or
   c. The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an Existing Source at the

same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the Existing Source, should be considered.

2. Construction on a site at which an Existing Source is located results in a modification rather than a New Source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (1)(b) or (c). above but otherwise alters, replaces, or adds to existing process or production equipment.
3. Construction of a New Source as defined under this paragraph has commenced if the Owner or operator has:
    a. Begun, or caused to begin, as part of a continuous onsite construction program
        i. any placement, assembly, or installation of facilities or equipment; or
        ii. significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of New Source facilities or equipment; or
    b. Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

Non-Contact Cooling Water. Water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

Non-Significant Categorical Industrial User (NSCIU). An Industrial User as determined by ReWa that discharges no more than 100 gallons per day of total categorical wastewater (excluding sanitary, Non-Contact Cooling Water and boiler blowdown wastewater, unless specifically included in the Pretreatment Standard) and the following conditions are met:

a. The Industrial User, prior to ReWa's finding, has consistently complied with all applicable Categorical Pretreatment Standards and Requirements;
b. The Industrial User annually submits the certification statement required in §403.12(q) together with any additional information necessary to support the certification statement; and
c. The Industrial User never discharges any untreated concentrated wastewater.

Non-Significant Industrial User (NSIU). Any Industrial User of the POTW which:

1. is not subject to Categorical Pretreatment Standards;
2. discharges an average of less than 25,000 gallons per day of process wastewater to the POTW;
3. discharges less than five percent (5%) of any design or treatment capacity of the POTW;
4. is not found by ReWa, SCDES, or EPA to have a reasonable potential for adversely affecting, either singly or in combination with other discharges, the Wastewater Disposal System, the quality of sludge, the system's effluent quality, the receiving stream, or air emissions generated by the system under current flow and wastewater characteristics, and

5. has a reasonable potential to become an SIU with an increase in process wastewater flow, changes in the wastewater characteristics, or changes in Local, State, or Federal regulations.

Operation and Maintenance (O&M) Costs. All costs, direct and indirect, not including debt service and capital related expenditures, but inclusive of expenditures attributable to administration, monitoring, inspections, reviewing applications, maintenance of equipment, and treatment and collection of wastewater, necessary to ensure adequate wastewater collection and treatment on a continuing basis which conforms to applicable regulations and ensures optimal long-term facility management.

Owner. A Person or entity who has the legal or rightful title to a property or business.

Pass Through. A discharge which exits the POTW into waters of the State or of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, causes or contributes to a violation of any requirement of ReWa's NPDES Permit (including an increase in the magnitude or duration of a violation).

Permittee. A Person to whom a wastewater discharge permit, Discharge Authorization or General Permit coverage has been issued under this Regulation.

Person. Any individual, partnership, venture, firm, company, association, joint stock company, trust estate, governmental entity, or any other legal entity or their legal representatives, agents, or assigns. The masculine gender shall include the feminine, the singular shall include the plural where indicated by context.

pH. An expression of hydrogen ion concentration in water. Also, may be referred to as measure of the acidity or basicity of a solution.

Polar Material. Analytically quantifiable oil and grease of animal or vegetable origin.

Pollutant. Any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sludge, munitions, Medical Wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, basement dirt, and industrial, commercial, agricultural waste, or other Pollutants including the characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, Color, BOD, COD, toxicity, odor) as may be defined by EPA or SCDES Regulations, discharged into water.

Pollutant Minimization Plans (PMPs). Plans designed to identify sources contributing to Pollutant loading and reduce, eliminate, or remove these Pollutants or Pollutant sources.

Pollution. The man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.

Pretreatment. The reduction of the amount of Pollutants, the elimination of Pollutants, or the alteration of the nature of Pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging such Pollutants to the POTW. The reduction or alteration can be obtained by physical, chemical, or biological processes, or process changes of other means, except as prohibited by 40 CFR 403.6(d) and SC R61-9.403.6(e). 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.

Pretreatment Requirements. Any substantive or procedural requirement related to Pretreatment imposed on an Industrial User, other than a Pretreatment Standard.

Pretreatment Standard or Standards. Prohibited discharge standards, Categorical Pretreatment Standards, and Local Limitations.

Private Sewer. A sanitary sewer which is not owned by ReWa or a Subdistrict.

Private Utility. Any utility owned or operated by a privately-owned entity.

Public Sewer. Any sanitary sewer which is owned and controlled by ReWa or another Public Entity, including Subdistricts.

Public Utility. Any utility owned by a governmental entity.

Publicly Owned Treatment Works (POTW). Treatment works as defined by Section 212 of the Act, which is owned by ReWa or a Subdistrict. This definition includes any devices or systems used in the storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances, which convey wastewater to a Water Resource Recovery Facility (WRRF). It also includes sewers, pipes, and other conveyances only if they convey wastewater to a WRRF.

Regulation. The ReWa Sewer Use Regulation and any attachments, or supplements thereof. Also, referred to as "this Regulation" or "the Regulation."

ReWa. Renewable Water Resources, Greenville, SC or any duly authorized personnel or contractor acting on its behalf.

ReWa System or ReWa Owned Sewer. A line owned, operated, and maintained by ReWa that conveys the wastewater stream to a treatment plant.

Sanitary Sewer Overflow (SSO). The unauthorized intentional or unintentional spill, release, or discharge of untreated wastewater from any portion of a sanitary sewer system before the headworks of a Water Resources Recovery Facility (WRRF).

Satellite Sewer System. A sewer system that is owned, operated, and maintained by a Subdistrict or another entity that discharges to the ReWa Owned Sewer. Satellite Sewer Systems depend on ReWa for final wastewater treatment and discharge and include systems approved under SC R.61-9.610.

Sewer Availability – Public Sewer is deemed available if existing Public Sewer is located in a street or public right-of-way within 300 feet from a property line of the parcel(s) being developed with a structure designed for human occupancy OR Public Sewer service to the parcel/development is compatible with ReWa's Wastewater System Master Plan(s). When required, it is the Owner's responsibility to obtain the necessary easements to cross adjacent properties to connect to Public Sewer. If denied the owner is to provide written documentation to ReWa of the denial from the adjacent property owner(s).

Sewer Feasibility – Public Sewer is deemed feasible if there is available grade and / or system capacity to serve the property. The feasibility of Public Sewer may consider long-term basin plan consistency and other development projects within the project area. Financial feasibility for extending sewer or acquiring easements will be the responsibility of the developer.

Shall is mandatory and requires compliance: **May** is permissive.

Significant Industrial User (SIU). Any Industrial User of the POTW who:

1. is subject to Categorical Pretreatment Standards;
2. discharges an average of 25,000 gallons per day or more of process wastewater to the POTW;
3. discharges more than five percent or more of any design or treatment capacity of the POTW; or
4. is found by ReWa, SCDES, or EPA to have a reasonable potential for adversely affecting, either singly or in combination with other discharges, the POTW, the quality of sludge, the system's effluent quality, the receiving stream, or air emissions generated by the system or for violating any Pretreatment Standard or Pretreatment Requirements.

Significant Noncompliance. Violations that meet one or more of the following criteria:

1. Chronic violations of wastewater discharge limits, defined here as those in which 66% or more of measurements taken for the same Pollutant parameter during a 6-month period exceed (by any magnitude) a numeric Pretreatment Standard or Pretreatment Requirement including Instantaneous Limits;
2. Technical Review Criteria (TRC) violations, defined here as those in which 33% or more of wastewater measurements taken for the same Pollutant parameter during a 6-month period equal or exceed the product of the numeric Pretreatment Standard or Pretreatment Requirement including Instantaneous Limits multiplied by the applicable criteria (1.4 for BOD, TSS, Fats, Oils, and Grease, and 1.2 for all other Pollutants except pH);
3. Any other violation of a Pretreatment Standard or Requirement as defined by 1.6.1 (Daily Maximum, Long Term Average, Monthly Average, Instantaneous Limit, or narrative standard) that ReWa believes has caused, alone or in combination with other discharges, Interference or Pass Through (including endangering the health of ReWa personnel or the general public);
4. Any discharge of Pollutants that has caused imminent endangerment to human health, welfare or to the environment, or has resulted in ReWa's exercise of its emergency authority to halt or prevent such a discharge;
5. Failure to meet, within 90 days of the scheduled date, a compliance schedule milestone contained in a Local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance;
6. Failure to provide within 45 days after the due date, any required reports, including baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;
7. Failure to accurately report noncompliance;
8. Any other violation(s), which may include a violation of BMPs, which ReWa determines will adversely affect the operation or implementation of the Local Pretreatment program.

Slug, Slug Discharge, or Slug Load. Any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause Interference or pass through, or in any other way violate the POTW's regulations, Local Limitations, or permit conditions.

Spill Prevention Control and Countermeasures (SPCC). Certain procedures, methods, and equipment used to prevent and contain discharges of oil or petroleum products as required in 40 CFR Part 112.

Standard Methods. The laboratory procedures set forth in the latest edition of Standard Methods for the Examination of Water and Wastewater, prepared and published jointly by the American Public Health Association, American Water Works Association, and Water Environment Federation or any other procedures recognized by the SCDES and EPA.

State. The State of South Carolina.

Storm Sewer. A sewer that carries only Stormwater, surface runoff, street wash, and drainage, and to which wastewater is not intentionally admitted.

Stormwater. Any flow occurring during or following any form of natural precipitation and resulting there from.

Subdistrict. A Satellite Sewer System or municipality with a geographical area within the boundaries of ReWa's service area, having a separate governing body with responsibilities for ownership and maintenance of sanitary sewers, but which is subject to regulation by ReWa as a User of the system.

Total Dissolved Solids (TDS). The Total Dissolved (filterable) Solids as determined by use of the method specified in 40 CFR Part 136.

Total Suspended Solids (TSS). The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and which is removable by laboratory methods as prescribed by 40 CFR 136, or equivalent methods approved by EPA, and referenced as non-filterable residue.

Total Ammonia Nitrogen. The sum of ammonia-nitrogen content of a wastewater as prescribed in 40 CFR 136, or equivalent methods approved by EPA.

Total Kjeldahl Nitrogen (TKN). The sum of organic nitrogen and ammonia nitrogen content of a wastewater as prescribed in 40 CFR 136, or equivalent methods approved by EPA.

Total Phosphorus. The sum of the dissolved and suspended organic and inorganic phosphorus content of wastewater as prescribed in 40 CFR 136, or equivalent methods approved by EPA.

Tank Truck Transporter or Transporter. A Person who owns or operates a vehicle for the purpose of transporting liquid waste.

Upset. An exceptional incident in which there is unintentional and temporary noncompliance with Categorical Pretreatment Standards because of factors beyond the reasonable control of the Industrial User. An Upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

User. Without limitation, any consumer of residential, commercial, or industrial services such as individual or associated homeowners, developers, public or private utilities,

satellite systems, Subdistricts, municipalities, or any Permittee who directly or indirectly discharges, causes, or permits the discharge of wastewater to ReWa.

Wastewater. Land water-carried wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW. This includes Cooling Water, Holding Tank Waste, and I/I.

Wastewater Disposal System. The land, structures, equipment, and processes owned and controlled by ReWa or a Subdistrict (unless specified otherwise) required to collect, transport, and treat wastewater and to dispose of the effluent and accumulated residual solids.

Water Resource Recovery Facility (WRRF). A facility where wastewater is treated prior to discharge in accordance with an NPDES Permit.

Yellow Grease. FOG used in food preparation that have not been in contact or contaminated with other sources such as water, Wastewater, or solid waste. An example of Yellow Grease is fryer oil, which can be recycled into products such as animal feed, cosmetics, and alternative fuel.

Title II – Use of Public Sewers

CHAPTER 1 – Service

Section 2.1.1 Satellite Sewer System Connections

ReWa shall not accept a connection from any Satellite Sewer System owned by more than one User. This requirement shall not apply to Satellite Sewer Systems which are owned by multiple public entities.

Section 2.1.2 External Service Requests

For service requests outside of the service area of a Subdistrict or a municipal or county sewer subdistrict, any Private Utility desiring to connect a Satellite Sewer System to a ReWa Owned Sewer shall make application to ReWa and must enter into an agreement ("Agreement") with ReWa whereby the Private Utility agrees to restrict future conveyances of the Satellite Sewer System as follows:

(a) The Private Utility and its successors agree that any and all future conveyances of the Satellite Sewer System are restricted and limited to conveyances to a single entity of the entire system of gravity lines, force mains, and pump stations constituting a Satellite Sewer System. Maps indicating size, inverts, and locations of all infrastructure shall be provided to ReWa in an acceptable electronic format;
(b) ReWa may seek injunctive relief to enforce the terms of the Agreement until such time that the Satellite Sewer System in its entirety is owned by a Public Sewer.

Further, the application to ReWa will include an opinion from the Private Utilities legal counsel that such Private Utility is authorized to own and operate the Satellite Sewer System and to enter into the contracts by which it gained ownership and control of the system.

Section 2.1.3 Internal Service Requests

All requests for service inside the service area of a Subdistrict, municipality, or county shall be under the direction and approval of a Subdistrict, municipality, or county. This provision allows the Subdistrict, municipality, or county to use a Private Utility under

contract. ReWa shall consider such Satellite Sewer System a part of the Subdistrict, municipality, or county's collector system.

The application for service to ReWa shall be under the direction and approval of the Subdistrict, municipality, or county with a pledge to ReWa that shall the Private Utility become insolvent, inoperable, or subject to any regulatory warning for an unsafe or unsanitary operating condition which is uncured for more than thirty (30) days, then the Subdistrict, municipality, or county will assume ownership, operational, and financial responsibility for the Private Utility, including addressing any regulatory compliance.

For any Satellite Sewer System owned by a Private Utility, ReWa shall be provided with a copy of the contract by which such entity obtained control of the system. A term of that contract shall require ownership of the system to be transferred to a Public Utility if the Private Utility becomes insolvent, or the Satellite Sewer System becomes inoperable or subject for thirty (30) days to an uncured regulatory warning for an unsafe or unsanitary operating condition. The contract will include express provision giving ReWa standing to bring an action to enforce the terms of the contract as a third-party beneficiary thereto.

Section 2.1.4 Permits Required

Prior to connection to the Wastewater Disposal System, the applicant shall obtain approval from the appropriate Subdistrict. Applications shall be made in writing on forms provided by the Subdistrict. When an applicant will discharge any non-domestic wastewater or any wastewater in excess of 1,000 gallons per day, or desires a direct connection to ReWa sewer, the application must be approved by ReWa. All businesses, establishments, or industries that will discharge non-domestic wastewater shall complete the application and obtain Discharge Authorization to connect and use the sewer facilities, regardless of the volume of discharge.

All currently permitted Industrial Users, which includes SIU, CIU, NSIU, and NSCIU, shall apply for renewal of their permit by completing an Industrial Discharge Permit Application and submitting it to ReWa at least 180 days prior to expiration of the current permit. The Industrial Discharge Permit Application shall be provided by ReWa. Facilities to be deeded to and accepted by ReWa or a Subdistrict shall be completed in accordance with applicable construction specifications, engineering standards, codes, and regulations; and are subject to inspection and approval by the appropriate Subdistrict representative and ReWa representative, City or County Codes Department, and SCDES. Maps indicating size, inverts, and locations of all infrastructure shall be provided to ReWa in an acceptable electronic format. New Industrial Users shall also complete an Industrial Discharge Permit Application provided by ReWa.

ReWa may require any User to obtain a wastewater discharge permit or other authorization in order to address the intent of these Regulations.

Section 2.1.5 Responsibility for Costs

All costs and expense incident to the installation and connection of Building Sewers shall be borne by the Owner/User.

CHAPTER 2 – Use of Public Sewers Required

Section 2.2.1 Unsanitary Conditions

It shall be unlawful for any Person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property in areas under the jurisdiction of ReWa any human or animal excrement, Garbage, or objectionable waste. It shall be unlawful to discharge to any

Natural Outlet in areas under the jurisdiction of ReWa any wastewater, except where suitable treatment has been provided in accordance with subsequent provisions of this Regulation and with regulations of SCDES. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater.. Where there is Sewer Availability and Sewer Feasibility, the Owner of all houses, building, or properties used for human occupancy, employment, recreation, or other purposes is hereby required at the expense of the Owner to install suitable toilet facilities therein, and to connect such facilities directly with the Public Sewer in accordance with the provisions of this Regulation, within 90 days after date of official notice. Under unusual or specific circumstances, the CEO may waive this provision.

CHAPTER 3 – Development Standards

Section 2.3.1 Compliance with Other Regulations

All joints and connections of the sewer system shall be tight and waterproof. The size, slope, alignment, materials of construction, excavating methods, pipe placement, jointing, testing, and backfilling shall all conform to the building code, plumbing code, and all other regulations and technical specifications of ReWa, Subdistrict, County, and the State.

Section 2.3.2 Materials

All new sewers, including Building Sewers, to be connected with or to discharge to the Wastewater System shall be constructed of materials in accordance with the ReWa Development Manual. Where two or more standards are available, the more stringent standard shall be applied.

Section 2.3.3 Connection Not Allowed to Sewer

No Person shall make any connection of appurtenances that convey flows from roof downspouts, exterior foundation drains, area drains, or other sources of Inflow, Infiltration, or other waters to a Building Sewer or Building Drain which in turn is connected, directly or indirectly, to a sanitary sewer.

Section 2.3.4 Connection Not Allowed to Storm Sewers

No Person shall make any connection or discharge of wastewater into a Storm Sewer within ReWa's service area.

Section 2.3.5 Multiple Connections Through One-Building Sewer

A separate and independent Building Sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no sanitary sewer is available nor can be constructed to the rear building through an adjoining alley, court, yard, or driveway. The Building Sewer from the front building may be extended to the rear building and the whole considered as one Building Sewer, if the connection is not serving a shopping mall, multiple-building complex where there will be several owner's or renters (e.g. apartment complex, condominium complex, mobile home park, campground, industrial parks or business park, or a marina).

Section 2.3.6 Use of Old Building Sewers

Old Building Sewers may be used in connection with new buildings only when they are found, upon examination and testing by ReWa or the Subdistrict, to meet all requirements of this Regulation.

Section 2.3.7 Connection of Building Sewer to Public Sewer

Whenever possible, the Building Sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any Building Drain is too low to permit gravity flow to the Public Sewer , wastewater carried by such Building Drain shall be lifted by a means approved by ReWa or the applicable Subdistrict and discharged to the Building Sewer. The connection of the Building Sewer into the Public Sewer shall conform to the requirements of applicable building and plumbing codes and other applicable rules and regulations, and Technical Standards of ReWa or the Subdistrict. All such connections shall be made gastight and watertight. Any connection to a Public Sewer shall be made at an existing manhole or one built for that connection at the expense of the User. Any deviation from the prescribed procedures and materials must be approved by ReWa and the applicable Subdistrict before installation.

Section 2.3.8 Direct Connections

Direct connections to the ReWa System by a residential, commercial, or Industrial User will be allowed at ReWa's discretion upon the request and consent of the Subdistrict or municipality within whose territory the proposed connection will fall. Direct connections will be allowed only under the condition that the respective Subdistrict requesting service agrees that the directly connecting User will be a user or customer of the municipality or Subdistrict on an equal footing with any user or customer within the municipality or Subdistrict who is connected to a municipal or Subdistrict system intervening between the service lateral and the ReWa System The connection shall be subject to the engineering approval of ReWa and the installation of the connection per the approved plans shall be inspected and verified by the applicable Subdistrict in the same manner as a connection to their own collector system.

The Subdistrict shall be allowed access to ReWa manholes to which direct connections are made for purposes of inspecting or maintaining the direct connections. For those connections which were made to a ReWa line rather than a manhole, the Subdistrict can access a ReWa manhole or line for the same purposes after providing notice to ReWa of the necessary work.

For requests for a direct connection outside the service area of a municipality or Subdistrict, the Subdistrict or municipality in whose drainage basin the proposed connection will likely fall must first approve the connection pursuant to South Carolina Act No. 688 of 1969.

Section 2.3.9 Supervision of Building Sewer Construction

The applicant for the Building Sewer permit shall notify ReWa or the applicable Subdistrict when the Building Sewer is ready for inspection and connection to the Public Sewer. The connection shall be made under the supervision of ReWa or the applicable Subdistrict. All excavations for Building Sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard as per all Occupational Safety and Health Administration's guidelines. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored to its original condition or better and in a manner satisfactory to ReWa.

Section 2.3.10 Special Pretreatment Devices

Grease Interceptors, Grease Traps, oil separators, and grit interceptors shall be provided when a process or business activity is present within the connected building where oils, greases, grit, sand, or other possibly impactful substances are generated or handled with

any potential of entry into the sanitary sewer. All devices shall be designed, sized, and operated according to established ReWa standards in the ReWa Development Manual and Title V of this Regulation. Where no ReWa standard exists, the devices shall be designed and installed in accordance with best engineering practices and Local codes. All devices shall be approved by ReWa prior to installation and shall be located as to be readily and easily accessible for cleaning and inspection with adequate and approved security mechanisms installed to prevent unauthorized access or use. Where installed, all Grease Interceptors, Grease Traps, oil separators, and grit interceptors shall be maintained and secured by the Owner, at the Owner's expense. In maintenance of these devices, the Owner shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal which are subject to review by the State, Subdistrict, County, and/or ReWa. Any removal and hauling of collected materials shall be performed according to applicable State, Federal, and Local regulations. Additional requirements and regulatory guidance for the installation, O&M of Grease Interceptors and Grease Traps is contained in Title V – Fats, Oils, and Grease Control Regulation.

Section 2.3.11 General Guidance

The ReWa approval of plans and specifications for expansion or modification to treatment works shall be generally based on the Recommended Standards for Sewage Works (commonly referred to as "Ten States Standards"), and these Standards are recommended for use by any entity developing facilities for connection to the Wastewater Disposal System

Section 2.3.12 Connection and/or Use Consent

Connection and/or use of ReWa's facilities or systems shall constitute consent and agreement by the User to be bound and abide by the ReWa Sewer Use Regulation and be subject to the enforcement thereof.

Section 2.3.13 Development Manual

All planning, design, and construction of new sewer infrastructure within ReWa's Service Area, but not located within the boundaries of existing Satellite Sewer Agencies, shall conform to the standards and procedures provided in ReWa's Development Manual, or any applicable Local, State, or Federal standards which are more stringent.

