

LOLO SEWER AND WATER DISTRICT  
MISSOULA COUNTY R.S.I.D. #901

***SEWER REGULATIONS***

APPROVED 30 SEPTEMBER 1987

RESOLUTION #87-106

AMENDED RSID 8901 BOARD OF ADVISORS

APRIL 2004

**Changes:**

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LOLO SEWER & WATER DISTRICT  
MISSOULA COUNTY R.S.I.D. #901

REGULATION OF SEWER USE

1. A resolution regulating the use of public and private sewers and drains, private waste water disposal, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer system and providing penalties for violations thereof: in the district boundaries of RSID #901, Lolo, County of Missoula, State of Montana, in accordance with Section 16-1619, R.C.M. 1947.

2. Be it ordained and enacted by the Board of County Commissioners of Missoula County, State of Montana as follows:

#### ARTICLE ONE

#### GENERAL PROVISIONS

COVERAGE: These service regulations govern the supplying by the district and taking by customers of sewer service in R.S.I.D. #901. They are subject to revision from time to time upon approval by the Commissioners, and supersede all regulations by whatever term designated which may heretofore have governed the supplying and taking of sewer service.

PURPOSE: These service regulations are intended to define good practice which can normally be expected, but are not intended to exclude other accepted standards and practices not covered herein. They are intended to ensure adequate service to the public and protect the District from unreasonable demands.

INFORMATION AVAILABLE TO PUBLIC: There shall be made available to the public at the principle office of the District, whose address is Box 476, Lolo, Montana 59847, copies of these service regulations, and any applicable rate schedules, forms of agreement for sewer service and service standards of the District.

WAIVER: The Board of Trustees may grant variances from these regulations when it is satisfied that the strict enforcement of such regulations will result in undue hardship and is not essential to the public health, safety and welfare.

PUBLIC MEETINGS: Meetings of the Board will be open to the public except when closed under MCA 2-3-203 for specific purposes.

#### ARTICLE TWO

#### DEFINITIONS

ASTM: Shall mean American Society (for) Testing Materials.

BIOCHEMICAL OXYGEN DEMAND: (BOD) Shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in (5) days at 20 degrees Centigrade, expressed in milligrams per liter.

BUILDING DRAIN: Shall mean the part of the lowest horizontal piping of a drainage system which receives the discharge from the soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

BUILDING SEWER: Shall mean a gravity flow pipeline connecting a building waste water collection system to a lateral or branch sewer. Also called a House Connection or Service Connection.

BOARD: Shall mean Board of Trustees RSID-901.

COMBINED SEWER: Shall mean a sewer intended to receive both waste water and storm or surface water.

COMMISSIONERS or COUNTY: Shall mean the Missoula County Board of Commissioners.

COMPOSITE SAMPLE: Shall mean a representative flow-proportioned or time-proportioned sample collected within a 24-hour period composed of a minimum six (6) individual samples collected at equally spaced intervals and combined according to flow or time.

COOLING WATER: Shall mean water to which the only pollutant added is heat.

CUSTOMER: Shall mean any individual, partnership, association, firm, public or private corporation or governmental agency receiving service from the District (RSID #901).

DHES: Shall mean Department of Health and Environmental Sciences.

DISTRICT: Shall mean RSID #901 engaged in the business of supplying water and sewage service to customers.

DOMESTIC WASTES: Shall mean liquid wastes (a) from the non-commercial preparation, cooking, and the handling of food, or (b) containing human excrement and similar matter from the sanitary conveniences of dwellings, commercial buildings, industrial facilities, and institutions.

EASEMENT: Shall mean acquired legal right for the specific use of land owned by others.

EPA: Shall mean Environmental Protection Agency.

EXCESS USER CHARGE: Shall mean the rate system used to charge significant industrial users whose sewage strength is higher than the average strength sewage.

FLOATABLE OIL: Shall mean oil, fat or grease in a physical state such that it will separate by gravity from waste water by treatment in approved pretreatment facility. A waste water shall be considered free of floatable fat if it is properly pretreated and the waste water does not interfere with the collection system.

GARBAGE: Shall mean the animal and vegetable waste resulting from the handling, preparation, cooking, and serving of foods.

GRAB SAMPLE: Shall mean a sample taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.

**GREASE INTERCEPTOR Shall mean a grease interceptor of no less than 1,000 gallons for a single commercial enterprise. Design shall be equivalent or equal to the Missoula County Public Works Grease Interceptor on file at the Public Works Department Office or the Lolo Sewer Treatment Plant Office. Size may be determined by the RSID Board Committee and the Missoula County Commissioners in the event a larger size is needed.**

INCOMPATIBLE POLLUTANT: Shall mean any waste product that cannot be easily or adequately treated by the District waste water utility, including without limitation, non-biodegradable dissolved solids.

INDUSTRIAL USER: Shall mean any user that discharges wastewater other than