CHAPTER 4 – Private Wastewater Disposal

Section 2.4.1 Responsibility for Construction and Operation

Where a Public Sewer is not available according to the provisions of this Regulation, Building Sewers shall be connected to private Wastewater Disposal Systems subject to applicable requirements, including other authorities having legal jurisdiction. Where the Owner desires ReWa to assume responsibility for the O&M of their treatment works, lines, or pump stations, all such facilities shall be designed and constructed in accordance with ReWa's requirements (including ReWa's Development Manual and Technical Specifications) and shall be subject to its review and approval and be in compliance with any applicable requirements by other authorities having legal jurisdiction. ReWa may assume responsibility for the O&M Costs of treatment systems, lines, and pump stations upon such written terms and conditions, as it deems appropriate.

Section 2.4.2 Tank Truck Transporter

The contents of a tank truck operated by a SCDES licensed and ReWa permitted Transporter of Holding Tank Waste shall be discharged only at a location approved by ReWa as listed on the permit. The discharge of such wastes shall be subject to the procedures and limitations established by ReWa, in the provisions of Title IV – Hauled Waste Regulation and Title V – Fats, Oils, and Grease Control Regulation.

Section 2.4.3 Requirements of Other Authorities

No requirement contained in this Section shall be construed to relieve the applicant of any additional requirements that may be imposed by other authorities having legal jurisdiction.

CHAPTER 5 – Other Related Requirements

Section 2.5.1 Requirements for Subdistricts

All Subdistricts shall also be subject to the provisions of the *"Technical Standards for Collection System Users"* and the *"Capacity, Management and Maintenance (CMOM) Requirements"* as adopted by ReWa's Board of Commissioners.

Section 2.5.2 Requirements for Water Received from Other Jurisdictions

If another municipality, or User located within another municipality, contributes wastewater to the POTW, ReWa-shall enter into a multi-jurisdictional agreement with the contributing municipality where required by law. This agreement may take the form of a contract or Collection System User Permit issued by ReWa to the contributing entity.

CHAPTER 6 – Fees and Charges

Section 2.6.1 Fees and Charges

All Users shall be subject to applicable fees and charges as established by ReWa. Such fees and charges may include, but are not limited to:

(a) Monthly base charges;
(b) Volume charges;
(c) Surcharge charges;
(d) Disconnection charges;
(e) Hauled Waste Program charges;
(f) Pretreatment Program fees;
(g) Administrative and finance fees;
(h) Engineering development fees;
(i) Laboratory analysis fees;
(j) New account fees; and
(k) Retail collection fees.

Current fees and charges can be found in **Attachment A**- Rates, Fees, and Charges. Future charges and fees will be developed and approved for inclusion in Rates, Fees, and Charges.

Title III – Industrial Pretreatment Regulation

CHAPTER 1 – General Sewer Use Requirements

Section 3.1.1 General Prohibitions

It shall be unlawful for any Person to discharge any Pollutant or wastewater which causes a hazard to human life, creates a public nuisance, exceeds specific limitations set forth

hereinafter or in the User's permit/control mechanism, or causes or contributes to Pass Through or Interference. These general prohibitions apply to all Users of the POTW whether or not the User is subject to Categorical Pretreatment Standards or any other Federal, State, or Local regulations.

Section 3.1.2 Specific Prohibitions

A User shall not discharge the following Pollutants, substances, or Wastewater to the POTW:

(a) Liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW. Wastewater shall not have a closed cup flashpoint of less than 140° F using test methods specified in 40 CFR 261.21. Materials specifically prohibited from discharge into the POTW include gasoline, kerosene, naphtha, fuel oil, lubricating oil, and any other substances which ReWa, the Subdistrict, State, or EPA has notified the User is a fire hazard or a hazard to the system.

(b) Solid or viscous substances which may cause obstruction to the flow in a sewer or POTW or other Interference, such as, but not limited to: raw materials, finished products, Floatable Oil, Garbage with particles greater than one-half (1/2") inch in any dimension, animal guts or tissues, paunch manure, bones, hair, hides, fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, floss, shavings, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud or glass grinding, polishing wastes, or non-woven hygiene wipes.

(c) Wastewater having a pH less than 6.0 standard units or greater than 10.0 standard units, or otherwise causing corrosive structural damage to the POTW or equipment.

(d) Wastewater liquid, or vapors having a temperature higher than 150°F, or results in a temperature higher than 104°F at the influent to the WRRF or heat in such an amount as will inhibit biological activity in the POTW and cause or contribute to Interference unless other limits are approved by ReWa, or wastewater having any other properties capable of causing damage or hazard to structures, equipment, or personnel of the POTW.

(e) Noxious liquids, gases, solids, or wastewater containing Pollutants in sufficient quantity, either singly or by interaction with other Pollutants which will cause or contribute to Interference, constitute a hazard to humans or animals, or create a toxic effect in the receiving waters of the WRRF or cause a violation of ReWa's NPDES Permit.

(f) Wastewater containing radioactive wastes or isotopes of such half-life or concentrations as may exceed limits established by applicable Local, State, or Federal regulations.

(g) Wastewater which constitutes a Slug Discharge as defined herein.

(h) Pollutants, including oxygen-demanding Pollutants (BOD, etc.), released in a discharge at a flow rate and/or Pollutant concentration which, either singly or by interaction with other Pollutants, will cause Interference with the POTW.

(i) Wastewater which imparts a visible sheen or observable and/or measurable Color in the effluent of the WRRF or causes Interference and Pass Through.

(j) Substances which may cause the POTW's effluent or any other product of the POTW such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Safe Drinking Water Act (SDWA), the Clean Air Act, the Toxic Substances Control Act, or State criteria applicable to the sludge management method being used.

(k) Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that may cause or contribute to Interference or Pass Through.

(l) Wastewater containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed.

(m) Any Pollutants which result in the presence of toxic gases, vapor, or fumes within the POTW in a quantity that may:

(1) Pose a hazard to employee health or safety; or

(2) Cause excessive corrosion to the POTW.

(n) Any trucked or Hauled Wastes, except as permitted by ReWa at discharge points designated by ReWa.

(o) Any wastewater that causes or contributes to toxicity in the POTW's effluent or any other product of the POTW or receiving streams.

(p) Any Pollutants containing detergents, surface active agents, or other substances which may cause or contribute to excessive foaming, Interference, or Pass Through within the POTW.

(q) Wastewater which includes excessive Infiltration and/or Inflow as determined by ReWa.

(r) Any discharge that causes or contributes to a SSO.

(s) any substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR part 261.

(t) Grease and Oils:

(1) Wastewater containing more than 100 mg/l of Silica Gel Treated N-Hexane Extractable Material (SGT-HEM); Non-Polar Material such as petroleum oil, cutting oils, coolants, or products of mineral oil origin.

(2) Wastewater containing more than 200 mg/l of Polar Material including oil or grease of animal or vegetable origin. Analyses shall be performed in accordance with 40 CFR 136 Guidelines Establishing Test Procedures for the Analysis of Pollutants in the latest edition of 40 CFR 136. The difference between the N-Hexane Extractable Material (HEM) analysis and the SGT-HEM analysis will be considered Polar Material.

(3) Wastewater containing substances which may solidify or become viscous in the collection system.

(4) Wastewater or waste containing oil, grease, or septage that is hauled to ReWa facilities.

Section 3.1.3 Conditionally Prohibited Discharges

Certain discharges may be prohibited in the event ReWa determines it necessary to protect the POTW, or receiving stream, or that the discharge will endanger human health, public property, or constitute a nuisance. ReWa may revise the limitations established in this section if, in the determination of ReWa, different limitations are necessary to meet the above objectives. Wastewater as described below shall not be discharged to the POTW without the prior written approval of ReWa by wastewater discharge permit, General Permit, or otherwise.

(a) Holding Tank Waste without prior written approval from ReWa
(b) Wastewater with a pH greater than 11.5 standard units.
(c) Any wastewater which imparts Color to the influent of the WRRF.
(d) Flows from, but not limited to, Stormwater, surface water, ground water, artesian well water, roof runoff, subsurface drainage, HVAC condensate, deionized water, Non-Contact Cooling Water, and certain non-domestic wastewater.
(e) Any infectious or Medical Waste which may pose a biohazard potential.
(f) Any sludges, screenings, or other residuals from the Pretreatment of industrial wastes.
(g) Swimming pool backwash and drainage approved to be discharged to the environment pursuant to the applicable Municipal Separate Storm Sewer System (MS4) in accordance with applicable Local, State, or Federal regulations.
(h) Any wastewater that is not or cannot be measured and/or billed for sewer services.

Section 3.1.4 Right of Revision

ReWa reserves the right to establish, by Regulation, or in individual or general wastewater discharge permits, Discharge Authorizations, or letters of acceptance, more stringent Standards or Requirements on discharges to the POTW consistent with the purpose of this Regulation.

Section 3.1.5 Categorical Pretreatment Standards

Upon the promulgation of Categorical Pretreatment Standards and Requirements for an industrial subcategory, each Categorical Pretreatment Standard and Requirements, if more stringent than the corresponding limitation imposed under this Regulation for sources in that subcategory, shall immediately supersede the limitations imposed under this Regulation. ReWa shall notify all affected Users of the applicable reporting requirements under 40 CFR 403.12 and SC R61-9.403.12. Compliance with Categorical Pretreatment Standards and Requirements for Existing Sources subject to such standards or for Existing Sources which hereafter become subject to such standards shall be within three years following promulgation of the standards unless a shorter compliance time is specified in the standard. Specific Pollutant limitation and compliance schedules shall be developed by ReWa and made a part of the User's discharge permit or a General Permit. Compliance with Categorical Pretreatment Standards or Local Limitations for New Sources shall be required within 90 days of initiation of a discharge.

Section 3.1.6 Mass and Concentration Limitations

(a) Where a Categorical Pretreatment Standard is expressed only in terms of either the mass or the concentration of a Pollutant in wastewater, ReWa may impose equivalent concentration or mass limits in accordance with paragraphs (d) and (e) of this Section.

(b) When the limits in a Categorical Pretreatment Standard are expressed only in terms of mass of Pollutant per unit of production, ReWa may convert the limits to equivalent limitations expressed either as mass of Pollutant discharged per day or effluent concentration for purposes of calculating effluent limitations applicable to individual Industrial Users.

(c) When wastewater subject to a Categorical Pretreatment Standard is mixed with wastewater not regulated by the same Standard, ReWa shall impose an alternate limit in accordance with 40 CFR 403.6(e) and SC R61-9.403.6(f).

(d) When a Categorical Pretreatment Standard is expressed only in terms of Pollutant concentrations, an Industrial User may request that ReWa convert the limits to equivalent mass limits. The determination to convert concentration limits to mass limits is within the discretion of ReWa. ReWa may establish equivalent mass limits only if the Industrial User meets all the conditions set forth as follows:

(1) To be eligible for equivalent mass limits, the Industrial user must:

i. Employ or demonstrate that it will employ, water conservation methods and technologies that substantially reduce water use during the term of its individual wastewater discharge permit;

ii. Currently use control and treatment technologies adequate to achieve compliance with the applicable Categorical Pretreatment Standard, and not have used dilution as a substitute for treatment;

iii. Provide sufficient information to establish the facility's total actual average daily flow rate for all wastestreams, based on data from a continuous effluent flow monitoring device, as well as the facility's long-term average production rate. Both the actual average daily flow rate and the long-term average production rate must be representative of current operating conditions;

iv. Not have daily flow rates, production levels, or Pollutant levels that vary so significantly that equivalent mass limits are not appropriate to control the Discharge; and

v. Have consistently complied with all applicable Categorical Pretreatment Standards and Requirements during the period, at least three years, prior to the Industrial User's request for equivalent mass limits.

(2) An Industrial User subject to equivalent mass limits must:

i. Maintain and effectively operate control and treatment technologies adequate to achieve compliance with the equivalent mass limits;

ii. Continue to record the facility's flow rates through the use of a continuous effluent flow monitoring device. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of flow measurements is consistent with accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of not greater than 10 percent from the true discharge rate throughout the range of expected discharge volumes.

iii. Continue to record the facility's production rates and notify ReWa whenever production rates are expected to vary by more than 20

percent from its baseline production rates determined in paragraph 3.1.6(d)(1)(iv) of this Section. Upon notification of a revised production rate, ReWa will reassess the equivalent mass limit and revise the limit as necessary to reflect changed conditions at the facility; and

iv. Continue to employ the same, comparable, or improved water conservation methods and technologies as those implemented pursuant to paragraph 3.1.6(d)(1)(i) of this Section so long as it discharges under an equivalent mass limit.

(3) When developing equivalent mass limits, ReWa:

i. Will calculate the equivalent mass limit by multiplying the actual average daily flow rate of the regulated process(es) of the Industrial User by the concentration-based Daily Maximum and Monthly Average Standard for the applicable Categorical Pretreatment Standard and the appropriate unit conversion factor;

ii. Upon notification of a revised production rate, will reassess the equivalent mass limit and recalculate the limit as necessary to reflect changed conditions at the facility; and

iii. May retain the same equivalent mass limit in subsequent individual wastewater discharge permit terms if the Industrial User's actual average daily flow rate was reduced solely as a result of the implementation of water conservation methods and technologies, and the actual average daily flow rates used in the original calculation of the equivalent mass limit were not based on the use of dilution as a substitute for treatment pursuant to Section 3.1.9 below. The Industrial User must also be in compliance with Section 33.2.3 regarding the prohibition of Bypass.

(e) ReWa may convert the mass limits of the Categorical Pretreatment Standards of 40 CFR Parts 414, 419, and 455 to concentration limits [SC R61-9.403.6 (d)(6)] for purposes of calculating limitations applicable to individual Industrial Users. When converting such limits to concentration limits, the concentrations in the applicable subparts of 40 CFR Parts 414, 419, and 455 shall be applied. Also, documentation shall be provided that dilution is not being substituted for treatment as prohibited under Section 3.1.91 of this Regulation. The conversion is at the discretion of ReWa.

(g) Equivalent limitations calculated in accordance with Section 3.1.6 above are deemed Pretreatment Standards for the purposes of 307(d) and the CWA. ReWa must document how the equivalent limits were derived and make this information publicly available. Once included in its permit, the Industrial User must comply with the equivalent limitations in lieu of the promulgated Categorical Standards from which the equivalent limitations were derived.

(h) Many Categorical Pretreatment Standards specify one limit for calculating maximum daily discharge limitations and a second limit for calculating maximum Monthly Average or 4-day average limitation. Where such Standards are being applied, the same production or flow figure shall be used in calculating both the average and the maximum equivalent limitation.

(i) Any Industrial User operating under a permit incorporating equivalent mass or concentration limits calculated from a production-based Standard shall notify ReWa within two (2) business days after the User has a reasonable basis to know that the production level will significantly change within the next calendar month. Any User

not notifying ReWa of such anticipated change will be required to meet the mass or concentration limits in its permit that were based on the original estimate of the long-term average production rate.

(j) ReWa may reduce or waive User monitoring for Categorical Pretreatment Standards if an Industrial User subject to the Categorical Pretreatment Standards and Requirements is determined to be an NSCIU. ReWa may determine that an Industrial User subject to Categorical Pretreatment Standards and Requirements is an NSCIU rather than an SIU on a finding that the Industrial User never discharges more than 100 gallons per day (gpd) of total categorical wastewater (excluding sanitary, Non-Contact Cooling, and boiler blowdown wastewater, unless specifically included in the Pretreatment Standard) and the following conditions are met:
   (a) The Industrial User, prior to the ReWa's finding, has consistently complied with all applicable Categorical Pretreatment Standards and Requirements;
   (b) The Industrial User annually submits the required certification statement and any necessary supporting information; and
   (c) The Industrial User never discharges any untreated, concentrated wastewater.

Section 3.1.7 Limitations on Wastewater Strength and Flow Rate

No Person shall discharge wastewater in excess of the concentration or mass limit set forth in Categorical Pretreatment Standards or Local Limitations, their wastewater discharge permit, or a General Permit. ReWa shall establish permit limitations on a case-by-case basis in accordance with SCDESand EPA regulations and Attachment C - ReWa Pretreatment Allocation Methodology Manual. Where appropriate and allowed by applicable regulations, ReWa may impose mass limitations on a discharge.

ReWa may develop BMPs or include BMPs in individual wastewater discharge permits, General Permits or Discharge Authorizations, to implement Local Limitations and the requirements of Sections 3.1.1 and 3.1.2.

Section 3.1.8 Revision of Limitations

ReWa may impose limitations more stringent than the Categorical Pretreatment Standards in wastewater discharge permits or a General Permit where ReWa determines it is necessary to comply with the objectives of this Regulation.

Section 3.1.9 Dilution Prohibition

Except where authorized by an applicable Pretreatment Standard, no Industrial User shall deliberately dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with applicable limitations. This provision may be waived for Categorical Pretreatment Standards only if the standard or requirements specifically allow dilution and ReWa determines the discharge would otherwise comply with the provisions of this Regulation.

Section 3.1.10 Accidental Discharge, Slug Control, and Spill Prevention Control and Countermeasure (SPCC) Plans

ReWa may require a User to develop and implement an accidental discharge/Slug control/SPCC plans. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the expense of the Owner. Upon request, detailed plans showing facilities and operating procedures to provide this protection shall be submitted to ReWa for review. Review and approval of such plans and operating procedures shall not relieve the responsibility to modify the facility as necessary to meet the requirements of this Regulation. Full implementation by the Industrial User of the

most currently dated plan that ReWa approves shall be an enforceable component of an Industrial User Permit or other User Discharge Authorization.

The accidental discharge/Slug control plan/SPCC when required, shall be submitted to ReWa containing at a minimum the following:

(a) Description of discharge practices, including non-routine batch discharges;
(b) Description of stored chemicals;
(c) Procedures for immediately notifying ReWa of any accidental or Slug Discharge or change at its facility affecting potential for a Slug Discharge. Such notification must also be given for any discharge which would violate any of the prohibited discharges; and
(d) Procedures to prevent adverse impact from any accidental 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 run-off, worker training, building of containment structures or equipment, measures for containing toxic organic Pollutants (including solvents), and/or measures and equipment for emergency response.

Section 3.1.11 Reports of Potential Problems

In the case of any discharge, including, but not limited to accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch discharge, a Slug Discharge, or a Slug Load, it is the responsibility of the Industrial User to immediately notify ReWa of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions.

Within five days following an accidental discharge or Slug Load, the Industrial User shall submit to ReWa a detailed written report describing the cause of the discharge and the measures to be taken to prevent similar future occurrences. Such notification shall not relieve the Industrial User of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW or Wastewater Disposal System, fish kills, or any other damage to Person or property; nor shall such notification relieve the Industrial User of any fines, civil penalties, or other liability which may be imposed by this Regulation or other applicable law.

Section 3.1.12 Reports of Changed Conditions

Significant Industrial Users are required to notify ReWa immediately of any changes at its facility affecting the potential for a Slug Discharge.

Industrial Users which, through changes in the use of the premises or water usage, could cause a substantive change in wastewater volume, strength, or characteristic shall promptly notify ReWa of anticipated changes and may be required to submit a new application prior to making the change or alterations. These changes include the introduction of any new chemicals to be stored on site for any purpose.

Section 3.1.13 Upset Provision, An Affirmative Defense

(a) Definition. For the purposes of this section, “Upset” means an exceptional incident in which there is unintentional and temporary noncompliance with Categorical Pretreatment Standards because of factors beyond the reasonable control of the Industrial User. An Upset does not include noncompliance to the extent caused by

operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

(b) Effect of an Upset. An Upset shall constitute an affirmative defense to an action brought for noncompliance if the requirements of paragraph (c), below, are met.

(c) Conditions Necessary for Demonstrating Upset. Any Industrial User which experiences an Upset in operations which places the Industrial User in a temporary state of noncompliance shall comply with the requirements of 40 CFR 403.16 and SC R61-9.403.16 if the Industrial User seeks to establish an affirmative defense of Upset. An Industrial User who wishes to establish the affirmative defense of Upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

(1) An Upset occurred and the Industrial User can identify the cause(s) of the Upset

(2) The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable O&M procedures

(3) The Industrial User has submitted the following information to ReWa within twenty-four (24) hours of becoming aware of the Upset (if this information is provided orally, a written submission must be provided within five days):

i. Description of the Upset, the cause thereof, and the expected impact on the Industrial User's compliance status;

ii. Duration of noncompliance, including exact dates and times of noncompliance, and if the noncompliance is continuing, the time by which compliance is reasonably expected to occur; and

iii. All steps taken or to be taken to reduce, eliminate, and prevent recurrence of such an Upset or other condition of noncompliance.

(d) Burden of Proof. In any enforcement proceeding, the Industrial User seeking to establish the occurrence of an Upset shall have the burden of proof.

(e) Reviewability of Claims of Upset. Industrial Users shall have the opportunity for a judicial determination on any claim of Upset only in an enforcement action brought for noncompliance with Categorical Pretreatment Standards.

(f) Industrial User Responsibility in Case of Upset. Industrial Users shall control production of all discharges to the extent necessary to maintain compliance with Categorical Pretreatment Standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced or fails.

Section 3.1.14 Notice of Process Change/Interruption of Operation

Notice by the Industrial User shall be given to ReWa in advance or at the earliest possible time when normal operations of the industry as identified by the industry in its permit application will be interrupted for 48 hours or longer, when wastewater will not be discharged, or prior to implementation of a process change which will alter characteristics of the wastewater.

CHAPTER 2 – Pretreatment of Wastewater

Section 3.2.1 Pretreatment Facilities

(a) Timeline. Industrial Users required to install Pretreatment, additional Pretreatment measures, or make operational modifications to comply with limitations, Categorical

Pretreatment Standards and Requirements or Local Limitations, must provide the shortest schedule by which the Industrial User will provide these measures.

(b) Installation. Industrial Users shall provide Pretreatment as required to comply with this Regulation, Discharge Authorization or permit and shall achieve compliance with this Regulation and all Pretreatment Standards within the specified time limitations. Any Pretreatment facilities required to maintain compliance with standards or requirements shall be constructed, operated, and maintained at the expense of the Owner. An Industrial User shall construct or modify the necessary Pretreatment facilities in accordance with SC R.61-67 within the compliance timeframe specified by ReWa in the Industrial User's permit, Discharge Authorization, enforcement order, or other local control mechanism. Detailed plans showing the Pretreatment facilities and operating procedures shall be submitted to ReWa for review. Submittal of such plans and operating procedures will in no way relieve the Industrial User from the responsibility of modifying the facility as necessary to produce an effluent acceptable to ReWa under the provisions of this Regulation. Any subsequent changes in the Pretreatment facilities or method of operation shall be reported to ReWa prior to the initiation of the changes.

Section 3.2.2 Additional Pretreatment Measures

(a) Whenever deemed necessary, ReWa may require Industrial Users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and such other conditions as may be necessary to protect the POTW and determine the Industrial User's compliance with the requirements of this Regulation.

(b) An Industrial User may be required to install and maintain, on its property and at its expense, a suitable storage and flow control facility to ensure equalization of flow over a period determined by ReWa. The facility shall have a reasonable capacity for the daily discharge volume and shall be equipped with alarms and a rate of discharge controller, the regulation of which shall be directed by ReWa. A wastewater discharge permit or a General Permit may be issued solely for flow equalization.

(c) Industrial Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

Section 3.2.3 Bypass

Any Industrial User which Bypasses treatment facilities shall comply with the requirements of this section and applicable State and Federal regulations. For the purposes of this section, severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a Bypass. Severe property damage does not mean economic loss caused by delays in production.

An Industrial User may allow any Bypass to occur which does not cause Pretreatment Standards or Requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These Bypasses are not subject to the provision of the paragraphs below of this section.

If an Industrial User knows in advance of the need for a Bypass, it shall submit prior notice to ReWa at least ten (10) days before the date of the Bypass, if possible. An Industrial User shall submit oral notice to ReWa of an unanticipated Bypass that exceeds

applicable Pretreatment Standards within twenty-four (24) hours from the time it becomes aware of the Bypass. A written submission shall also be provided within five (5) days of the time the Industrial User becomes aware of the Bypass. The written submission shall contain a description of the Bypass and its cause; the duration of the Bypass, including exact dates and times, and, if the Bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the Bypass. ReWa may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.

Bypass is prohibited, and ReWa may take enforcement action against an Industrial User for a Bypass. However, in the exercise of its enforcement discretion, ReWa will consider the following information provided by the Industrial User:

(a) Bypass was unavoidable to prevent loss of life, personal injury or severe property damage;
(b) There were no feasible alternatives to the Bypass, such as the use of auxiliary treatment facilities, retention of untreated wastewater, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a Bypass which occurred during normal periods of equipment downtime or preventative maintenance; and,
(c) The Industrial User submitted notices as required in this section.

ReWa may approve an anticipated Bypass, after considering its adverse effects, if ReWa determines that it will meet the conditions listed in this section.

Section 3.2.4 Recovery of Preventative Expenses

When any discharge, in the determination of ReWa, violates any prohibitions and/or limitations on wastewater discharges, to the extent that the discharge may interfere with, Pass Through, or have an adverse impact upon, the operation of facilities, ReWa may act to take preventative action. All costs and expenses, losses, and damages, including the reasonable value or cost of the use of ReWa personnel and equipment caused or incurred by the implementation of such preventative measures shall be charged to and paid by the discharger.

Section 3.2.5 Control of Contaminants of Emerging Concern (CEC)

Should ReWa determine that the discharge of CECs creates a potential risk of adverse impact to the POTW, the receiving stream, the quality of the biosolids, human health, and/or the environment through pass-through, and/or other impacts addressed by this regulation, the discharge of CECs may be controlled in the following manner for the purposes of this regulation.

(a) Information. ReWa may require Industrial Users to provide specified information on the Industrial User's purchase, use, manufacture (intentional or incidental), discharge as a wastewater or other waste constituent, or other information or data on specified CECs; and specified information on Industrial Users' products and processes that may contribute to the creation or discharge of CECs.
(b) Data. ReWa may require Industrial Users to provide specified wastewater discharge information or other data on any CECs identified by either ReWa or by the Industrial User consistent with Section 3.2.5(a), above, or otherwise determined by ReWa to be potentially discharged by the Industrial User as a wastewater or other waste constituent. Such data shall include any existing data in the possession or control of

the Industrial User and may include requirements for the Industrial User to sample and generate at its cost such data. ReWa may also sample and generate such data, and ReWa's costs therefore shall be billed to the Industrial User as a part of Industrial User's periodic wastewater bills in accordance with **Attachment A-** Rates, Fees, and Charges of this regulation.

(c) Industrial User Management Requirements. When ReWa determines it necessary for the purposes of this regulation, it may require by Pretreatment Permit (through either a new permit, reissuance, or amendment), by General Permit issued to Industrial Users with common characteristics, by Order or otherwise pursuant to the terms of this regulation actions by an Industrial User to control, reduce, and/or eliminate CECs. Such actions may include:
   (1) further or routine monitoring requirements;
   (2) numeric effluent limits; and
   (3) requirements for Best Management Practices.

CHAPTER 3 – Discharge Permits

Section 3.3.1 Authorization and Permits

(a) Authorization. Any Industrial User wishing to discharge non-domestic waste shall obtain a written authorization from ReWa prior to initiating any discharge to either ReWa's or the Subdistricts' systems. All SIUs shall obtain a final individual or General Permit before discharge to the POTW.

(b) Application Requirements. Any Industrial User desiring to discharge industrial or other non-domestic wastewater shall complete the appropriate application and file it with ReWa. ReWa may modify the application when necessary to comply with Local, State, Federal regulations. ReWa may grant permission to discharge through the issuance of a wastewater discharge permit, letter of acceptance, or other written Discharge Authorization instrument, subject to the terms and conditions provided herein. Authorized Representatives of Users shall sign the permit application.

Industrial Users shall complete and submit a permit application in accordance with 40 CFR 403.8 and 40 CFR 403.12(b).). The application must be accompanied by an application fee in the amount prescribed, if required. If additional Pretreatment or operational modifications will be required to comply with limitations or Categorical Pretreatment Standards or Local Limitations, the application must include the shortest schedule by which the Industrial User will comply. All wastewater discharge permit applications and Industrial User reports must contain the certification statement in Section 3.4.4 and be signed by an Authorized Representative of the Industrial User.

ReWa may conduct an on-site inspection of the property and any facilities, and request additional information or data absent from the initial application that it deems necessary to characterize the potential discharge. If the determination is to issue the permit, the permit will be drafted in accordance with this Regulation and State regulations. The draft may include the rate or frequency of the proposed discharge, average daily flow, average daily discharge in pounds of any limited Pollutant and any Pollutant identified in the application as known or suspected present, and the basis for the Pretreatment limitations including the documentation of any calculations in applying Categorical Pretreatment Standards or Local Limitations, and all other information required by the State. The Industrial User shall have thirty (30) days from the receipt of the draft permit to review and comment on the draft permit. A

final permit will be issued at the end of the comment period or upon acceptance of the draft permit by the Industrial User, or after ReWa has resolved any remaining permit issues.

Section 3.3.2 General Permits

At its discretion, ReWa may issue General Permits to control SIUs or other types of non-domestic User discharges to the POTW if the following conditions are met. All facilities to be covered by a General Permit must:

(a) Involve the same or substantially similar types of operations;
(b) Discharge the same types of wastes;
(c) Require the same effluent limitations and/or BMPs;
(d) Require the same or similar monitoring; and
(e) In the determination of ReWa, are more appropriately controlled under a General Permit than under individual wastewater discharge permits.

To be covered by the General Permit, the SIU or other Industrial User must file a written request or application for coverage. A monitoring waiver for a Pollutant neither present nor expected to be present in the discharge is not effective in the General Permit until after ReWa has provided written notice to the SIU or other Industrial User that such a waiver request has been granted.

ReWa will retain a copy of the General Permit, documentation to support the POTW's determination that a specific SIU or other Industrial User meets the criteria listed above and applicable State regulations, and a copy of the Industrial User's written request for coverage for three (3) years after the expiration of the General Permit.

A SIU subject to production-based Categorical Pretreatment Standards or Pretreatment Standards expressed as mass of Pollutant discharged per day or subject to limits which are based on the combined wastestream formula or net/gross calculations as allowed in 40 CFR 403.6 and SC R61-9.403.6(f) is not eligible for General Permit coverage.

Section 3.3.3 Hearings

Any Person whose permit is denied or is granted subject to conditions deemed unacceptable, shall have the right to request an Adjudicatory Hearing under the procedures provided in Section 3.8.2 and **Attachment B –** Enforcement Management Strategy- except insofar as that procedure relates to appeals from the decision of the hearing examiner. After a determination is made by the hearing examiner in any case other than an enforcement proceeding, any party may apply to ReWa for a review of the determination of the hearing examiner prior to a final decision in the matter by ReWa. However, application must be submitted in writing within 15 days of receipt of the determination stating specifically the grounds of objection to such determination. ReWa may, on its own motion, take up the review of the determination of the hearing examiner at a regularly scheduled ReWa meeting. On the basis of the complete record of proceedings and testimony and evidence presented before the hearing examiner, his or her determination shall be affirmed, modified, or set aside by ReWa in a final decision on the matter.

ReWa will review the determination of the hearing examiner in the following manner:

(a) Briefs may be submitted to ReWa by the parties but are not required unless specially requested by ReWa.

(b) All briefs shall be submitted to ReWa at least 15 days prior to the scheduled meeting with 10 separate copies. Briefs shall State specifically the grounds for affirmation, modification, or denial of the determination of the hearing examiner. Reply briefs may be filed five days before the ReWa meeting.
(c) Oral arguments shall be limited in duration to not more than one hour, or as otherwise provided by ReWa, from each party in the hearing, including intervening parties.
(d) A full and complete record shall be kept of all proceedings and reported and transcribed by a qualified reporter furnished by ReWa. A copy of the transcript may be requested by any interested party, who shall pay the cost of preparing such transcript.
(e) ReWa, at its discretion, may require a reopening of the adjudicatory hearing before the hearing examiner for the taking of additional testimony upon all issues or particular issues prior to its final decision on the determination of the hearing examiner.
(f) ReWa will make its decision upon the record presented by the hearing examiner alone, unless ReWa determines it needs additional evidence during its consideration. In such event, a proper opportunity for rebuttal by the party will be granted.

Any party aggrieved by a final decision of ReWa, other than in an enforcement case, may appeal such decision to the Court of Common Pleas in the county in which ReWa is located under the same guidelines applied to State agencies which are set forth in S.C. Code Ann. §1-23-380.

Section 3.3.4 Permit Modifications

Subsequent to the promulgation of a Categorical Pretreatment Standard and Requirements or adoption of a Local Limitation, the permit of Industrial Users subject to such standards shall be revised to require compliance with such standard within the time frame prescribed by such standard. Where an Industrial User is subject to a Categorical Pretreatment Standard and Requirements or Local Limitation, has not previously submitted an application for a permit, the Industrial User shall apply for a permit within 180 days after the promulgation of the Categorical Pretreatment Standard and Requirements. In addition, the Industrial User with an existing permit shall submit to ReWa within 180 days after the promulgation of an applicable standard, information regarding the nature and concentration of the regulated Pollutant and a schedule for providing additional Pretreatment, if necessary. If additional Pretreatment and/or O&M will be required to meet Pretreatment Standards, the Industrial User shall include the shortest schedule by which the Industrial User will provide such additional Pretreatment and/or O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard.

Other modifications of permits, including General Permits, shall be subject to the same procedural requirements as the issuance of permits except the following changes may be made upon thirty (30) days notice:

(a) modifications of the monitoring program contained in the permit;
(b) changes in the ownership of the discharge when no other change in the permit is indicated;
(c) a single modification of any compliance schedule not in excess of four months;
(d) modification of compliance schedules in permits for New Sources where the New Source will not discharge until process or Pretreatment facilities are operational;

(e) modifications incorporating new or revised Federal, State or Local Pretreatment Standards or regulations; or
(f) other modifications determined necessary by ReWa.

Section 3.3.5 Permit Conditions

ReWa shall have the authority to grant an individual wastewater permit or a General Permit including such conditions as it determines necessary to achieve the purpose of this Regulation, State, and Federal regulations. Such conditions shall include but are not limited to the following:

(a) A statement of duration (in no case more than five years for SIUs);
(b) A statement of non-transferability without, at a minimum, prior notification to ReWa and provision of a copy of the existing permit to the new Owner operator;
(c) Applicable effluent limits, including BMPs, based on Categorical Pretreatment Standards and Requirements or Local Limitations;
(d) Self-monitoring, sampling, reporting, notification, and record-keeping requirements, identification of the Pollutants to be monitored (including the process for seeking a waiver for a Pollutant neither present nor expected to be present in the discharge in accordance with Section 3.4.1(d) or a specific waived Pollutant), sampling location, sampling frequency, and sample type based on Federal, State, and Local law;
(e) Any grant of the monitoring waiver by ReWa;
(f) Notification requirements for Slug Discharges as defined by 40 CFR 403.8(f)(2) and SC R61-9 Section 403.8(f)(2);
(g) A statement of applicable civil and criminal penalties for violation of permit conditions, Pretreatment Standards and requirements, and any applicable compliance schedule;
(h) A compliance schedule that outlines dates and actions for obtaining compliance with final limitations or other Pretreatment Requirements, including requirements for the installation of pretreatment technology, Pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of Pollutants into the treatment works, if applicable; and
(i) Slug Control requirements in accordance with Section 3.1.10, if determined by ReWa to be necessary.

Section 3.3.6 Permit Duration

Permits for SIUs may be issued for a specified time period, not to exceed five years. The Industrial User shall apply for a permit reissuance a minimum of 180 days prior to the expiration of the permit.

Section 3.3.7 Permit Transfer

Wastewater discharge permits or General Permits are issued to a specific Industrial User for a specific operation. A wastewater discharge permit or a General Permit shall not be reassigned or transferred to a different premises or a new or changed operation. A wastewater discharge permit or General Permit may be reassigned or transferred to a new Owner or new Industrial User with prior approval from ReWa. In such event, a notification letter shall be submitted at least thirty (30) days prior to the change in ownership, unless ReWa approves a shorter time frame. The notification letter shall detail the transfer in ownership and ReWa may require a new or updated application be submitted with full information or certification that:

(a) there is not immediate intent to change the facility's operation and process,

(b) the date the new Owner or operator shall take over, and
(c) acknowledgment is made that the new Owner or operator has full responsibility for complying with the existing wastewater discharge permit or a General Permit.

CHAPTER 4 – Monitoring and Reporting Requirements

Section 3.4.1 Reporting for Categorical Industrial Users

(a) Baseline Monitoring Reports. Within 180 days after the effective date of a Categorical Pretreatment Standard and Requirements or 180 days after the final administrative decision is made upon a category determination submission under 40 CFR 403.6 and SC R.61-9.403.6 (b), whichever is later, existing CIUs subject to such Categorical Pretreatment Standards and Requirements shall be required to submit to ReWa a report which contains the information listed in paragraphs (1)-(8), below. At least 90 days prior to commencement of discharge, New Sources and sources that become Categorical Industrial Users subsequent to the promulgation of an applicable Categorical Pretreatment Standard and Requirements, shall be required to submit to ReWa a report which contains the information listed in paragraphs (1)-(8), below.

(1) Identifying information. The Industrial User shall submit the name and address of the facility including the name of the operator and Owners.
(2) Permits. The Industrial User shall submit a list of any environmental control permits held by or for the facility.
(3) Description of operations. The Industrial User shall submit a brief description of the nature, average rate of production, and Standard Industrial Classification of the operation(s) carried out by such Industrial User. This description should include a schematic process diagram which indicates points of Discharge to the POTW from the regulated processes.
(4) Flow measurement. The Industrial User shall submit information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from each of the following:
    i. Regulated process streams; and
    ii. Other streams as necessary to allow use of the combined waste stream formula of section 403.6(f).
(5) Measurement of Pollutants.
    i. The Categorical Pretreatment Standards applicable to each regulated process and any new categorically regulated processes for Existing Sources.
    ii. The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the Standard or by ReWa, of regulated Pollutants in the discharge from each regulated process.
    iii. Instantaneous, Daily Maximum, and long-term average concentrations, or mass, where required, shall be reported.
    iv. The sample shall be representative of daily operations. Where the Standard requires compliance with a BMP or Pollution prevention alternative, the Industrial User shall submit documentation as required by ReWa or the applicable Standards to determine compliance with the Standard.
    v. The Industrial User shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph.

vi. Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment the Industrial User should measure the flows and concentrations necessary to allow use of the combined wastestream formula in 40 CFR 403.6(e) to evaluate compliance with the Pretreatment Standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e) this adjusted limit along with supporting data shall be submitted to the Control Authority;

vii. Sampling and analysis shall be performed in accordance with Sections 3.5.2 and 3.5.3;

viii. ReWa may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures;

ix. The baseline report shall indicate the time, date, and place of sampling and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected Pollutant Discharges to the POTW.

(6) Compliance Certification. A statement, reviewed by the Industrial User's Authorized Representative and certified by a qualified professional, indicating whether Pretreatment Standards are being met on a consistent basis, and, if not, whether additional O&M and/or additional pretreatment is required to meet the Pretreatment Standards and Requirements.

(7) Compliance Schedule. If additional pretreatment and/or O&M will be required to meet the Pretreatment Standards, the shortest schedule by which the Industrial User will provide such additional pretreatment and/or O&M must be provided. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard. A compliance schedule pursuant to this Section must meet the requirements set out in Section 3.4.7 of this Regulation.

(8) Signature and Report Certification. All baseline monitoring reports must be certified in accordance with Section 3.4.4 of this Regulation and signed by an Authorized Representative.

(b) 90-Day Compliance Reports. Within 90 days following the date for final compliance with applicable Categorical Pretreatment Standards and Requirements or, in the case of a New Source, following commencement of the discharge of wastewater into the POTW, any Industrial User subject to Categorical Pretreatment Standards and Requirements shall submit to ReWa a report containing the information described in (a)(4)-(6) of this section. For Industrial Users subject to equivalent mass or concentration limits established in accordance with the procedures in 3.1.6, this report shall contain a reasonable measure of the User's long-term production rate. For all other Industrial Users subject to Categorical Pretreatment Standards expressed in terms of allowable Pollutant discharge per unit of production (or other measure of operation), this report shall include the Industrial User's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Section 3.4.4 of this Regulation. All sampling will be done in conformance with Section 3.5.2.

(c) Any Industrial User subject to a Categorical Pretreatment Standard, after the compliance date of such Categorical Pretreatment Standard and Requirements, or, in the case of New Source, after commencement of the discharge into the POTW, shall submit to ReWa, no less than every six months, unless required more frequently in the Categorical Pretreatment Standard and Requirements or by ReWa, a report indicating the nature and concentration of Pollutants in the effluent which are limited by such Categorical Pretreatment Standards and Requirements. In addition, this report shall include a record of all measured or estimated average and maximum daily flows during the reporting period. In cases where the Pretreatment Standard requires compliance with a Best Management Practice or Pollution prevention alternative, the Industrial User shall submit documentation as required by ReWa or the applicable Pretreatment Standard to determine compliance with the standard. At the discretion of ReWa and in consideration of such factors as Local high or low flow rate, holidays, budget cycles, etc., ReWa may agree to alter the months during which the above reports are to be submitted. ReWa may impose mass limitations on Users which are using dilution to meet applicable Categorical Pretreatment Standards or Requirements, or in other cases where the imposition of mass limitations are appropriate. In such cases, the required periodic reports shall indicate the mass of Pollutants regulated by Categorical Pretreatment Standards and Requirements in the discharge of the Industrial User. These reports shall contain the results of sampling and analysis of the discharge, including the flow and the nature and concentrations, or production and mass where requested by ReWa, of Pollutants contained therein which are limited by the permit or applicable Categorical Pretreatment Standard and Requirements.

(d) ReWa may authorize an Industrial User subject to a Categorical Pretreatment Standards and Requirements to forego sampling of a Pollutant regulated by a Categorical Pretreatment Standard if the Industrial User has demonstrated through sampling and other technical factors that the Pollutant is neither present nor expected to be present in the Discharge, or is present only at background levels from intake water and without any increase in the Pollutant due to activities of the Industrial User. This authorization is subject to the following conditions:
    (1) The waiver may be authorized where a Pollutant is determined to be present solely due to sanitary wastewater discharged from the facility provided that the sanitary wastewater is not regulated by an applicable Categorical Standard and otherwise includes no process wastewater.
    (2) The monitoring waiver is valid only for the duration of the effective period of the individual wastewater discharge permit, but in no case longer than 5 years.
    (3) The Industrial User must submit a new request for the waiver before the waiver can be granted for each subsequent individual wastewater discharge permit.
    (4) In making a demonstration that a Pollutant is not present, the Industrial User must provide data from at least one sampling of the facility's process wastewater prior to any treatment present at the facility that is representative of all wastewater from all processes.
    (5) The request for a monitoring waiver must be signed by a duly Authorized Representative and include the certification statement in Section 3.4.4 below.
    (6) Non-detectable sample results may be used only as a demonstration that a Pollutant is not present if the EPA approved method from 40 CFR Part 136 with the lowest minimum detection level for that Pollutant was used in the analysis.

(7) Any grant of the monitoring waiver by ReWa must be included as a condition in the Industrial User's permit. The reasons supporting the waiver and any information submitted by the Industrial User in its request for the waiver will be maintained by ReWa for 3 years after expiration of the waiver.
(8) Upon approval of the monitoring waiver and revision of the Industrial User's permit by ReWa the Industrial User must certify on each report with the statement in Section 3.4.4 below, that there has been no increase in the Pollutant in its wastestream due to activities of the Industrial User.
(9) In the event that a waived Pollutant is found to be present or is expected to be present because of changes that occur in the Industrial User's operations, the Industrial User must immediately: Comply with the monitoring requirements of paragraph (c) above, or other more frequent monitoring requirements imposed by ReWa, and notify ReWa.

This provision does not supersede certification processes and requirements established in Categorical Pretreatment Standards and Requirements such as baseline monitoring reports and 90-day report of final compliance with the Pretreatment Standard, except as otherwise specified in the Categorical Pretreatment Standard. The waiver is not available when the combined wastestream formula is applied except where a single categorical wastestream is combined only with sanitary wastewater, unless approved in writing by ReWa.

Section 3.4.2 Sampling and Analysis

(a) Sampling and analysis may be performed by ReWa in lieu of the Industrial User. If done by ReWa, the Industrial User shall be charged such fees or charges as are established by ReWa. Where ReWa performs the required sampling and analysis in lieu of the Industrial User, the Industrial User shall not be required to submit the compliance certification required under 40 CFR 403.12(b)(6) and 403.12(d) and SC R61-9.403.12(b) and 403.12(d). If analyses performed by ReWa in lieu of the Industrial User indicate a violation, ReWa shall repeat sampling and analysis within thirty (30) days unless ReWa notifies the Industrial User of the violation and requires that the Industrial User perform repeat analysis. In addition, where ReWa itself collects all the information required for the report, including flow data, the Industrial User shall not be required to submit the report.
(b) If sampling performed by an Industrial User indicates a violation, the Industrial User shall notify ReWa within 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 ReWa within thirty (30) days of becoming aware of the violation.
(c) If an Industrial User subject to these reporting requirements monitors, using procedures prescribed in Section 3.5.3, any regulated Pollutant at the location(s) designated in the discharge permit or a General Permit more frequently than required by ReWa, the results of this monitoring shall be included in the report.

Section 3.4.3 Other Monitoring Requirements

ReWa shall require appropriate reporting from those Industrial Users with discharges that are not subject to Categorical Pretreatment Standards and Requirements. Significant Industrial Users shall submit to ReWa at least twice per year (on dates specified by ReWa) a description of the nature, concentration, and flow of the Pollutants required to be reported by ReWa. This sampling and analysis may be performed by ReWa in lieu of the non-categorical SIU. Where ReWa itself collects all the information required for the

report, the SIU shall not be required to submit the report. In cases where the Pretreatment Standard requires compliance with a Best Management Practice or Pollution prevention alternative, the Industrial User shall submit documentation as required by ReWa or the applicable Pretreatment Standard to determine compliance with the standard.

Industrial Users shall promptly notify ReWa in advance of any substantial change in the volume or character of Pollutants in their discharge in excess of the amounts allowed in the discharge described in the application or the permit, including the listed or characteristic hazardous wastes for which the Industrial User has submitted initial notification under 40 CFR 403.12 and SC R61-9.403.12. Industrial Users shall notify ReWa, the EPA Regional Waste Management Division Director, and State hazardous waste authorities in writing of any discharge of a substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the Industrial User discharges more than 100 kilograms of such waste per calendar month to the POTW, the notification shall also contain the following information to the extent such information is known and readily available to the Industrial User: (1) an identification of the hazardous constituents contained in the wastes; (2) an estimation of the mass and concentration of such constituents in the wastewater discharged during that calendar month; and (3) an estimation of the mass of constituents in the wastewater expected to be discharged during the following 12 months. Industrial Users shall provide the notification no later than 180 days after the discharge of the listed or characteristic hazardous waste. Notification need be submitted only once for each hazardous waste discharge. However, notifications of changed discharges must be submitted under 40 CFR 403.12(j) and SC R61-9 Section 403.12(j). The notification requirement does not apply to Pollutants already reported under the self-monitoring requirements of 40 CFR 403.12(b), (d), and (e) and SC R61-9 Section 403 (b), (d), and (e). Industrial Users are exempt from the requirements during a calendar month in which they discharge no more than 15 kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261 .33(e). Discharge of more than 15 kilograms of non-acute hazardous wastes in a calendar month, or any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the Industrial User discharges more than such quantities of any hazardous waste do not require additional notification.

In the case of any regulations under section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the Industrial User shall notify ReWa, the EPA Regional Waste Management Division Director, and State hazardous waste authorities of the discharge of such substance within 90 days of the effective date of such regulations.

In the case of any notification, the SIU shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical. Notice: The reports and other documents required to be submitted or maintained under this section may be subject to the provisions of 18 U.S.C. section 1001 relating to fraud and false statements; the provisions of section 309(c)(4) of the Act, as amended, governing false statements, representation, or certification; and the provisions of section 309(c) regarding responsible officers.

Section 3.4.4 Certification of Permit Applications, Industrial User Reports, and Initial Monitoring Waiver

The following certification statement is required to be signed and submitted by Industrial Users submitting permit applications, baseline monitoring reports, reports on compliance with the Categorical Pretreatment Standard and Requirements deadlines, periodic compliance reports, and Users submitting an initial request to forego sampling of a Pollutant. The following certification statement must be signed by an Authorized Representative as defined in Section 1.6.1:

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

Section 3.4.5 Annual Certification for NSCIUs

A facility determined to be a NSCIU by ReWa pursuant to Section 1.6.1 must annually submit the following certification statement signed in accordance with the signatory requirements in Section 1.6.1. This certification must accompany an alternative report required by ReWa:

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

(a) The facility described as _____ [facility name] met the definition of a Non-Significant Categorical Industrial User as described in Section 1.6 of ReWa's Sewer Use Regulation,

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

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

This compliance certification is based on the following information:

_____

_____

_____

Section 3.4.6 Certification of Pollutants Not Present

Industrial Users that have an approved monitoring waiver must certify on each report with the following statement that there has been no increase in the Pollutant in its wastestream due to activities of the Industrial User.

> *Based on my inquiry of the Person or Persons directly responsible for managing compliance with the Pretreatment Standard for 40 CFR ____ [specify applicable National Pretreatment Standard part(s)], I certify that, to the best of my knowledge and belief, there has been no increase in the level of [list Pollutant(s)] in the wastewaters due to the activities at the facility since filing of the last periodic report.*

Section 3.4.7 Compliance Schedule Progress Reports

The following conditions apply to compliance schedules required by Section 3.4.1(a):))

(a) The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operations of additional Pretreatment required for the Industrial User to meet the applicable Pretreatment Standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);
(b) No increment referred to above shall exceed nine (9) months;
(c) The Industrial User shall submit a progress report to ReWa no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and if appropriate, the steps being taken by the Industrial User to return to the established schedule; and
(d) In no event shall more than nine (9) months elapse between such progress reports to ReWa.

Section 3.4.8 Industrial User Records

Industrial Users subject to the reporting requirements of this Regulation, shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this Regulation, any additional records of information obtained pursuant to monitoring activities undertaken by the Industrial User independent of such requirements, and documentation associated with BMPs established under Section 3.1.7. Records shall include the date, exact place, method, and time of sampling, and the name of the Person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the Industrial User or ReWa or where the Industrial User has been specifically notified of a longer retention period by ReWa.

Section 3.4.9 Electronic Reporting

Reports shall contain all results of sampling and analysis of the discharge, including the flow, nature, concentration, production and/or mass, where required. Upon ReWa receiving approval from SCDES of a Cross Media Electronic Reporting Regulation

(CROMERR) system, compliant with the Code of Federal Regulations Title 40, Part 3 (CROMERR), ReWa may require all or some of its Users to submit such reports as the deemed appropriate in an electronic-only format through a CROMERR compliant system. CROMERR is an EPA approved system allowing states, tribes, and local governments that receive or plan to begin receiving electronic documents in lieu of paper documents to satisfy regulations under an authorized program. Each User shall submit such CROMERR reports as ReWa specifies to the User within the time frame set forth, which shall provide the User at least ninety (90) days to become CROMERR compliant. The User may request additional time for good cause, but such request does not automatically extend the deadline for becoming CROMERR compliant. New SIUs shall submit reports through a CROMERR compliant system unless waived by ReWa in writing.

All users submitting self-monitoring data electronically must submit a signed "Electronic Signature Agreement" certification, provided by ReWa, and complete the signature validation criteria, which will be emailed to the user, for completion of the signatory process.

CHAPTER 5 – Compliance Monitoring

Section 3.5.1 Right of Entry

Whenever it shall be necessary for the purposes of this Regulation and upon presentation of proper credentials and identification, ReWa or its representative, State, and EPA personnel shall be permitted to enter upon any property of the Industrial User in which a Discharge source or treatment system is located or in which records are required to be kept for the purpose of inspecting and copying records, facility inspection, observation, measurement, sampling, or testing to assure compliance with Pretreatment Standards. Such authority shall be at least as extensive as the authority provided under section 308(a)(B) of CWA.

Any Industrial User completing and filing an application to discharge wastewater shall thereby grant ReWa, State, and EPA permission to enter the premises for said purposes. Where an Industrial User has security measures in force which would require proper identification and clearance before entry into its premises, the Industrial User shall make necessary arrangements so that upon presentation of suitable identification, ReWa, State, and EPA personnel shall be permitted to enter, without delay, for the purposes of performing their specific responsibilities.

Section 3.5.2 Compliance Determination/Sample Collection

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

(a) Except as indicated in (b) and(c) below, the Industrial User must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by ReWa. The samples must be representative of the discharge and performed in accordance with 40 CFR Part 136, 40 CFR 403.12(b)(5)(v), 40 CFR 403.12(g)(3), and any other appropriate regulatory guidelines.

(b) Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.

(c) For sampling required in support of baseline monitoring and 90-day compliance reports [40 CFR 403.12(b) and (d) and SC R61-9 403.12 (b) and (d)], a minimum of four (4) Grab Samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data does not exist; for facilities for which historical sampling data is available, ReWa may authorize a lower minimum. For the periodic compliance reports [40 CFR 403.12(e) and (h) and SC R61-9 403.12 (e) and (h)], the Industrial User is required to collect the number of Grab Samples necessary to assess and assure compliance with applicable Pretreatment Standards and Requirements.

Section 3.5.3 Analytical Requirements

All measurements, tests, and analyses of the characteristics or properties of wastewater to which reference is made in this Regulation performed by a South Carolina Department of Environmental Services (SCDES) Certified Laboratory, unless otherwise approved by ReWa.

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

Section 3.5.4 Control Structure

When determined by ReWa to be feasible, the Owner of any property served by a Building Sewer carrying non-domestic wastewater, shall build a control structure in the Building Sewer from the premises just prior to the entrance of the Building Sewer into the Public Sewer for sampling and measuring the wastewater. Plans for this structure shall be approved by ReWa prior to construction and/or commencement of discharge. There shall be ample room in or near such sampling facility to allow accurate flow measurement, sampling, and preparation of samples for analysis. The facility sampling and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the Owner.

CHAPTER 6 – Confidentiality

Section 3.6.1 Confidentiality

Information and data on an Industrial User obtained from reports, surveys, questionnaires, discharge permit applications, individual wastewater permits, General Permits, monitoring programs, and ReWa's inspections and sampling activities shall be available to the public or other governmental agency without restriction unless the Industrial User specifically requests and is able to demonstrate to the satisfaction of ReWa that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets under applicable State law. When requested by the Person furnishing the report, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the Industrial User furnishing a report that such information should be held confidential, the portions of a report which might

disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon written request to governmental agencies for uses related to this Regulation, the NPDES program or Pretreatment program, and in enforcement proceedings involving the Person furnishing the report. Wastewater constituents and characteristics and other effluent data as defined in 40 CFR 2.302 shall not be recognized as confidential information and shall be available to the public without restriction.

CHAPTER 7 – Fees and Charges

Section 3.7.1 Fees and Charges

Fees shall be assessed to Users for discharges to ReWa and for executing or enforcing the provisions of this Regulation. These charges shall be reviewed and updated periodically in accordance with policies of ReWa and applicable statutes. Charges may be developed for the following non-inclusive list of purposes:

(a) Monitoring, inspections, and surveillance procedures;
(b) Reviewing accidental discharge procedures;
(c) Construction and compliance inspections;
(d) Reviewing permit applications;
(e) Reviewing appeals;
(f) Special discharges, including reviewing requests for Discharge Authorization (e.g., pools, chillers, cooling towers, or special projects);
(g) Cost recovery related to capital expenditures;
(h) Cost recovery of preventative expenses in Section 3.2.4;
(i) Other charges, including User charges based on applicable flow and excessive Pollutant discharges to the POTW, necessary to recover the O&M Costs of the Wastewater Disposal System.
(j) Availability, impact, and connection fees or similar fees to recover, or to provide for, capital costs expended for the system and/or its expansion.

Current fees and charges are shown in **Attachment A**-Rates, Fees, and Charges . Future charges and fees will be developed and approved for inclusion in Rates, Fees, and Charges.

CHAPTER 8 –Enforcement

Section 3.8.1 Enforcement Management Strategy

The remedies provided for in this Regulation are not exclusive. ReWa may take any, all, or any combination of these actions and any other actions allowed by law against any noncompliant User. Enforcement under this Chapter will generally be consistent with **Attachment B-** Enforcement Management Strategy. Additionally, ReWa may take any other actions against any User when the circumstances warrant. Further, ReWa is empowered to take multiple enforcement actions against any User when the circumstances warrant. In accordance with Section 2.3.12 of this Regulation, connection to, and/or use of ReWa's facilities or systems shall constitute consent and agreement by the User to be bound to and abide by ReWa's Regulations, and be subject to the enforcement thereof in accordance with this Chapter.

Section 3.8.2 Administrative Remedies

(a) Notice of Violation: Whenever ReWa finds that any User has violated or is violating any provision of this Regulation, an individual discharge permit or General Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, ReWa

may serve upon such a User a written notice stating the nature of the violation. An oral notice may be sufficient in circumstances determined by ReWa. A response to the notice of violation is required by the User within 15 days from the date of the notice. When required in the notice and within 15 days from the date of the notice, an explanation of the reasons for violation and a plan for the satisfactory correction thereof shall be submitted to ReWa. Submission of this plan shall not relieve the User of liability for the violation itself, or any violations occurring before, during, or after receipt of the Notice of Violation. The classifications of violations under these regulations and permit are described in **Attachment B -** Enforcement Management Strategy.

(b) Administrative Consent Order: ReWa is empowered to enter into Administrative Consent Orders or other similar agreements (collectively, "Consent Orders") with Users responsible for violations. Such Consent Orders may be negotiated in an Informal Conference. Such Consent Orders shall include specific actions to be taken by Users to correct violations within a time period specified by the Consent Order, and shall contain other terms and conditions for compliance. A violation of a Consent Order shall constitute a violation of this Regulation.
A Consent Order may include an agreed-upon Administrative Civil Penalty in the amount(s) provided in paragraph (j) below, and may include agreed-upon stipulated Administrative Civil Penalties for violation of the Consent Order or further violations of this Regulation, individual discharge permit or General Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement.

(c) Notice to Show Cause at Adjudicatory Hearing: ReWa may order any User who is alleged to have caused or to be responsible for an unauthorized discharge or other violation to show cause at an Adjudicatory Hearing why a proposed enforcement action should not be taken. A notice shall be served on the User specifying the time and place for the hearing, the proposed enforcement action, and the reasons for such action, and a request that the User show cause why the proposed enforcement action should not be taken.

(d) Service: The notice of the Adjudicatory Hearing to the User shall be served personally or by registered or certified mail (return receipt requested) at least 10 calendar days before the hearing. Service may be made on any agent or officer of the User.

(e) Request by User for an Adjudicatory Hearing or for an Informal Conference prior to Adjudicatory Hearing: A User may request an Adjudicatory Hearing of any final administrative action or decision by ReWa on any violation, application, permit, certificate, or other licensing matter.

    (1) Requests for an Adjudicatory Hearing must be served on ReWa within 15 days following any final administrative action or decision by ReWa on any violation, application, permit, certificate, or other licensing matter.

    (2) A request for an Informal Conference prior to the Adjudicatory Hearing may be made by a User but may not to delay the hearing date. If the request is granted, an Informal Conference may be held by ReWa or its designee to explore ways and means to obtain compliance by consent without the necessity of a formal Adjudicatory Hearing.

(f) Record: At any Adjudicatory Hearing held pursuant to this Regulation, testimony shall be taken under oath and recorded stenographically. The transcript, so recorded,

shall be made available to any member of the public (absent a motion for non-disclosure under the South Carolina Freedom of Information Act) or any party of the hearing upon payment of the usual charges thereof.

(g) Hearing Officer: A hearing officer or officers may be appointed by ReWa to preside over the Adjudicatory Hearing. The hearing officer(s) may be an employee of ReWa or a non-employee specially appointed for such purpose. The hearing officer(s)shall have no connection with the preparation or presentation of the evidence at the hearing.

(h) Procedure: Except as specifically stated herein, the procedure for an Adjudicatory Hearing and other enforcement procedures are set forth in **Attachment B**- Enforcement Management Strategy.

(i) Enforcement Orders: ReWa may issue an Enforcement Order when it finds that a User has violated or is violating any provision of this Regulation, an individual discharge permit or General Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement. An Enforcement Order may take one or more of the forms identified below, may require that the User to cease and desist from prohibited actions, and may direct those Users to take further actions identified in paragraph (4) below:

(1) Emergency Enforcement Order. In any case in which ReWa finds that a violation by a User causes, contributes to, or threatens Interference, Pass Through, or significant risk to the POTW, ReWa personnel or the public, ReWa may issue an Emergency Enforcement Order, which may include the suspension or revocation of a User's permission to discharge, as described in Section 3.8.2(l). The Order shall provide for the User to request and obtain as soon as practicable an Informal Conference on the Emergency Enforcement Order.

(2) Administrative Enforcement Order. In any case in which ReWa finds that a User is in violation, ReWa may serve upon such User a Notice of Violation, Notice of Informal Conference, or a Notice to Show Cause at Adjudicatory Hearing. Any such Notice shall state the violations alleged, the facts thereof, and the proposed enforcement requirements. Following such proceeding, ReWa may issue an Administrative Enforcement Order.

(3) Adjudicatory Enforcement Order. In any case in which ReWa finds that a User is in violation and ReWa intends to impose an Administrative Civil Penalty, ReWa shall serve upon such User a Notice to Show Cause at Adjudicatory Hearing. Any such Notice shall state the violations alleged, the facts thereof, and the proposed enforcement requirements. Following such proceeding, ReWa shall proceed as further provided in this Section 3.8.2. The final decision on the report of the hearing officer and determination on the Adjudicatory Enforcement Order and Administrative Civil Penalty shall be made by the ReWa Board of Commissioners, which duty may be delegated to the CEO.

(4) An Enforcement Order may further require that the User do the following:

i. Comply forthwith;

ii. Comply in accordance with a compliance time schedule set forth in the Order;

iii. Take appropriate remedial or preventive action in the event of a continuing or threatened violation;

iv. Cease or reduce the discharge;
v. Provide wastewater storage, treatment, or flow equalization;
vi. Make payment to ReWa to cover added costs of handling and treatment costs and the administrative costs of the enforcement action;
vii. Post performance bonds;
viii. Take other steps to achieve compliance;
ix. Pay reasonable attorney's fees, expert fees, hearing costs, reporting costs, and other expense incurred by ReWa for the hearing or enforcement procedures.

(j) Administrative Civil Penalties. When ReWa finds that any User has violated or is violating any provision prohibition, or limitations of this Regulation, an individual discharge permit or General Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, such User may be fined up to two thousand dollars ($2,000.00) for each violation, per day of violation. ReWa may hold all or part of a fine in abeyance while evaluating the performance of a User to achieve compliance with a control mechanism and/or this Regulation. Each day on which a violation occurs or continues shall be deemed a separate and distinct violation. In case of monthly or long-term discharge limits, fines may be assessed for each day during the period of violation. ReWa shall have such remedies for the collection of such assessments as it has for collection of other service charges.

Prior to deciding upon and imposing any Administrative Civil Penalty, ReWa shall follow the procedures specified in Section 3.8.2(i)(3) above. The Adjudicatory Hearing shall be conducted in accordance, as practicably as possible, with that procedure as described by South Carolina Code § 6-11-285(E).

Any appeal of an Administrative Civil Penalty and the further provisions of an Adjudicatory Enforcement Order shall be to the Court of Common Pleas.

(k) Payment of Costs. Payment of costs or fines shall not relieve the User from the requirement to pretreat wastewater or discharges in excess of the limitations required under its permits or the Regulations of ReWa.

(l) Emergency Suspensions. ReWa may suspend or revoke a User's permission to discharge when such action is necessary to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons or the environment or causes Interference. A Notice of Revocation (NOR) shall be sent immediately, with the requirement to stop or eliminate the discharge immediately. A hearing shall be held within 15 days of the NOR to determine whether the suspension may be lifted or the User's permit terminated. The User shall submit a detailed written statement describing the causes of the violations and the measures taken to prevent any future violations to ReWa prior to the date of the hearing. In the event of a failure of the User to comply voluntarily with the NOR, ReWa shall take such steps as deemed necessary including immediate severance of the sewer connection. ReWa may reinstate the permission to discharge upon proof of the elimination of the violations.

(m) Termination or Revocation of Permit. Any User that has violated or is violating any provision of this Regulation, an individual discharge permit or General Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, is subject

to having the User's permission to discharge revoked. ReWa may revoke a permit for good cause, including, but not limited to, the following reasons:

(1) Failure to accurately and factually report the wastewater constituents and characteristics of the discharge;
(2) Failure to report significant changes in operations, or wastewater constituents and characteristics;
(3) Refusal of reasonable access to the User's premises for the purpose of inspection and monitoring;
(4) Failure to meet effluent limits;
(5) Tampering with or deliberately altering monitoring equipment;
(6) Falsifying self-monitoring reports;
(7) Changes in the POTW's NPDES Permit, receiving stream water quality standards, POTW treatment plant process, sludge disposal practices or requirements, or other modifications of a similar nature that impact ReWa's ability to accept non-domestic wastewater;
(8) For causes necessitating an emergency suspension;
(9) Discharge of wastewater prohibited by this Regulation; or
(10) Significant Noncompliance with schedules, Pretreatment Standards or Requirements, or with any terms of the wastewater discharge permit, a General Permit or the Regulation;

A User whose permission to discharge has been revoked may apply for new permission to discharge and shall pay all delinquent fees, charges, penalties, and such other sums as may be due to ReWa. The User shall demonstrate to the satisfaction of ReWa that the User can and will comply with the Regulations prior to being granted permission to discharge again.

Section 3.8.3 Judicial Remedies

Notwithstanding the administration procedure provided herein, when any User has violated or is violating any provision of this Regulation, an individual discharge permit or General Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, or otherwise violates applicable law, ReWa may commence an action for appropriate legal or equitable relief in the Court of Common Pleas. The remedies provided by this Regulation are not exclusive.

Section 3.8.4 Injunctive Relief; Damages

The CEO may, in the name of ReWa, file in Common Pleas Court, a suit seeking the issuance of an injunction or other appropriate equitable relief to enforce the provisions of this Regulation or other applicable law or regulation. Suit may be brought on behalf of ReWa, at the same time or separately, to recover any and all damages suffered by ReWa as a result of any action or inaction of any User or other Person who causes damage to occur to the POTW or for any other expense, loss or damage of any kind or nature suffered by ReWa. Such damages shall include, but not be limited to, claims for damages, takings, losses, expenses, costs, fines, penalties, and attorneys' and expert fees for which ReWa may become liable or responsible and which arise out of or result from the User's noncompliance with its permit, or the User's or other Person's violation of this Regulation or violation of State or Federal Pollution Control laws, rules or regulations.

Section 3.8.5 Criminal Violations

Facts or circumstances that tend to indicate a criminal activity or action by any Person may be reported to the proper State and Federal law enforcement agencies for

prosecution and shall be subject to civil and criminal penalties as provided for in the Act, law, or the Regulation, or other appropriate regulations.

Section 3.8.6 Performance Bonds

ReWa may refuse to issue or reissue a permit or a General Permit to any User that has failed to comply with any provision of this Regulation, an individual discharge permit or General Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, unless such User first submits to ReWa a satisfactory bond, payable to ReWa, in a sum not to exceed a value determined by ReWa to be necessary to meet the cost of any scheduled improvements and to achieve consistent compliance.

Section 3.8.7 Liability Insurance and Letters of Credit

ReWa may refuse to issue or reissue a permit or a General Permit to any User that has failed to comply with any provision of this Regulation, an individual discharge permit or General Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, unless the User first submits to ReWa proof that the User has obtained financial assurances sufficient to restore or repair damage to the POTW caused by the User's discharge, to pay any enforcement penalties and fees, to meet the cost of any scheduled improvements, and to achieve consistent compliance.

Section 3.8.8 Discontinuance of Sewer Service for Non-Payment

ReWa shall have the right to discontinue a User's sewer service in the event of non-payment of sewer charges. No discontinuation shall occur until the User is given a 15-day notice of its right to be heard at an Adjudicatory Hearing on the question of discontinuation. The 15 notice shall specify the basis of the discontinuation. ReWa and its agents shall have the right of entry in and upon the User's property, and the right of ingress and egress to determine the location of the service line or to dig it up or to uncover it for the purpose of disconnecting the service line from ReWa's system, or sealing, or plugging such line, or any collection line, upon the notice as provided under the Regulation.

Section 3.8.9 Tenant Responsibility

Where a User leases or subleases its property to a subsidiary, affiliate, third party, or other entity, both the tenant and User may be held responsible for compliance with the provisions of this Regulation.

Section 3.8.10 Vandalism

No Person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, tamper with or prevent access to any structure, appurtenance or equipment, or other part of the POTW. Any Person found in violation of this requirement shall be subject to enforcement under this Chapter.

Section 3.8.11 Publication of Industrial Users in Significant Noncompliance

ReWa shall publish annually, in newspapers of general circulation providing meaningful public notice within the jurisdictions served by ReWa, a list of the Industrial Users that, during the previous 12 months, were in Significant Noncompliance, as defined by Section 1.6.1, with applicable Pretreatment Standards S and Requirements.

Title VI- Hauled Waste Regulation

CHAPTER 1 – Purpose, Authority, and Policy

Section 4.1.1 Purpose

The purpose of this Title is to provide guidance, policy, and procedure for the approval and acceptance of all forms of Hauled Waste discharged at ReWa facilities. This Title is a part of the ReWa Sewer Use Regulation and in no way alters or supersedes any item or article contained therein.

Section 4.1.2 Authority and Policy

ReWa is authorized to permit all discharges of Hauled Waste to ReWa facilities and to accept Hauled Waste originating within the ReWa service area boundaries or Greenville County. Additionally, ReWa may grant approval to accept Hauled Waste from locations outside of Greenville County or the ReWa service area when it is determined that:

(a) Due to matters of policy or regulation, inadequate receiving facilities, treatment limitations, equipment malfunction, nature, or quantity of waste, etc. there is no viable alternative for disposal of the Hauled Waste in the service area where it originates;
(b) It is advantageous to ReWa or the jurisdictional municipality for the Hauled Waste to be disposed at ReWa facilities; or
(c) The acceptance of the Hauled Waste provides a benefit to ReWa or its treatment processes.

The terms and conditions for the acceptance of Hauled Waste from outside the ReWa service area shall be in writing and are subject to applicable inter-jurisdictional agreements. All Generators, Transporters, and dischargers of Hauled Waste must be in compliance with the current SCDES Regulation 61-56, and with this Regulation; especially Title III Chapter 1, Title IV, and Title V.

CHAPTER 2 – Specific Conditions

Section 4.2.1 ReWa may accept Hauled Waste that meets the following conditions:

(a) ReWa will accept residential septic tank waste and FOG Waste from Grease Traps or Grease Interceptors originating from within ReWa's service area.
(b) ReWa may accept industrial or commercial septic tank waste (sanitary only) originating from within ReWa's service area with prior approval. Approval must be requested and granted by ReWa in writing prior to discharge at ReWa facilities.
(c) Septic tank waste or FOG Waste originating outside the ReWa service area may not be discharged at ReWa facilities without prior approval.
(d) Septic tank waste and FOG Waste shall only be accepted by ReWa permitted and properly licensed Tank Truck Transporters (Transporters) at designated ReWa receiving facilities.
(e) Each load of septic tank waste or FOG Waste must be accompanied by a valid and complete Manifest. The complete address and contact information for the origin of each septic tank or Generator must be legibly printed on the Manifest.
(f) Septic tank waste and FOG waste shall not be comingled with any other form of Hauled Waste prior to discharge at ReWa facilities. Septic tank waste and FOG Waste shall be hauled separately.

(g) Acceptance of septic tank waste shall be subject to fees and charges as outlined in Attachment A- Rates, Fees, and Charges. Additional fees and charges may be applied to wastes originating outside of the ReWa service area.

Section 4.2.2 Beneficial Waste

(a) ReWa may designate any source or form of Hauled Waste as beneficial waste. Beneficial Hauled Waste may be accepted at locations and under conditions not relevant or approved for other forms of Hauled Waste.
(b) Considerations for designation and acceptance as beneficial Hauled Waste shall be requested in writing to the attention of the ReWa Director of Water Resource Recovery.
(c) Each request for beneficial Hauled Waste designation shall be reviewed by ReWa on a case-by-case basis and approval shall be granted in an approval letter or contract wherein special conditions, restrictions and limitations may apply.
(d) Fees, charges, credits, or payments, as applicable, will be negotiated as a condition of acceptance of each designated beneficial Hauled Waste.

CHAPTER 3 – Transporter Requirements

Section 4.3.1 Licensure and Permit

In accordance with Title IV of the Regulation, only properly licensed and permitted Transporters may discharge Hauled Waste at ReWa facilities. Permits shall be obtained through the ReWa Pretreatment Department and shall be issued for a specified period not to exceed three years.

Section 4.3.2 Certification

Transporters are responsible for ensuring that any Hauled Waste discharged at ReWa facilities is in compliance with all applicable regulations and that truck contents are as represented on each Manifest. Each load of residential septic or FOG Waste shall be accompanied by a complete and legible Manifest including the following signed certification statement.

I certify that the above information is correct and that I have performed appropriate investigation to ensure that the wastewater to be discharged is from no other source than a septic tank, Grease Trap or Grease Interceptor, originated in Greenville County or within the ReWa service area, and to the best of my knowledge contains no hazardous, toxic, or industrial material in any amounts. Furthermore, I understand that I am responsible for any adverse impacts resulting from the contents being discharged.

Any commercial or beneficial wastes discharged at ReWa or any septic tank or FOG wastes that originate outside of the ReWa service area or Greenville County must have prior approval and be accompanied by a corresponding letter of acceptance from ReWa.

CHAPTER 4 – Compliance Monitoring

Section 4.4.1 Right of Entry

In accordance with Section 3.5.1 Right of Entry of the Regulation, ReWa or its representative, State, and EPA Personnel shall be permitted to inspect equipment, records, waste origination sites (Generator) or other properties utilized by a Transporter to ensure compliance with this Regulation. All Users of ReWa facilities shall be subject to surveillance utilizing remote monitoring and recording equipment. Additionally, under Section 3.5.2 Compliance Determination/Sample Collection, ReWa may sample and

monitor or require sampling and monitoring of Hauled Waste to validate documentation or satisfy compliance requirements.

CHAPTER 5 – Fees and Charges

Section 4.5.1 Hauled Waste Fees and Charges

Hauled Waste Discharges shall be measured by ReWa to include tank volume, meter or permitted truck tank volume. Basic charge applies to FOG and septic tank waste originating within ReWa's service area only. The Monitoring and Analysis Fee is assessed to recover costs associated with monitoring, sampling and analysis of discharges of Hauled Waste. In addition, the After-Hours Fee is assessed to recover administration and personnel costs for discharges outside normally established service hours. Additional fees and charges may apply to Hauled Waste of a different type or origin.

CHAPTER 6 – Enforcement

Section 4.6.1 Enforcement

Any User who violates the provisions of this Regulation or fails to abide by any rules, requirements, or procedures that ReWa implements in support of this Regulation, is subject to enforcement as outlined in Chapter 8 of this Regulation. Enforcement may include fines of up to $2,000 per violation and discontinuance of service and or use of ReWa facilities. Enforcement of violations generally will be in accordance with **Attachment B-** Enforcement Management Strategy. However, ReWa may take any other action against any User when the circumstances warrant. Further, ReWa is empowered to take more than one enforcement action against any noncompliant User.

Title V – Fats, Oils, and Grease Control Regulation

CHAPTER 1 – Purpose, Administration, and Applicability

Section 5.1.1 Purpose

ReWa desires to protect the public health, safety, and welfare of the citizens in the service area and to eliminate the deleterious impact of grease discharges on the wastewater collection and treatment facilities.

Title V - Fats, Oils, and Grease Control Regulation has been developed in accordance with Title III of the Regulation and in support of the ReWa FOG Control Program. The purpose of this Title is to provide requirements for the regulation of the collection, control, and transportation of non-hazardous FOG generated by FSEs. The regulation contains requirements for sizing, installation, and maintenance of Grease Interceptors and Grease Traps, permitting, inspections, monitoring, reporting, and recordkeeping. All FSEs must comply with the established limit of 200 mg/l for Polar Material as contained in Section 3.1.1 of this Regulation.

Compliance with this Regulation in support of the FOG Control Program shall be evaluated based on the following criteria:

(a) Properly sized and ReWa approved Grease Interceptors or Grease Traps;
(b) Implementation of BMPs;
(c) Regularly scheduled maintenance of Grease Interceptors or Grease Traps;
(d) Documentation of maintenance and proper Disposal of FOG Waste;
(e) Employee education and training; and/or
(f) Demonstrated adherence to applicable quantitative limit(s), concentration, or mass, as measured at the nearest accessible point prior to Generator's connection to the Public Sewer.

Section 5.1.2 Applicability

This Regulation is applicable to Transporters and Generators of FOG. Generators include, but are not limited to FSEs such as restaurants, cafeterias, delis, grocery stores, hospitals, hotels, motels, churches, school kitchens cafeterias, child or adult daycare facilities, assisted living facilities, ice cream shops, coffee shops, Food Courts, butcher shop operations, event spaces, breweries, industrial employee food service, catering services, and Mobile Food Units, or any establishment involved in the preparation or service of food for commercial purposes. This Regulation also applies to Transporters of the FOG generated from these, and other facilities. All FSEs shall provide approved Grease Interceptors or Grease Traps necessary to meet limits established in the ReWa Sewer Use Regulation or any permit issued by ReWa. This Regulation does not apply to FOG Waste removed from pumping stations owned and maintained by ReWa or its Subdistricts or from Public Sewers.

CHAPTER 2 – Generator Requirements

Section 5.2.1 Best Management Practices

All Generators of FOG Waste shall have BMPs in place to control excessive discharges of grease to the Public Sewer and to ensure proper performance of Grease Interceptors or Grease Traps. Examples of BMPs may include but are not limited to scraping excess food from plates, pans, and food containers into the trash before washing, having proper sink, floor sink, and prewash dishwasher strainers on all drains, disposing of all Yellow Grease into proper recycling containers and procedures for observing and approving all maintenance activities that require access to the control device. ReWa will review BMPs and may require modifications as necessary to ensure compliance. For any kitchen drain not connected to a Grease Interceptor or Grease Trap, the Generator shall maintain employee training and/or signage adequate to prevent discharge of FOG to such drains.

Section 5.2.2 Grease Trap and Grease Interceptor Installation

All FSEs which are proposed, constructed, expanded, renovated, reconstructed, or change ownership shall meet the requirements included herein prior to opening, expanding, or reopening the FSE. All Grease Interceptors or Grease Traps must be approved by ReWa prior to installation. FSEs may be required to upgrade and/or modify an existing Grease Interceptor or Grease Trap to comply with the ReWa Regulation. and performance standards.

A compliance schedule shall be developed and issued to FSEs to be in violation of this Regulation or in need of the addition, repair, removal or replacement of a Grease Trap or Grease Interceptor. Accelerated compliance shall be required for FSEs which are found to be discharging FOG in sufficient quantities to cause blockages or necessitate maintenance on the wastewater collection system to prevent blockages. The FSE will be notified in writing of any compliance schedule or date. Compliance schedules shall contain milestones necessary to achieve compliance with the Regulation. Failure to meet a compliance schedule or component of a schedule shall be grounds for enforcement including monetary penalties.

Inground Grease Interceptors are necessary and required for most Generators to be in compliance with established limits and standards. In some circumstances, under-the-sink Grease Traps may be allowed if:

(a) it is determined by ReWa that an under-the-sink Grease Trap provides adequate control due to site specific conditions or,
(b) it is determined by ReWa that space or size constraints make an inground Grease Interceptor impractical and/or unserviceable.

Grease Traps and Grease Interceptors shall be purchased, maintained, and secured by the Generator at the Generator's expense. It is the Generator's responsibility to ensure that proper maintenance of the Grease Interceptor or Grease Trap includes removal of all contents including Floatable Oil, wastewater, and solids at a maintenance frequency which will allow proper operation of the Grease Interceptor or Grease Trap. The Generator will be responsible for observing and approving all pumping and cleaning activities as a condition of disposal at ReWa facilities.

It is the responsibility of the Generator, new or existing, to notify ReWa prior to the purchase and installation of Grease Interceptor or Grease Trap. Generators required to install new Grease Interceptors or Grease Traps shall request and complete an FSE Information survey. The survey, along with the Plans and Specifications Fee located in **Attachment A**- Rates, Fees, and Charges should be submitted to ReWa with a plan of the proposed Grease Interceptor or Grease Trap that indicates the location of the Building Drain. Based on the information provided by the Generator, ReWa will provide a written determination of the required Grease Trap or Grease Interceptor prior to installation. Additionally, the survey will be considered a request to discharge to the ReWa System. Approval must be granted by ReWa prior to discharge.

Prior to installation or modification of an inground Grease Interceptor(s), plans and specifications must be submitted to ReWa for review and approval. The installation shall comply with the requirements of Local building codes and regulations. ReWa shall review the plans and specifications within thirty (30) days and shall recommend changes as required. Construction approval shall be evidenced by a letter signed by ReWa. Prior to commencement of construction or installation, the Generator shall secure applicable local building, plumbing, and other permits. The Generator shall notify ReWa at least 48 hours prior to backfilling the Grease Interceptor and piping to request a final inspection of the installation. ReWa may halt the completion of the installation or notify the local building inspector if the installation does not meet the requirements of this Regulation. No Generator shall deviate from ReWa approved design specifications without prior written approval.

Section 5.2.3 Grease Trap and Interceptor Maintenance

No grease control device, Grease Trap or Grease Interceptor shall be installed or replaced without ReWa approval. Each FSE shall be responsible for the costs of the evacuation and maintenance of Grease Interceptors and Grease Traps. All FSEs that have Grease Interceptors shall utilize a Registered FOG Hauler for the evacuation of its Grease Interceptor. FSEs with Grease Traps may contract with a Registered FOG Hauler or perform its own maintenance on a weekly, monthly, or quarterly basis as approved by ReWa and maintain a written log of Grease Trap maintenance.

Discharge or addition of the following materials to an Inground Grease Interceptor or an Under-the-Sink Grease Trap is strictly prohibited:

a) Wastewater with a temperature higher than one-hundred forty (140) degrees Fahrenheit;
b) Acidic or caustic cleaners, e.g., lye or root killer;

c) Yellow Grease;
d) Biological or Chemical Additives.

All Grease Interceptors and Grease Traps are evaluated and approved in accordance with the requirements listed in the ReWa Technical Specifications Development Manual, number of seats, menu, site plan, and location. ReWa reserves the right to make determinations of grease control device, Grease Trap, or Grease Interceptor sizing and adequacy based on performance and condition and may require repairs to, modifications, or replacement of control devices as such.

Section 5.2.4 Requests for Variance

This Regulation and its requirements have been developed with due diligence; utilizing accepted standards, codes, guidance, and field knowledge, with the intention of protecting the Public Sewer from adverse impacts caused by noncompliance with established grease and oil (Polar Material) limits. Requests for a variance to any of the requirements or ReWa implementation of the requirements contained in this Regulation must be submitted in writing to ReWa within thirty (30) days of the Generator or Transporter being notified of a requirement or compliance schedule. The request for variance must specifically state the reason for the request and how the FSE will ensure demonstrated compliance with established limits. Conditional variances may be granted at the discretion of ReWa and will typically require additional control measures be placed on the FSE to ensure compliance. These may include, but are not limited to, additional maintenance requirements, increased BMP facility training, monitoring requirements, permit(s), and/or cost recovery. In no case shall a variance be issued in lieu of compliance with established numerical limits or when damage to the collection sewer is evident.

CHAPTER 3 – Transporter Requirements

Section 5.3.1 License

Transporters shall maintain a current license from the SCDES Division of Onsite Wastewater Systems to maintain Grease Interceptors and transport Hauled Waste. Transporters shall use only disposal sites or methods approved in the Transporter Discharge Permit. Transporters shall request and obtain approval from ReWa to discharge Hauled Waste at disposal sites designated by ReWa. Approvals shall be limited to a three-year period after which a written request for a renewal must be submitted. Hazardous Material shall not be transported, and the Transporter shall not mix septic tank contents or other Holding Tank Waste with FOG Waste. Trucks/tankers licensed to discharge grease and septage at ReWa facilities shall not be used to pump, contain, or transport any other type of waste.

Section 5.3.3 Maintenance Requirements

Grease Interceptor and/or Grease Trap maintenance shall include the following minimum activities:

a) Complete removal of all Grease Interceptor or Grease Trap contents rather than skimming the top layer.
b) Thorough cleaning of the Grease Interceptor or Grease Trap to remove grease buildup from inner walls and baffles.
c) Completion of Manifest with Generator representative signature to accompany each load of Grease Interceptor or Grease Trap waste to the disposal site.

Top skimming, decanting, or back flushing of the Grease Interceptor or Grease Trap or its contents or septage waste (back into the Grease Interceptor) for the purpose of reducing the volume of waste to be hauled is prohibited. Vehicles capable of separating water from grease shall not discharge separated water into the Grease Interceptor or into the wastewater collection system.

The Transporter shall be responsible for determining the nature of the waste and completing a Manifest before transport. For disposal at ReWa facilities, a completed Manifest must accompany each load and be given to the attendant, placed into the receptacle at the facility, or submitted electronically prior to discharge. The form must contain signatures of the driver and the Generator representative/Owner where the waste originated.

CHAPTER 4 – Compliance Monitoring

Section 5.4 .1 Inspections

Provisions in the Sewer Use Regulation regarding monitoring, inspection, and right of entry to the Generator's facility and the Transporter's vehicle and facilities are incorporated fully herein and shall be implemented to ensure that maintenance is being completed as recorded. Generators shall provide access to ReWa staff or its agents to inspect records, Grease Traps and Grease Interceptors or obtain representative samples and perform other duties as necessary to ensure compliance with the Regulation. Transporters shall provide ReWa staff or its agents access to inspect records, obtain representative samples, and perform other duties as necessary to ensure compliance with the Regulation.

Section 5.4.2 Permitting

ReWa may issue a permit or other control document to Transporters and Generators as a condition of use, or continued use, of ReWa facilities and services. A permit may be issued to a single FSE or issued to a group of FSEs with similar processes, practices, and wastewater characteristics. Permits may contain, but are not limited to, flow limitations, Pollutant limitations, monitoring requirements, and reporting requirements as well as any other conditions or requirements that ReWa determines necessary to ensure compliance of the FSE and protection of the collection and treatment facilities.

CHAPTER 5 – Fees and Charges

Section 5.5.1 Generator and Transporter Fees

Provisions in the Sewer Use Regulation regarding fees and charges are applicable and shall be assessed to Generators and Transporters for services rendered by ReWa. Generators installing new inground Grease Interceptors shall pay the Engineering Plans and Specifications Review and Approval Fee. Generators shall pay an Annual Administrative and Inspection Fee as needed with the Sewer Use Regulation. Generators shall also pay for any Laboratory Analyses Fees associated with the discharge from the Generator's facility. Additionally, Generators shall pay a Permit Application Processing and Renewal Fee as needed to ensure compliance with, or in response to noncompliance with, the Sewer Use Regulation. Transporters shall pay the Permit Application Processing and Renewal Fee for the approval to discharge grease at ReWa designated receiving site(s). Transporters shall also pay all Laboratory Analyses Fees associated with the Transporter's discharge to ReWa designated receiving site. Additionally, the Transporter shall pay the applicable Hauled Waste charges. Such fees and charges shall be as established and included in **Attachment A**- Rates, Fees, and Charges of the Sewer Use Regulation.

CHAPTER 6 – Enforcement

Section 5.6.1 Generator and Transporter Enforcement

Any Generator or Transporter who violates the provisions of this Regulation or fails to abide by any rules, requirements, or procedures that ReWa implements in support of this Regulation, is subject to enforcement as outlined in Chapter 8 of this Regulation. Enforcement may include fines of up to $2,000 per violation and discontinuance of service and or use of ReWa facilities. Violations may also be reported, as appropriate, to SCDES and Local codes offices for further enforcement action. In addition, fines assessed for violations involving blockages, cleanup, or other occurrences requiring increased operations and/or maintenance expenses shall include the cost incurred by ReWa or Subdistricts for the cleanup or blockage removal. In accordance with the recovery of preventative expenses provisions contained in the Regulation, costs and expenses incurred by ReWa for preventing Interference or adverse impact on the Public Sewer, may be charged to, and paid by the discharger upon written notice. ReWa reserves the right to monitor, or require monitoring, of any Generator or Transporter to demonstrate compliance.

Enforcement of violations generally will be in accordance with **Attachment B** - Enforcement Management Strategy. However, ReWa may take other action against any User when the circumstances warrant. Further, ReWa is empowered to take more than one enforcement action against any noncompliant Generator or Transporter.

Title VI – Effective Date

This Regulation shall be in full force and effect from and after passage, approval, and publication, as provided by law.

Effective Date: June 6, 1984

REVISED: April 15, 1993

AS AMENDED:

April 13, 1993, March 20, 1995, May 6, 1996, November 29, 1999, June 4, 2001,

May 6, 2002, February 2, 2004, October 3, 2005, June 5, 2006,

December 4, 2006, February 5, 2007, May 5, 2008, January 5, 2009,

March 1, 2009, October 5, 2009, September 13, 2010, March 28, 2011

March 26, 2012, April 15, 2013, October 28, 2013, May 19, 2014,

May 23, 2016, May 20, 2019, November 25, 2019, June 22, 2020, January 25, 2021,

November 28, 2022, January 21, 2025

ATTACHMENT A

RATES, FEES, AND CHARGES

(Effective January 21, 2025)

MONTHLY RATES – TRUNK AND TREATMENT

BASE CHARGE

Water Meter Size	2024	2025	2026
5/8", 3/4"	$12.75	$12.75	$12.75
1"	$20.30	$20.78	$21.25
1.5"	$29.59	$36.04	$42.50
2"	$42.81	$55.41	$68.00
3"	$73.67	$100.58	$127.50
4"	$117.75	$165.12	$212.50
6"	$227.95	$326.47	$425.00
8"	$360.19	$520.09	$680.00

VOLUME CHARGE [1][2]

RESIDENTIAL [3]

	2024	2025	2026
$ per 1,000 gallons of metered water	$6.73	$6.91	$7.09

COMMERCIAL, INDUSTRIAL, AND FOOD SERVICE ESTABLISHMENTS [4]

	2024	2025	2026
$ per 1,000 gallons of metered water	$6.49	$6.78	$7.09
$ per 1,000 gallons of metered wastewater	$6.73	$6.91	$7.09

MONTHLY RATES – RETAIL COLLECTION

Retail sewer collection lines connect the customer's service lateral to ReWa's trunk lines. If ReWa owns and maintains the retail sewer collection lines, then the following monthly base and volume charges will also apply.

BASE CHARGE

Water Meter Size	2024	2025	2026
5/8", 3/4"	$13.81	$13.81	$13.81
1"	$23.02	$23.02	$23.02
1.5"	$46.03	$46.03	$46.03
2"	$73.65	$73.65	$73.65
3"	$138.09	$138.09	$138.09
4"	$230.15	$230.15	$230.15
6"	$460.30	$460.30	$460.30
8"	$736.48	$736.48	$736.80

VOLUME CHARGE

	2024	2025	2026
$ per 1,000 gallons	$0.50	$1.00	$1.50

MONTHLY RATES - INDUSTRIAL WASTEWATER SURCHARGES [5]

Biochemical Oxygen Demand above 250 mg/liter	$0.333 per pound
Total Suspended Solids above 250 mg/liter	$0.308 per pound

HAULED WASTE PROGRAM CHARGES [6]

Basic Charge (FOG and Septage)	$0.067 per gallon
Monitoring and Analysis Fee	$50.00 per discharge
After Hours Fee	$50.00 per discharge

PRETREATMENT PROGRAM FEES[7]

Permit Processing Fees	
Non-Significant Industrial Users	$900.00
Significant Industrial Users	$2,000.00
Septic Tank Hauler (Transporter)	$120.00
Food Service Establishment	$145.00
Requested Permit Addendum Fee	
Non-Significant Industrial Users	$250.00
Significant Industrial Users	$450.00
Engineering Plans and Specifications Review and Approval Fees	
Monitoring Facility	$210.00
Pretreatment Facility	Consultant Cost
Inspection Fee	$110.00
Annual Administrative and Inspection Fees	
Non-Significant Industrial Users	$1,100.00
Significant Industrial Users - Without Pretreatment	$1,800.00
Significant Industrial Users - With Pretreatment	$2,450.00
Food Service Establishment [8]	$195.00
Late Reporting Fee	
Low Volume Discharges and Significant Industrial Users	$150.00 1st Day Late and $75.00 every day thereafter until received

ENGINEERING DEVELOPMENT FEES [9]

Fee Definition	Subdistrict Area	Direct	ReWa Retail Area
Inspections - Direct and Service Connection		$110.00	$110.00
Step 1 Service Lateral ** and PME ***	$250.00	$250.00	$250.00
Step 2 PME Only	$400.00	$400.00	$400.00
Retail PME			$4.00/Linear Foot
Pump Station			$700.00
Final Acceptance and Dedication			$1,900.00

NEW ACCOUNT FEES – TRUNK AND TREATMENT [11]

RESIDENTIAL, COMMERCIAL, INDUSTRIAL, AND FOOD SERVICE ESTABLISHMENTS

	Water Meter Size	Fee
Residential [12]	5/8", 3/4"	$5,500.00
	1"	$11,000.00
	1.5"	$33,000.00
Commercial, Industrial, and Food Service Establishments	5/8"	$5,500.00
	3/4"	$11,000.00
	1"	$16,500.00
	1.5"	$33,000.00
	2"	$49,500.00
	3"	$110,000.00
	4"	$220,000.00
	6"	$660,000.00
	8"	$880,000.00

MULTI-FAMILY AND MIXED USE [13]

Capacity cost per gallon	$18.33

NEW ACCOUNT FEES – RETAIL COLLECTION [11]

RESIDENTIAL, COMMERCIAL, INDUSTRIAL, and FOOD SERVICE ESTABLISHMENTS

	Water Meter Size	Fee
Residential [12]	5/8", 3/4"	$450.00
	1"	$1,125.00
	1.5"	$2,250.00
Commercial, Industrial, and Food Service Establishments	5/8"	$450.00
	3/4"	$675.00
	1"	$1,125.00
	1.5"	$2,250.00
	2"	$3,600.00
	3"	$6,750.00
	4"	$11,250.00
	6"	$22,500.00
	8"	$36,000.00

MULTI-FAMILY AND MIXED USE [13]

Capacity cost per gallon	$1.50

LABORATORY ANALYSIS FEES

Random testing by the ReWa laboratory will be conducted during the year. Wastewater will be sampled by the ReWa at a frequency it deems necessary based on flow rate, compliance history, risk, and in accordance with the applicable provisions in this Regulations and applicable State and Federal requirements.

The total cost for any monitoring will include a sampling fee of $50.00 per site visit and the associated analytical fee(s). Total cost is permit parameter specific. See notes for additional details on specific parameters.

LABORATORY ANALYSIS FEES: (Per test, per sample) [10]

Test	Cost
pH	$13.00
TSS	$16.00
BOD	$44.00
COD	$33.00
Ammonia	$27.00
Phosphorous	$25.00
Cyanide	$48.00[a]
Polar MAT.	$80.00 [a]
Non-Polar	$75.00 [a]
MBAS	$75.00 [a]
CTAS	$106.00 [a]
Phenol	$43.00 [a]
Color (ADMI)	$69.00
Fluoride	$25.00 [a]
TDS	$20.00
PCB	$192.00 [a]
Aluminum	$18.00 [a]
Antimony	$18.00 [a]
Arsenic	$18.00 [a]
Boron	$18.00 [a]
Cadmium	$18.00 [a]
Chromium	$18.00 [a]
Copper	$18.00 [a]
Lead	$18.00 [a]
Mercury	$36.00 [a]
Nickel	$18.00 [a]
Selenium	$18.00 [a]
Silver	$18.00 [a]
Tin	$18.00 [a]
Titanium	$18.00 [a]
Vanadium	$18.00 [a]

Zinc	$18.00 [a]
Acid/Base/Neutrals	$362.00 [a]
Volatile Organics	$236.00 [a]
BTEX	$192.00 [a]
Phthalates	$192.00 [a]
TTO (ABN,VOA,PCBs)	$790.00 [a]
TPH	$150.00 [a,b]
TTO (ABN, VOA)	$598.00 [a]
VOCs by GC/FID EPA: Method 1671A	$601.20 [a,b]
VOCs by Isotope Dilution: (GC/MS) EPA Method 1666A	$985.20 [a,b]
Contaminant of Emerging Concern (PFAS, 1,4 Dioxane, etc.)	Market price[c]
Toxicity Testing	$1,210[d]

OTHER FEES

ADMINISTRATIVE AND FINANCE FEES

Research and validation fees will be billed at the current fiscal year's overhead allocation rate.

RESIDENTIAL, COMMERICAL, INDUSTRIAL AND FOOD SERVICE ESTABLISHMENT DISCONNECTION CHARGE

Disconnection Charge	$300.00 (14)

FOOTNOTES AND EXPLANATIONS

(1) Customer usage will be based on volume, if consistently available. If unavailable, SCDES Unit Contributory Loadings to All Domestic Wastewater Treatment Facilities will be used. For direct bill customers, ReWa shall have the right of entry, ingress and egress onto the user's property and shall have the further option of requiring a water meter and discontinuing sewer service by securing the water serving the User's property.

(2) Any User may, upon application, request permission to have installed an additional and separate water meter, which shall be dedicated to measurement of the water used but not discharged into the sewer upon the following conditions:

a. The User shall file an application under oath to make the request and shall state the following:
    i. Name, address and telephone number of the User;
    ii. Location and block book designation of the property;
    iii. The use made of water not discharged to the sewer;
    iv. The User's estimate of the volume of such use.
b. If the installation of such a meter is economically feasible for the User, the Director, after a review of prior usage and other economic factors, will approve the application.
c. The application shall contain the following representations and agreements by the User and be signed under oath by the User:
    i. Representations:
        1. That water, or a portion of water currently consumed by the User is not discharged either directly or indirectly into the sewer system;
        2. That the discharge of disposable of such water by the User does not violate any city, county, state, or federal water or groundwater pollution laws or regulations.
    ii. Agreements:
        1. That the water which shall flow through this additional and separate meter shall be used solely for uses and purposes which shall not cause a discharge directly or indirectly into the sewer system;
        2. That the CEO or his agents shall have the right of entry to inspect the premises to verify such usage so long as such a meter is in use. In the event of misuse of the meter to wrongfully avoid payment of any portion of the sewer service charge, all further and future water measured by such meter shall be subject to the full sewer service charge. Further, all credits earned subsequent to its installation shall be forfeited and reinstated to the User's bill. The User shall pay the reinstated charges in not less than thirty (30) days, and if not paid, User hereby consents for his water service to be terminated without further notice.
        3. All cost of the meter and its installation shall be borne by the User.

(3) The residential schedule applies to all Residential Users within the ReWa service area and classified by ReWa as discharging wastewater with normal pollutant concentrations.

(4) Users that have been classified by ReWa as Commercial Users, Industrial Users or Significant Industrial Users may be billed directly by ReWa according to the above charges. Volume Charges will be based on metered water, or metered wastewater. These Users will be charged a late fee of 1% per month of any unpaid balance.

(5) All Users discharging waste to the POTW in excess of 250 mg/l of BOD, or 250 mg/l of TSS shall be assessed a surcharge set by ReWa. Surcharges shall be computed with information determined from ReWa and User self-monitoring data. The following requirements shall apply to self-monitoring data:

a. Compliance sampling and analysis must follow the guidelines set forth under 40 CFR part 136.
b. Compliance samples must be analyzed by SCDES Certified laboratory currently certified for the parameter(s) being analyzed.
c. The data must be received by the date required by ReWa.

The total surcharge will be the combined total of charges for BOD and TSS. Surcharges will be based on metered water consumption, unless the User, at the User's expense, elects to meter the wastewater to the sewer. All measuring devices must be approved and maintained in an appropriate manner as determined by ReWa. The total surcharges will be based on pounds of BOD or TSS in excess of the concentrations stated above. A User discharging waste in excess of the stated concentrations shall be subject to periodic inspection and shall be required to monitor for the above stated constituents at an approved frequency.

ReWa in its discretion may base its charges on COD in lieu of BOD

(6) Hauled Waste Discharges shall be measured by ReWa tank volume, meter or permitted truck tank volume. Basic charge applies to FOG and septic tank waste originating within ReWa's service area only. The Monitoring and Analysis Fee is assessed to recover costs associated with monitoring, sampling and analysis discharges of hauled waste. In addition, the After-hours Fee is assessed to recover administration and personnel costs for discharges outside of normally established service hours. Additional fees and charges may apply to hauled waste of a different type or origin.

(7) ReWa may charge additional Permit Processing Fees and/or Inspection and Administration Fees to Food Service Establishments (FSE)s that require unique and/or additional permitting, administration or inspection activities due to compliance issues or special circumstances.

(8) Complimentary first inspection for FSE. If the FSE fails the first inspection, then the inspection fees are assessed upon reinspection.

(9) Direct connections occur where a connection is made directly to ReWa infrastructure within a subdistrict's service area. Service lateral is defined as a single sewer line, typically from a re-purposed building, new commercial development, or a new building. Public Main Extension (PME) is defined as a new collection system of sewer lines and manholes typically servicing new subdivisions, apartments, townhomes, etc.

(10) Laboratory Analysis Fees are per test and per sample as well as per the following:

a. Parameters are analyzed utilizing external contract laboratory services and will be charged to Users without markup.
b. An additional shipping cost of $250 per cooler could be added per subcontract lab shipping fees.
c. Contaminants of Emerging Concern cost (PFAS, 1,4 Dioxane, etc.) will be charged at the market price without markup.
d. Toxicity testing costs is $1,210 a year per industrial permit SIUs and NSIUs.

(11) New Residential, Commercial and Industrial Users making new connections or upgrading the size of the water meter will be charged a fee for connection to the ReWa system. This fee will be charged for new construction and will be based on the water meter size required to serve each property. For any existing user, such fee will also be assessed when a larger meter (s) is required due to redevelopment or expansion. In cases where such redevelopment or expansion occurs, the user will be assessed such fee based on the incremental increase in the water meter size. No credit will be provided in cases where a water meter is eliminated or reduced in size. Water meters installed for outdoor irrigation or other purposes and classified as "water only" accounts shall be exempt from such fee.

(12) Residential class denotes a residence that has a separate water meter for each residential unit. Per the SCDES Regulation 61-67, Appendix A. Unit Contributory Loadings to All Domestic Wastewater Treatment Facilities (UCL), the hydraulic loading in gallons per day is 300 per residence (i.e. house, unit).

(13) Multi-family and mixed-use class denotes such cases served by one or more meter(s). In these cases, the new account fee will be calculated based on the estimated daily wastewater flow per the UCL and the current capacity cost per gallon (current NAF for 5/8" meter used for an individual residence divided by the 300 gallons capacity per day per the UCL).

(14) The $300 disconnection charge is the minimum that must be paid by a User whose service is disconnected by physical disconnection or blocking by ReWa. Additional costs may be incurred by ReWa for discontinuance of service and will be billed to the User. The reconnection or renewed service of a disconnected service line to the public sewer system will be the responsibility of the User and subject to all appropriate use regulations and fees.

ADJUSTMENTS FOR RESIDENTIAL ACCOUNTS

ReWa has an agreement with the Greenville Water System for billing and collection of wastewater treatment charges. The Greenville Water System, as agent for ReWa, will adjust residential wastewater charges on the same basis as the Greenville Water System adjustments for water use. Similar billing and collection agreements are in effect with other water suppliers in ReWa's service area.

An adjustment policy (Maximum Consumption Program) for water used but not returned to the sewer during the summer months has been adopted by ReWa for residential customers. Under this policy, each residential customer will automatically have their wastewater bill volume limited during the two summer quarters to an average of their winter water consumption. This is available at water suppliers whose billing system can accommodate this calculation. Retail charges are not eligible for the billing adjustment or the maximum consumption program.

ATTACHEMENT B

ENFORCEMENT MANAGEMENT STRATEGY

(Effective January 21, 2025)

This Enforcement Management Strategy (Enforcement Strategy) has been developed by Renewable Water Resources (ReWa) in coordination with the Federal and State requirements and with ReWa's Sewer Use Regulation (Regulation). This Enforcement Strategy is not a regulation and may not be cited as legal precedent. Rather, the intent is to give guidance to staff regarding methods and manners of enforcement, and to provide information to Users who may become subject to enforcement proceedings. If any conflict arises between this Strategy and the Regulation, the Regulation controls.

Section 1.0 Purpose of the Plan

ReWa desires to make its staff and the public aware of ReWa's Enforcement Strategy by 1) Describing how instances of noncompliance will be investigated; 2) Stating the type of escalated enforcement actions for violations and the general time period for action; 3) and reflecting its primary responsibility to enforce applicable pretreatment standards and other requirements of its Regulation. This Enforcement Strategy also contains guidelines and/or requirements for inspections, sampling, monitoring, other reports, hearings, permitting, suspensions, revocations, sanctions, fines and penalties.

Section 2.0 Duties

The Chief Executive Officer (CEO) has been empowered to enforce compliance with permits and regulations. Acting under the CEO is the Regulatory Services Manager. The Regulatory Services Manager is responsible for implementing the Pretreatment Program as well as overseeing the sampling and analysis required in wastewater discharge permits to be performed by ReWa. Analyses not performed by ReWa laboratory staff shall be performed by a South Carolina Department of Environmental Services Certified Laboratory. The Regulatory Services Manager shall inform the CEO or designated representative of any violations of discharge limitations. The Regulatory Services Manager is responsible for enforcing requirements applicable to Users. The Regulatory Services Manager is responsible for all administrative actions such as the submission of reports, industrial inspections, periodic survey updates, and issuing permits. The Regulatory Services Manager will periodically evaluate ReWa's Enforcement Strategy to assure it is effective and reasonable. A report on the findings of the evaluation will be given to the CEO or designated representative.

Section 3.0 Enforcement Procedures

In response to noncompliance by a User of the ReWa system, the Regulatory Services Manager may require additional monitoring of the discharge, in addition to that which is required in Section 10.6 (B), and at a frequency determined by ReWa, to verify that the noncompliance and any related impacts have ceased. The Regulatory Services Manager will notify the User of any violations identified by ReWa and of any intended enforcement regarding the violations.

A. The Warning of Minor Violation (WOMV) typically will be in the form of a written Summary of Violations labeled Warning of Minor Violation. A WOMV shall be sent to the User and retained in the User's records. A WOMV does not require a response to ReWa but should prompt the User to take corrective action to address minor noncompliance. A WOMV typically will be appropriate for any violation not meeting the criteria triggering a Notice of Violation.
B. The Notice of Violation (NOV) typically will be in the form of a letter sent to the

User within fifteen days after the violation is noted. The User shall respond, if required, within fifteen days of receipt to the NOV and state: (1) the cause of the violation; and (2) what corrective action will be taken to prevent future violations. If a user fails to respond to a NOV that requires a response, or if the Regulatory Services Manager seems the response to be inadequate, the Regulatory Services manager may issue a Notice of Significant Noncompliance. A NOV typically will be appropriate for any violation not meeting the criteria triggering a Notice of Significant Noncompliance.

C. A Notice of Significant Noncompliance (NOSN) shall be sent to the User by certified mail. The User shall respond within fifteen days of receipt of the NOSN and state (1) the cause of the violation; and (2) what corrective action will be taken to prevent future violations. The Regulatory Services Manager may also require the User to propose and submit a schedule of compliance. If the User indicates that corrective action will take longer than 90 days, the Regulatory Services Manager may elect to issue a Compliance Order or enter into a Consent Agreement. A NOSN typically addresses more significant noncompliance.

D. If a User fails to respond to a NOSN, the Regulatory Services Manager shall issue a Rule to Show Cause for an Adjudicatory Hearing and give notice of any injunctive relief, Administrative Civil Penalties through an Adjudicatory Enforcement Order, expenses, costs, and fees to be sought at the Adjudicatory Hearing.

E. If the violation is caused by a discharge that is of imminent danger to public health or has contributed to damage to the wastewater system or the quality or aesthetics of the receiving stream, then a Notice or Revocation (NOR) shall be sent immediately and include a requirement to immediately cease the discharge. A hearing shall be held within fifteen days from the date the User receives the NOR. An NOR may be given orally if time does not permit written notice. However, such oral notice shall be subsequently documented as time is available. When practical, written notice shall be given. A NOR is generally appropriate when a violation of a permit condition or limitation, or a violation of these regulations either contributes to or threatens to cause interference with, or have an adverse impact upon, the operation of the facilities; or danger to human health, welfare, or the environment is imminent. Any User notified of revocation of permission to discharge shall immediately stop or eliminate its discharge as ordered in the NOR. A hearing shall be held within fifteen days of the User's receipt of the NOR to determine whether the revocation may be lifted, or the User's permit terminated. Prior to the date of the hearing the User shall submit to ReWa a detailed written statement describing the causes of the violations and the measures taken to prevent any future violations. In the event the User fails to comply voluntarily with the Order, the CEO shall take such steps as deemed necessary including immediate severance of the sewer connection. The CEO may reinstate permission to discharge upon proof of elimination of the violations and compliance with any other requirements imposed by ReWa as a condition of reinstatement of the User's permit. An Emergency Enforcement Order may also be issued.

Section 4.0 Revocation or Termination of Permit

A. Any User who violates the conditions of this Regulation, per applicable State and Federal regulations, is subject to having his permission to discharge terminated. The CEO may revoke a permit for the following reasons:
    1. Failure to factually report the wastewater constituents and characteristics of the discharge.

2. Failure to report significant change in operations, or wastewater constituents and characteristics;
3. Refusal of reasonable access to the User's premises for the purpose of inspection and monitoring;
4. Violation of conditions of an individual discharge permit or general permit;
5. Tampering with, or deliberately altering, monitoring equipment;
6. Falsifying self-monitoring reports;
7. Changes in POTW NPDES permit, receiving stream water quality standards, POTW treatment plant process, sludge disposal practices or requirements, or other modifications of a similar nature that impact ReWa's ability to accept industrial wastewater;
8. Causes necessitating an emergency suspension;
9. Discharge of wastewater prohibited by this Regulation;
10. Significant noncompliance with schedules, Pretreatment Standards or Requirements, or with any terms of the individual wastewater discharge permit or general permit or regulation; or
11. Non-payment of sewer User charge or other charges, fines, costs, and expenses.

A User whose permission to discharge has been revoked may re-apply for permission to discharge and shall pay all delinquent fees, charges, penalties, any impact fees that may be established by ReWa and be effective at the date of the reapplication, and such other sums as may be due to ReWa.

Section 5.0 Informal Conference Prior to Hearing Date

Upon User request or at the Regulatory Service Manager's discretion, the Regulatory Service Manager will schedule an information conference with the User and attempt to negotiate an enforceable Consent Agreement to address the noncompliance. The Consent Agreement may contain such terms and conditions as appropriate, including but not limited to, provisions for additional monitoring, full or partial cessation of discharge, interim limits, submittal of technical reports, addition of or modification of pretreatment facilities, and payment of all administrative costs, expenses, attorneys' fees and civil penalties.

Section 6.0 Failure to Comply with Consent Agreement

If a User fails to comply with a Consent Agreement, this failure shall constitute a separate and new Notice of Significant Noncompliance and give rise to additional costs, fines and penalties, and additional escalated and unilateral enforcement, as referenced in Chapter 8 of this Regulation, containing relief beyond that consented to in the Consent Agreement.

Section 7.0 Publication of List of Significant Violators

Pretreatment Regulations require ReWa to publish, at least annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by ReWa, a list of User that were in Significant Noncompliance (SNC) with applicable pretreatment standards and requirements during the previous twelve months. The procedure for compiling the list of such Users is as follows:

a. The Regulatory Services Manager shall prepare a compliance history From ReWa records for each individual Significant Industrial User (SIU), or other User.
b. The compliance history so obtained for each SIU or other User shall be reviewed to determine if a pattern of noncompliance exists or if the industry has been, or continues to be, in SNC. To the extent that an industry meets these criteria, it will be placed on the list for publication, and publication shall occur.

Section 8.0 Adjudicatory Hearings

Adjudicatory Hearing shall mean a hearing that is held pursuant to this regulation. Adjudicatory Hearings are trial-type contested case proceedings pursuant to the power of ReWa.

Requests for an Adjudicatory Hearing shall be served on ReWa within fifteen days following the User's receipt of any final administrative decision by ReWa on an application, permit, certificate or other licensing matter, or any final action by ReWa regarding permit noncompliance. Requests for Adjudicatory Hearings shall include the name of the requestor, the requestor's interest in the matter, and the names of parties whom the requestor represents, the reasons for the requests, the major issues that are purposed to be contested at the hearing, and a statement by the requestor agreeing to be subject to examination and cross-examination and to make any employee or consultant of such requestor, or other person represented by the requestor, available for examination and cross-examination at the expense of the requestor. The CEO may grant or deny a request for an Adjudicatory Hearing on the basis of a consideration of whether the person making such a request has standing to seek a determination under the law and whether such request is a matter subject to an Adjudicatory Hearing under these regulations.

The procedures to be used in Adjudicatory Hearings are specified in the Regulation and S.C. Code Ann. § 6-11-285, although the parties to an Adjudicatory Hearing may agree to simplified procedures. However, generally for the purpose of a request by a User for an Adjudicatory hearing, an initial pleading as used herein shall refer to the document by which an Adjudicatory Hearing may be commenced. A request may be considered an initial pleading. Every initial pleading shall, at a minimum, contain the following:

1. A title that indicates the nature of the proceeding and the parties involved therein;
2. The complete name and address of the requestor filing the pleadings and, if applicable, the organization or interest whom the requestor represents;
3. The legal authority and the jurisdictional basis for the hearing;
4. A clear and concise statement of the issues upon which the pleading is maintained and identification of the particular regulation, standard, guideline, or provision of law that is the subject of the hearing. IF the party is unable to state the matters in detail at the time of the initial pleading or other notice is served, such initial pleading or other notice may be limited to a simple statement of the issues involved. Thereafter, upon application, the requestor shall furnish to all parties a more definite and detailed statement;
5. A prayer setting forth the relief sought;
6. If the party filing the pleading is represented by counsel, the name and contact information of the attorney;
7. A statement by the requestor agreeing to be subject to examination and cross-examination and to make any employee or consultant of such requestor available for examination and cross-examination at the expense of such requestor.
   An answer to the initial pleading shall be served on the requestor within fifteen days after service of the document to which the answer is directed unless additional time is required pursuant to provisions of this section. Allegations contained ins aid initial pleading that are not specifically admitted by the party filing an answer are deemed denied. The answer shall contain, but not be limited to, the following:
   a. A clear and concise statement identifying the party filing the answer and the matter to which the answer relates.
   b. A clear and concise statement of all matters upon which the party filing the answer relies. There shall be no replies other than an answer.

Leave to file amendments to any pleading may be allowed or denied provided, however, leave to amend shall be freely given when justice requires it. A party desiring to withdraw a pleading filed with ReWa or the hearing examiner shall file a motion for withdrawal. If any party has an objection thereto, that party shall, within ten days after the receipt of the motion, serve a statement on the hearing examiner setting forth the reasons for that party's objection and serve a copy of the same on each party. In the absence of objections or a request for a hearing, a motion of withdrawal shall, within ten days after filing thereof, be deemed allowed. The hearing examiner shall then file an order of dismissal, with or without prejudice.
Service by ReWa of initial pleadings, complaints, orders, decisions, pleadings, motions, processes, and other documents shall be personal delivery or by first-class mail. Service on ReWa shall be servicing and filing two copies of the paper with the Renewable Water Resources, 561 Mauldin Road, Greenville, SC 29607, by personal service or by first-class mail upon all parties to the proceedings. A certificate of service shall accompany all papers when filed by any party.

The hearing examiner may, on a party's motion, at any time during the course of any proceeding, permit such substitutions or additions of parties as justice may require.

Third party intervenors shall meet the same standards as required of those intervening in matters before the Court of Common Pleas pursuant to Rule 24 of the South Carolina Rules of Civil Procedure.

The hearing examiner shall observe the rules of evidence observed by the Court of Common Pleas pursuant to the South Carolina Rules of Evidence, with the exception that hearsay evidence may be admissible provided that it is deemed necessary to ascertain facts not reasonably susceptible of proof without such evidence and the hearsay evidence is properly identified as such and is given appropriate consideration in reaching a determination. The hearing examiner shall exclude hearsay evidence when such testimony would violate fundamental fairness.

All testimony shall be taken under oath and all parties shall have the right to cross-examination of the witness.

The hearing examiner and all other parties, through the hearing examiner, shall have the right to issue subpoenas requiring the attendance and testimony of witnesses and the production of any documents in question in the proceeding; provided, however, that where the issuance of such a subpoena is resisted or contested, the hearing examiner shall rule on the availability of the subpoena in that particular case.

A party may file a motion for the production or view of any object that relates to the subject matter of any proceedings then pending before the hearing examiner. The motion shall be granted where justice requires.

Anytime during the course of the proceeding, the hearing examiner may order that testimony of a witness be taken by deposition. Application to take testimony by deposition shall be made by motion to the hearing examiner. Such motion shall set forth the reasons for requesting the deposition, the time when, the place where, the name and address of each witness, and the subject matter concerning which each witness is expected to testify. The hearing examiner shall allow the motion only upon showing that circumstances are such that the witness to be deposed cannot appear before the hearing examiner without substantial hardship being caused. If such hardship is financial in nature, any party may agree to reimburse the witness for expenses, including loss of wages incurred by appearing. In such cases, the motion to allow

taking of a deposition shall be denied. Motions for the taking of depositions shall not be allowed if the depositions result in any undue burden to another party or in any undue delay of the proceeding. If the motion is allowed, the hearing examiner shall give at least five days' notice of the taking of the depositions to all parties. Depositions shall be taken orally before a court reporter having power to administer oaths and record the testimony. Each witness testifying upon deposition shall be duly sworn, and the adverse party shall have the right to cross-examine. Depositions may be taken in person or remotely, at the discretion of the hearing officer.

Objections to questions shall be in short form stating the grounds of objections relied upon. Lengthy speaking objections are not allowed. The questions asked, the answers thereto, and all objections shall be reduced to writing in transcription form and certified by the court reporter before whom the deposition is taken. Said court reporter shall forward the deposition to the hearing examiner and the parties. Payment of the court reporter shall be made by any party seeking a copy of the deposition transcript. The parties shall split equally the cost of the deposition transcript that the office provides to the hearing examiner. Subject to appropriate rulings on evidence, the testimony contained therein had been given by the witness in the presence of the hearing examiner. After notice is served for taking a deposition, upon motion of the party to be examined, made prior to the date set, the hearing examiner may, for good cause shown, order that the deposition shall not be take; that certain matters shall not be inquired into; or that the scope of the examination shall be limited to certain matters. The hearing examiner may make any other order necessary to protect the party or witness from harassment or oppression.

The parties may file a written stipulation with the hearing examiner at any stage of the proceeding. At the hearing a stipulation may be orally read into the record, followed by the stipulation filed with the hearing examiner. Contested cases may be resolved by informal disposition through means of stipulation, agreed settlement, consent order (with or without a financial penalty), or default.

On the basis of the evidence presented, the hearing examiner shall issue the determination. The hearing examiner shall deliver the determination to the parties by certified mail.

Any appeal from the determination of the hearing examiner in any enforcement proceeding shall be submitted to the Court of Common Pleas in which ReWa is located pursuant to S.C. Code Ann. §6-11-285 (F).

When the time prescribed in these rules for doing any act expires on a Saturday, Sunday or legal holiday, such time shall extend to and include the next succeeding day that is not a Saturday, Sunday or legal holiday. ReWa or the hearing examiner may grant reasonable extensions of time to meet the filing deadlines specified herein.

Section 9.0 Administrative Civil Penalties

In addition to other penalties, charges, sanctions or restrictions, revocations or limitations as may be provided in this Regulation, a User may be fined up to two thousand dollars ($2,000.00) for each offense through an Adjudicatory Enforcement Order. Each day on which a violation occurs or continues shall be deemed a separate and distinct offense. In case of a monthly or long-term average discharge limits, the Administrative Civil Penalty may be assessed for each day during the period of violation. For example, violation of a monthly average effluent limitation will constitute thirty (30) individual days of violation for a month with 30 days. ReWa shall have such remedies for the collection of such assessments as it has for collection of other service charges. Multiple civil penalties may be assessed per day for multiple violations each day.

Section 10.0 Ranges of Enforcement Response

ReWa will choose the response appropriate to the violation and in the context of the User's prior violations.

1. ReWa will consider the following criteria when determining a proper response:
   a. Magnitude of the violation;
   b. Duration of the violation;
   c. Effect of the violation on the receiving water;
   d. Effect of the violation on the POTW;
   e. Compliance history of the Users.

Section 10.1 Magnitude of the Violation

Generally, an isolated instance of noncompliance ca be met with an information response such as a WOMV or a NOV. However, where even an isolated violation could threaten public health, welfare or the environment, damage public and private property, or threaten the integrity of ReWa's program (i.e., falsifying a self-monitoring report), ReWa will respond to any significant noncompliance with an Enforceable Order (to the extent the noncompliance is ongoing) that requires a return to compliance by a specific deadline. ReWa has defined significant noncompliance as violations that meet one or more of the following criteria:

A. Violations of wastewater discharge limits
   1. Chronic violations, 66% or more of all the measurements taken for the same pollutant parameter in a six-month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits.
   2. Technical Review Criteria (TRC) violations, 33% or more of the measurements taken for the same pollutant parameter during a six-month period equal or exceed the product of the numeric Pretreatment4 Standard or Requirement including Instantaneous Limits multiplied by the applicable TRC (TRC=1.4 for BOD, TSS, fats, oil and grease and 1.2 for all other pollutants except pH).
   3. Any other violation of a Pretreatment Standard or Requirement including Daily Maximum Limit, Monthly Average Limit, Instantaneous Limit, or narrative standard that ReWa believes has caused, alone or in combination with other discharges, interference or pass-through including endangering the health of ReWa personnel or the general public.
   4. Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the ReWa's exercise of its emergency authority to halt or prevent such a discharge.

B. Failure to meet within 90 days after the compliance schedule due date, a compliance schedule milestone contained in a local control mechanism or enforcement order, for starting construction, completing construction, or attaining final compliance.

C. Failure to provide within 45 days after the due date, required reports such as self-monitoring reports and reports on compliance schedules.

D. Failure to accurately report noncompliance.

E. Any other violation or group of violations, which may include a violation of Best Management Practices, that ReWa determines will adversely affect the operation or implementation of the local pretreatment program.

Section 10.2 Duration of the Violation

Violations (regardless of severity) that continue over prolonged periods of time should subject the User to escalated enforcement actions. For example, an effluent violation that occurs in two out of three samples over a six-month period or a report that is more than 45 days overdue is considered significant; while a report that is two days late may not typically be deemed significant unless it reflects chronic late reporting.

ReWa's response to these situations must prevent extended periods of noncompliance from recurring. EPA recommends issuance of administrative orders for chronic violations. If the User fails to comply with the Enforcement Order, ReWa may assess Administrative Civil Penalties or initiate judicial action. If the prolonged violations result in serious harm to the POTW, ReWa may also consider terminating service or obtaining a court order to halt further violations as well as to recover the costs of repairing the damage.

Section 10.3 Effect on the Receiving Water

One of the primary objectives of the National Pretreatment Program is to prevent a "pass through" of pollutants that enter the receiving stream. Consequently, any violation that results in environmental harm should be met with an appropriately significant response. Environmental harm should be presumed whenever a User discharges a pollutant into the sewerage system that:

- Causes or contributes to Pass Through
- Causes or contributes to a violation of the WRRF's NPDES permit (including water quality standards)
- Has a toxic effect on the WRRF or receiving waters (i.e., fish kill)
- Causes interference

At a minimum, responses to these circumstances shall include an Adjudicatory Enforcement Order and an Administrative Civil Penalty. In addition, the response may ensure the recovery from the noncompliant User of any NPDES fines and penalties paid by ReWa. Where authorized, ReWa may also pursue damages for the destruction or harm to local natural resources. If a User's discharge causes harmful effects, ReWa may terminate service to the User.

Section 10.4 Effect on the POTW

Some of the violations may have negative impacts on the POTW itself. For example, they may result in significant increases in treatment costs, interfere or harm POTW personnel, equipment, processes, operations, or cause sludge contamination resulting in increased disposal costs. These violations may be met with an Administrative Civil Penalty and an order to correct the violation in addition to recovery of additional costs and expenses to repair the POTW. For example, when the User's discharge upsets the treatment plant, damages the collection system through pipe corrosion, causes an obstruction or explosion, or causes additional expenses (i.e., to trace a spill back to its source), the POTW's response may include cost recovery, civil penalties, and/or a requirement to correct the condition causing the violation.

Section 10.5 Compliance History of the User

A pattern of recurring violations (even of different program requirements) may indicate either that the User's treatment system is inadequate or that the User has taken a casual approach to operating and maintaining its treatment system. These indications will alert ReWa to the likelihood of future significant violations. Accordingly, User exhibiting recurring noncompliance shall be subject to significant enforcement to ensure that consistent compliance is achieved. Compliance history is an important factor for deciding the appropriate remedies to apply to a particular violator.

Section 11.0 Response Requirements

A. ReWa will respond to violations of the Regulation in accordance with the following:

1. All violations shall be identified and documented within 10 days of receiving compliance information.
2. Initial Enforcement responses involving contact with the Industrial User and requesting information on corrective or preventative action(s), shall occur within 30 days of violation detection.
3. Follow up action for continuing or reoccurring violation shall be taken within 60 days of the initial enforcement response. For all continuing violations the response will include a compliance schedule.
4. Violations which threaten health, property, or environmental quality are considered emergencies and will receive immediate responses such as halting the discharge or terminating service.
5. All violations meeting the criteria for Significant Noncompliance shall be addressed with an enforceable Order within 30 to 60 days of the identification of Significant Noncompliance.

B. Industrial User Response to noncompliance:

1. Any instance of Industrial User noncompliance must be reported within 24 hours of knowledge of the noncompliance to the CEO or his authorized representative followed by a written report, when required, within five working days.

   The report of noncompliance shall include:

   a. A description of the characteristics of the noncompliance
   b. A statement of the cause of noncompliance
   c. An account of the time and duration of noncompliance including dates and times; of if not corrected, the anticipated time the noncompliance is expected to continue, and activities being taken to reduce, eliminate, and prevent recurrence of the noncompliance.
   d. For noncompliance of permit limitations repeat sampling event and submit test results to ReWa within 30 days. Such notification shall not relieve the User of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, fish kills, or any other damage to person or property; nor shall such notification relieve the User of any fines, civil penalties, or other liability which may be imposed by this article or other applicable law.
2. Industrial discharges requiring a permit, but found to be unpermitted, shall submit a completed industrial application within 15 days of receipt.
3. All Enforcement Orders shall be implemented upon receipt by the industry.
4. All schedules of compliance shall be implemented upon receipt of the final schedule by the industry.
5. Notice of Violation (NOV) and Notice of Significant Noncompliance (NOSN) shall be responded to within 15 days of the receipt of the Notice.
6. All other activities required of the Industrial User in accordance with the

Regulation shall be implemented as specified.

Section 12.0 General Enforcement Response Guide

This guide is for staff use only and is not a regulation. ReWa reserves it's right to vary or make exceptions to its general enforcement response as in its discretion may serve the best interest of ReWa. If any conflict arises between this Enforcement Response Guide and the Regulation, the Regulation controls.

Section 12.1 List of Acronyms:

NOV	Notice of Violation
NOSN	Notice of Significant Non-Compliance
WOMV	Warning of Minor Violation
NOR	Notice of Revocation
SNC	Significant Non-Compliance

Section 12.2 Unauthorized Discharges

Unauthorized Discharges				
Noncompliance	**Circumstances**	**Range of Response**	**Significant Noncompliance**	**Personnel**
Discharge without a permit or approval.	Single occurrence, discharger is unaware of permit requirement, and no known POTW damage, interference, or pass through.	NOV	No	Coordinator, Pretreatment Supervisor, Regulatory Services Manager
	Repeated occurrence, discharger is aware of permit requirement, results in interference or pass through of POTW, and/or results in violation of categorical or local limitations.	NOSN, Show Cause Hearing (Enforcement Order, Cease and Desist Order, and/or seek injunctive relief and damages).	Yes	CEO, Officer, Manager, or authorized representative
	Discharge after expiration of permit due to permittee's failure to reapply.	NOV, NOSN, Show Cause Hearing (Enforcement Order, Cease and Desist Order, and/or seek injunctive	Yes	CEO, Officer, Manager, or authorized representative

		relief and damages).		
Non-permitted discharge (expired permit).	Failure to apply for permit renewal within ten (10) days of due date.	NOV	No	Coordinator, Pretreatment Supervisor, Regulatory Services Manager
Dilution in lieu of treatment.	Unintentional.	NOV	No	Coordinator, Pretreatment Supervisor, Regulatory Services Manager
	Deliberately increase the use of process or other water to dilute a discharge as a partial or complete substitute for treatment.	NOSN, Show Cause Hearing (Enforcement Order).	Yes	CEO, Officer, Manager, or authorized representative
	Continue to deliberately increase the use of process water or other water to dilute a discharge as a partial or complete substitute for treatment.	NOSN, NOR, Show Cause Hearing (Enforcement Order).	Yes	CEO, Officer, Manager, or authorized representative
Slug Discharge	Isolated or infrequent without known interference or pass through.	NOV	No	Coordinator, Pretreatment Supervisor, Regulatory Services Manager
	Isolated or infrequent with known interference, pass through, and/or threat to human safety.	NOSN, Show Cause Hearing (Enforcement Order).	Yes	CEO, Officer, Manager, or authorized representative
	Recurring with known interference, pass through, and/or	NOSN, NOR, Show Cause Hearing (Enforcement	Yes	CEO, Officer, Manager, or authorized representative

	threat to human safety.	Order, Cease and Desist Order, and/or seek injunctive relief and damages).		

Section 12.3 Applicable Pretreatment Limitations

Applicable Pretreatment Limitations				
Noncompliance	**Circumstances**	**Range of Response**	**Significant Noncompliance**	**Personnel**
Exceeding final limitations (categorical or local).	Infrequent or isolated violation which does not place an industrial user in SNC.	WOMV, NOV	No	Coordinator, Pretreatment Supervisor, Regulatory Services Manager
	Recurring violations which do not place an industrial user in SNC.	NOV	No	Coordinator, Pretreatment Supervisor, Regulatory Services Manager
	Violation(s) which place an industrial user in SNC.	NOSN, NOR, Show Cause Hearing (Enforcement Order, Cease and Desist Order, and/or seek injunctive relief and damages).	Yes	CEO, Officer, Manager, or authorized representative
Exceeding interim limitations.	Without known interference or pass through but which places industrial user in SNC with limit.	NOSN, Show Cause Hearing (Enforcement Order).	Yes	CEO, Officer, Manager, or authorized representative
	With interference or pass through.	NOSN, NOR, Show Cause Hearing (Enforcement Order, Cease and Desist Order,	Yes	CEO, Officer, Manager, or authorized representative

		and/or seek injunctive relief and damages).		

Section 12.4 Sampling, Monitoring, and Reporting

Sampling, Monitoring and Reporting				
Noncompliance	**Circumstances**	**Range of Response**	**Significant Noncompliance**	**Personnel**
Failure to sample, monitor or report (routine reports, BMRs).	Isolated or infrequent.	WOMV, NOV	No	Coordinator, Pretreatment Supervisor, Regulatory Services Manager
Failure to sample, monitor, report, or notify.	User does not respond to letters, does not follow through on verbal or written agreement.	NOSN, Show Cause Hearing (Enforcement Order).	Yes	CEO, Officer, Manager, or authorized representative
Failure to provide reports or to resubmit incomplete, inaccurate or improper reports returned to User by the Authority.	Reports submitted or properly resubmitted less than 45 days after their due date or the date the report was returned to the User for resubmission.	WOMV, NOV	No	Coordinator, Pretreatment Supervisor, Regulatory Services Manager
	Reports not submitted or properly resubmitted for 45 days or more after their due date or the date the report was returned to the User for resubmission.	NOSN, Show Cause Hearing (Enforcement Order).	Yes	CEO, Officer, Manager, or authorized representative
Failure to notify of applicable pretreatment standard violation as a result of self-monitoring	Isolated or infrequent. No Interference or pass through.	WOMV, NOV requiring report within 10 days.	No	Coordinator, Pretreatment Supervisor,

within 24 hours of becoming aware.				Regulatory Services Manager
	Recurring and/or causes interference or pass through.	NOSN, Show Cause Hearing (Enforcement Order).	Yes	CEO, Officer, Manager, or authorized representative
Minor sampling, monitoring or reporting deficiencies (computations or typographical errors).	Isolated or infrequent.	WOMV, NOV	No	Coordinator, Pretreatment Supervisor, Regulatory Services Manager
	Recurring.	NOSN, Show Cause Hearing (Enforcement Order).	Yes	CEO, Officer, Manager, or authorized representative
Major or gross sampling, monitoring or reporting deficiencies (missing information, late reports, incorrect sampling procedures or location).	Isolated or infrequent.	NOV	No	Coordinator, Pretreatment Supervisor, Regulatory Services Manager
	Continued. Remains uncorrected for 30 days or more.	NOSN, Show Cause Hearing (Enforcement Order).	Yes	CEO, Officer, Manager, or authorized representative
Failure to notify of slug discharge.	Isolated or infrequent and no interference or pass through.	NOV	No	Coordinator, Pretreatment Supervisor, Regulatory Services Manager
	Recurring and/or known interference or pass through or threat to human safety.	NOSN, NOR, Show Cause Hearing, (Enforcement Order, Cease and Desist Order, and/or seek injunctive relief and damages).	Yes	CEO, Officer, Manager, or authorized representative
Failure to report changed discharged.	Isolated or infrequent with no interference or pass through.	NOV	No	Coordinator, Pretreatment Supervisor, Regulatory Services Manager
	Recurring or with known interference and/or pass	NOSN, Show Cause Hearing (Enforcement Order, Cease and	Yes	CEO, Officer, Manager, or authorized representative

	through or threat to human safety.	Desist Order, and/or seek injunctive relief and damages).		
Failure to apply for permit renewal.	Failure to apply for permit renewal within ten (10) days of due date.	NOV	No	Coordinator, Pretreatment Supervisor, Regulatory Services Manager
	Failure to apply for permit renewal within 45 days of due date.	NOSN, Show Cause Hearing (Enforcement Order, Cease and Desist Order, and/or seek injunctive relief and damages).	Yes	CEO, Officer, Manager, or authorized representative
Reporting false information.	Any instance.	NOSN, NOR, Show Cause Hearing (Termination of Service).	Yes	CEO, Officer, Manager, or authorized representative
Failure to respond to NOV.	Failure to respond or adequately respond to an NOV for which a response was required.	NOSN	Yes	CEO, Officer, Manager, or authorized representative

Section 12.5 Compliance Schedules and Interim Limits Found in Permits

Compliance Schedules and Interim Limits Found in Permits				
Noncompliance	**Circumstances**	**Range of Response**	**Significant Noncompliance**	**Personnel**
Missed Interim Date.	Will not cause late final or other interim dates.	NOV, WOMV	No	Coordinator, Pretreatment Supervisor, Regulatory Services Manager
	Will result in other missed interim dates. Violation for good and valid cause.	NOV, WOMV	No	Coordinator, Pretreatment Supervisor, Regulatory

				Services Manager
	Will result in other missed interim dates. No good or valid cause.	NOSN, Show Cause Hearing (Enforcement Order).	Yes	CEO, Officer, Manager, or authorized representative
Missed Final Date.	Violation due to force majeure (beyond control of User).	Letter	No	Coordinator, Pretreatment Supervisor, Regulatory Services Manager
	30 days or more outstanding. Failure or refusal to comply without good or valid cause.	NOSN, NOR, Show Cause Hearing (Enforcement Order).	Yes	CEO, Officer, Manager, or authorized representative
Failure to install monitoring facilities.	Failure to or refusal to comply with requirements of Regulation.	NOSN, NOR, Show Cause Hearing (Enforcement Order).	Yes	CEO, Officer, Manager, or authorized representative

Section 12.6 Noncompliance Detected Through Sampling and/or Field Inspections and Investigations

Noncompliance Detected Through Sampling and/or Field Inspections and Investigations.				
Noncompliance	**Circumstances**	**Range of Response**	**Significant Noncompliance**	**Personnel**
Minor violation of permit condition.	No evidence of negligence or intent.	WOMV	No	Coordinator, Pretreatment Supervisor, Regulatory Services Manager
	Evidence of negligence or intent.	NOSN, Show Cause Hearing (Enforcement Order).	Yes	CEO, Officer, Manager, or authorized representative
Major violation of permit condition.	Evidence of negligence or intent.	NOSN, Show Cause Hearing (Enforcement Order, Cease	Yes	CEO, Officer, Manager, or authorized representative

		and Desist Order, and/or suit for injunction for relief and damages.)		
Entry Denial.	Failure or refusal to comply with requirements of Regulation.	NOSN, obtain search warrant, Show Cause Hearing (Enforcement Order).	Yes	CEO, Officer, Manager, or authorized representative

Section 12.7 Response Procedures

A. ReWa will respond to violations of the Regulation in accordance with the following procedures:

1. All violations will be identified and documented within 10 days of receiving compliance information.

2. Initial Enforcement responses involving contact with the User and requesting information on corrective or preventative action(s), will occur within 30 days of violation detection.

3. Follow-up action for continuing or reoccurring violation will be taken within 60 days of the initial enforcement response. For all continuing violations the response will include a compliance schedule.

4. Violations that threaten health, welfare, property, or environmental quality are considered emergencies and will receive immediate responses such as halting the discharge or terminating service.

5. All violations meeting the criteria for Significant Noncompliance will be addressed with an enforceable Order within 30 to 60 days of the identification of Significant Noncompliance.

B. User response to noncompliance:

1. Any instance of User noncompliance must be reported within 24 hours of knowledge of the noncompliance to the CEO or authorized representative followed by a written report, when required, within five working days.

The report of noncompliance shall include:

a. A description of the characteristics of noncompliance.
b. A statement of the cause of noncompliance.
c. An account of the time and duration of noncompliance including dates and times; or if not corrected, the anticipated time the noncompliance is expected to continue, and activities being taken to reduce, eliminate, and prevent recurrence of the noncompliance.
d. For noncompliance of permit limitations repeat sampling event and submit test results to ReWa within 30 days. Such notification shall not relieve the User of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, fish kills, or any other damage to person or property; nor shall such notification relive the User of any fines, civil penalties, or other liability which may be imposed by this Regulation or other applicable law.

2. Industrial discharges requiring a permit, but found to be unpermitted, shall submit a completed industrial application within 15 days of receipt.

3. All Enforcement Orders shall be implemented upon receipt by the industry.

4. All schedules of compliance shall be implemented upon receipt of the final schedule by the industry.

5. Notice of Violation (NOV) and Notice of Significant Noncompliance (NOSN) shall be responded to within 15 days of the receipt of the Notice.

6. All other activities required of the User in accordance with the Regulation shall be implemented as specified.

Section 12.8 Transporters Enforcement Response Guide

Transporters Enforcement Response Guide			
Hauled Waste- Discharges to ReWa Facilities			
Noncompliance	**Circumstances**	**Range of Response**	**Personnel**
Discharging Hauled Waste from outside of ReWa's service area or Greenville County.	First Violation	WOMV, NOV	Coordinator, specialist
	Second Violation	NOV, Revocation of Permit.	Coordinator, Pretreatment Supervisor
	Third Violation	Revocation of Permit, Civil Penalty.	Coordinator, Pretreatment Supervisor, Regulatory Services Director
Discharging industrial or commercial septic tank waste (sanitary only) without prior written approval from ReWa.	First Violation	NOV, Revocation of Permit.	Coordinator, Pretreatment Supervisor
	Second Violation	Revocation of Permit, Civil Penalty.	Coordinator, Pretreatment Supervisor, Regulatory Services Director
Discharging comingled or prohibited waste.	First Violation	NOV, Revocation of Permit.	Coordinator, Pretreatment Supervisor
	Second Violation	Revocation of Permit, Civil Penalty.	Coordinator, Pretreatment Supervisor, Regulatory Services Director
Discharging at unapproved locations.	First Violation	NOV, Revocation of Permit.	Coordinator, Pretreatment Supervisor
	Second Violation	Revocation of Permit, Civil Penalty.	Coordinator, Pretreatment Supervisor, Regulatory Services Director

Discharging Hauled Waste to ReWa without holding ReWa's Tank Transporter License.	First Violation	WOMV, NOV	Coordinator
	Second Violation	NOV, Civil Penalty	Coordinator, Pretreatment Supervisor, Regulatory Services Director
Failure to provide Manifest within the required time period.	First Violation	WOMV, NOV	Coordinator
	Second Violation, Isolated incident.	NOV	Coordinator, Pretreatment Supervisor
	Second Violation, Recurring	NOV, Civil Penalty	Coordinator, Pretreatment Supervisor, Regulatory Services Director
	Three or more violations, Recurring	Revocation of Permit, Civil Penalty	Coordinator, Pretreatment Supervisor, Regulatory Services Director
Submitting an incomplete and/or non-legible Manifest.	First Violation	WOMV	Coordinator
	Second Violation, Isolated incident.	WOMV	Coordinator
	Second Violation, Recurring	WOMV, NOV	Coordinator, Pretreatment Supervisor
	Three or more violations, Recurring	NOV, Civil Penalty	Coordinator, Pretreatment Supervisor, Regulatory Services Director

Registered FOG Haulers - Operates within ReWa Service Area			
Noncompliance	**Circumstances**	**Range of Response**	**Personnel**
Failure to register with ReWa.	First Violation	WOMV	Coordinator
	Second Violation, Isolated incident	NOV	Coordinator, Pretreatment Supervisor
	Second Violation, Recurring	NOV, Civil Penalty	Coordinator, Pretreatment Supervisor, Regulatory Services Director
	Third Violation, Recurring	Revocation of Permit if Applicable, Civil Penalty.	Coordinator, Pretreatment Supervisor, Regulatory Services Director
Failure to properly clean or perform minimum maintenance activities when cleaning/pumping out Grease Interceptor or Grease Trap.	First Violation	NOV	Coordinator
	Second Violation	NOV, Civil Penalty	Coordinator, Pretreatment Supervisor
	Third Violation	Revocation of Registration	Pretreatment Supervisor, Regulatory Services Director
Failure to submit completed Manifest (Generator signature required).	First Violation	WOMV	Coordinator
	Second Violation, Isolated Incident	NOV	Coordinator, Pretreatment Supervisor
	Second Violation, Recurring	NOV, Civil Penalty	Coordinator, Pretreatment Supervisor, Regulatory Services Director
	Third Violation, Recurring	Revocation of Registration and/or Permit if Available, Civil Penalty.	Coordinator, Pretreatment Supervisor, Regulatory Services Director

Section 12.9 FOG Enforcement Response Guide

Food Service Establishments (FOG) Enforcement Response Guide			
Noncompliance	**Circumstances**	**Range of Response**	**Personnel**
Failure to establish and implement BMPs.	First Violation	WOMV, Compliance Schedule	Coordinator, Pretreatment Supervisor
	Second Violation	NOV, Civil Penalty	Coordinator, Pretreatment Supervisor, Regulatory Services Director
Failure to clean/pump Grease Interceptor or Grease Trap according to ReWa approved frequency.	First Violation	WOMV, NOV	Coordinator, Pretreatment Supervisor
	Second Violation	NOV, Compliance Schedule	Coordinator, Pretreatment Supervisor
	Third Violation	NOSN, Civil Penalty	Coordinator, Pretreatment Supervisor, Regulatory Services Director
Failure to use ReWa Registered Hauler to clean/pump Grease Interceptor or Grease Trap.	First Violation	NOV	Coordinator, Pretreatment Supervisor
	Second Violation	NOSN, Civil Penalty	Coordinator, Pretreatment Supervisor, Regulatory Services Director
	Third Violation	NOSN, Civil Penalty	Coordinator, Pretreatment Supervisor, Regulatory Services Director
Failure to install ReWa approved Grease Interceptor or Grease Trap	First Violation	NOV, Compliance Schedule	Coordinator, Pretreatment Supervisor
	Second Violation	Compliance Schedule, Civil Penalty	Coordinator, Pretreatment Supervisor, Regulatory Services Director

Failure to properly maintain or repair Grease Interceptor or Grease Trap	First Violation	WOMV, Compliance Schedule	Coordinator, Pretreatment Supervisor
	Second Violation	NOV, Civil Penalty	Coordinator, Pretreatment Supervisor, Regulatory Services Director
	Third Violation	NOSN, Civil Penalty	Coordinator, Pretreatment Supervisor, Regulatory Services Director
Discharge of prohibited materials.	First Violation	WOMV	Coordinator, Pretreatment Supervisor
	Second Violation	NOV, Civil Penalty	Coordinator, Pretreatment Supervisor, Regulatory Services Director
	Third Violation	NOSN, Civil Penalty	Coordinator, Pretreatment Supervisor, Regulatory Services Director
Discharges exceed established Grease & Oil limit or 200 mg/L of Polar Material	First Violation	WOMV	Coordinator, Pretreatment Supervisor
	Second Violation	NOV	Coordinator, Pretreatment Supervisor
	Third Violation	NOV, Civil Penalty	Coordinator, Pretreatment Supervisor, Regulatory Services Director
Discharge results in blockages or cleanup is required.	First Violation	NOV	Coordinator, Pretreatment Supervisor
	Second Violation	NOSN, Civil Penalty	Coordinator, Pretreatment Supervisor, Regulatory Services Director

ATTACHMENT C

ALLOCATION METHODOLOGY

(Effective January 21,2025)

PURPOSE: To allocate technically determined Pollutants of Concern (POC) capacity to Users while complying with the NPDES permits issued to Renewable Water Resources (ReWa).

OBJECTIVE: To control the introduction of pollutants which can cause an adverse impact on the operation of a POTW, which may cause: a violation of NPDES Permits; personnel health problems; inhibition of process; pass through to the receiving stream; and/or interference with the disposal or use of biosolids.

DEFINITIONS AND TERMS:

Current Methodology: means the determination of permit limitations in accordance with this policy.

Monthly Average Permit Limitation: means the average concentration (mg/l), mass (lbs/day) or flow (gpd) for permitting determined from an allocation of the POC or flow capacity.

Daily Maximum Permit Limitation: means the maximum concentration (mg/l), mass (lbs/day) or flow (gpd) for permitting determined from an allocation of the POC or flow capacity.

Average Daily Industrial Flow: means the average daily flow from al Industrial Users determined by dividing the total flow from the Industrial Users over a period of days by the number of days in the period.

Average Daily Treatment Plant Flow: means the average daily flow into the influence of the treatment plant determined by dividing the total flow into the plant over a period of days by the number of days in the period.

Conventional Pollutants: includes BOD, TSS, and COD for the purpose of tis methodology.

Non-Industrial User: means a residential or commercial User discharging domestic wastewater to the treatment plant.

Non-Permitted Flow: means the flow not allocated by ReWa discharge permits (including residential, commercial, and Industrial Users).

Non-Permitted Loading: means the mass (lbs/day) of a POC in the wastewater discharged by Users not permitted for the POC. This should only include background amounts of the POC.

Pollutant of Concern (POC): means the pollutants identified present from a review of POTW influent, effluent, and biosolids monitoring data which are in amounts that can cause and adverse impact on the POTW if not controlled. Additionally, those pollutants identified by EPA necessitate inclusion in the headworks analyses.

Practical Quantitation Limits (PQLs): means the concentration at which the entire analytical system must give a recognizable signal and acceptable calibration point. It is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical

procedure assuming that all of the method-specific sample weights, volumes, and processing steps have been followed.

PROCEDURES:

Determination of Capacity:

Step 1 The Headworks Analyses will be performed on a site-specific basis for each wastewater treatment plan receiving industrial wastewater, or as required by the NPDES Permit. A daily average mass (lbs/day) allowable into the influent of the treatment plant will be calculated using the design flow of the treatment plant.

Step 2 Before determining the capacity which can be allocated to Industrial Users for permitting purposes, the non-permitted loading of each POC has to be calculated. The non-permitted flow (MGD) will be calculated for each POC by subtracting the Average Daily Industrial Flow of industries with the POC in their permit from the average allocated treatment plant influent flow.

Step 3 The available capacity of each POC that can be allocated to Industrial Users for permitting purposes will be determined by subtracting the determined non-permitted loading from the total allowable loading of a POC to the influent of the treatment plant minus any safety factor. The safety factor will be determined and approved by ReWa, after reviewing the performance of the wastewater treatment plant and the current percentage of hydraulic capacity being utilized.

Determination of Permit Limitations:

Option 1 Monthly Average Permit Limitation (mg/l) for conventional and non-conventional POC's will be determined by dividing the allowable lbs/day to be permitted to Industrial Users by the Monthly Average Permitted Flow (MGD) x 8.34 (lbs/gal), which is a contributory flow approach. Alternatively, ReWa may approve using the Average Daily Industrial Flow which is a uniform concentration approach. Unless approved by ReWa, the allowable concentration will not exceed the current Sewer Use Regulation limitations. This will appear in the allocation worksheet as the Monthly Average Permit Limitation by Current Methodology (mg/l). When the Monthly Average Permit Limitation (mg/l) is determined to be less than Practical Quantitation Limits (PQLs), then the Monthly Average Permit Limitation (mg/l) will become the PQL.

Option 2 When capacity is available and at ReWa's discretion, ReWa reserves the right to exercise a mass (lbs/day) only option for a local limitation or applicable categorical pretreatment standard. The following conditions shall apply:

1. The I.U. shall submit a request for mass (lbs/day) only limitations.
2. A Waste Minimization and/or Water Conservation Plan shall be submitted and ReWa approval of the plan obtained.
3. A Slug Control Plan and/or, as required by ReWa, Spill Prevention Control Plan must be submitted and ReWa approval of the plan obtained.

When the mass (lbs/day) only option is applied, then the Monthly Average Limitation (lbs/day) to be permitted will be determined by multiplying the average permitted flow (MGD) x the Monthly Average Permit Limitation by Current Methodology (mg/l) x8.34 (lbs/gal). However, when greater than eighty percent of the WRRF capacity has been allocated, a more stringent mass (lbs/day) limitation may be determined based on removal efficiency.

Option 3 On a case-by-case situation, and at ReWa's discretion, it may be advantageous to ReWa and the Industrial User to allow for a mass (lbs/day) only limitation for BOD, COD and TSS which is higher than that determined as stated above. The following conditions shall apply:

1. Capacity must be available.
2. Items 1, 2 and 3 as outlined in Option 2 for a mass (lbs/day) only option shall be completed.
3. Documentation and/or a treatability study which demonstrates that the wastewater is readily biodegradable shall be performed by the Industrial User and approved by ReWa.

Option 4 When capacity is available and at ReWa's discretion, and Industrial User subject to an enforcement action such as a Compliance Schedule in a permit or Administrative Order may have a mass (lbs/day) only limitation higher than the mass (lbs/day) limitation determined by applying the above options. This mass (lbs/day) limitation will be called an interim limitation which will be effective in accordance with the Compliance Schedule deadline.

Option 5 For Industrial Users with a Monthly Average Permit Limitation of 10,000 (gpd) or less, the Monthly Average Permit Limitation (lbs/day) to be permitted will be determined by multiplying the Monthly Average Permit Limitation by Current Methodology (mg/l) x 8.34 (lbs/gal) x 0.1 MGD.

APPLIES TO ALL OPTIONS:

A. The Daily Maximum Permit Limitation (mg/l) for conventional and non-conventional POC's will be determined by multiplying the Monthly Average Permit Limitation by Current Methodology (mg/l) times one of the following factors.
   1. A factor of one and a half (1.5) or less will be applied when in the opinion of ReWa a more stringent limitation is needed to protect the treatment system. Capacity must be available.
   2. A maximum factor of two (2) will be applied when capacity is available. A request and demonstration of need must be submitted.

B. The Monthly Average Permit Limitations (lbs/day) and Daily Maximum Permit Limitations (lbs/day) for conventional and non-conventional POC's will be determined by multiplying the Monthly Average Permit Flow (MGD) by the respective determined limitations (mg/l) by current methodology x 8.34 (lbs/gal).

C. The Daily Maximum Permit Flow (gpd) will be limited to not exceed 1.3 times the Monthly Average Permit Limitation (gpd) for the month permitted flow for Industrial Users discharging greater than or equal to 25,000 (gpd). For Industrial Users discharging less than 25,000 (gpd), the Daily Maximum Permit Flow (gpd) will be limited to not exceed 1.5 times the Monthly Average Permit Limitation (gpd) for the month permitted flow. This will better assure a consistent flow from the Industrial User.

D. On a case-by-case basis, and at ReWa's discretion, the Daily Maximum Permit Flow Limitation (gpd) may be waived. The following conditions shall apply:
   1. I.U. shall submit a request for waiver of the Daily Maximum Flow Limitation (gpd).
   2. A Slug Control Plan and/or, as required by the Directors, Spill Prevention Control Plan must be submitted and ReWa approval of the plan obtained.
   3. The Monthly Average Permit Flow Limitation (gpd) shall not exceed five (5) percent of the POTW design hydraulic capacity.
   4. A Waste Minimization and/or Water Conservation Plan shall be submitted and ReWa approval of the plan obtained.

E. The COD limitations will be calculated by multiplying the determined BOD limitation by a factor of three (3) which has been an accepted ration in the wastewater profession for sanitary wastewater.

NOTE: The peak Monthly Average Flow (gpd) during a review period plus five percent will become the Monthly Average Permit Flow Limitation (gpd). The review period will be the most current calendar year or ReWa Fiscal Year. For new Industrial Users, and for those Industrial Users wanting higher permitted flows, the requested flow from the Industrial User Permit Application plus five percent will become the Monthly Average Permit Limitation (gpd).

The more stringent of the categorical limitation or the local limitation will be applied for Categorical Users.

Monitoring and analysis will be performed in accordance with 40 CFR methodology by a SCDHEC Certified Laboratory. In the event that there is no approved method in 40 CFR 136 for a particular parameter, testing shall be performed in accordance with Standard Methods, herein defined, or a method approved by ReWa.

LOCAL LIMITATIONS

Purpose: Local limitations have been determined in accordance with Section 4.3 – National Categorical Pretreatment Standards or Local Limitations and Attachment C- Allocation Methodology. The specific limitations for the POTWs' requiring Local Limitations are as follows:

POTW	Durbin Creek SC0040002	Gilder Creek SC0040525	Lower Reedy SC0024261	Mauldin Road SC0041211	George's Creek SC0047309	Pelham Road SC0033804	Piedmont Regional SC0048470	Slater-Marietta* SC0026883
NPDES NO. POLLUTANT OF CONCERN MONTHLY AVG LIMIT (mg/l)								
Antimony	0.5	1.5	1	2	2	0.5	1	--
Arsenic	--	0.8	0.2	0.2	0.5	0.4	0.5	--
Cadmium	0.5	0.1	0.5	0.4	0.4	0.5	0.5	--
T. Chromium	1.5	1.5	1.5	3	2	1.5	1.5	--
Copper	1.2	1.5	1.5	2	0.5	1.5	1.5	--
Cyanide	0.4	0.5	0.2	0.4	0.4	0.4	0.4	--
Lead	0.5	0.5	0.2	0.5	0.5	0.4	0.5	--
Mercury	0.0017	0.002	0.0053	0.012	0.025	0.0008	0.025	--
Nickel	1	2.5	1.5	4	2	1.5	1.5	--
Silver	0.1	0.1	0.2	0.08	0.2	0.5	0.5	--
Thallium	0.0037	--	--	--	--	--	--	--
Zinc	1.5	3	1.5	4	2	1.5	1.5	--

Grease and Oil; HEM	200 mg/l
Polar Material	200 mg/l
Non-Polar Material	100 mg/l
pH	6.0 -10.0 su

Note: Limitations for all facilities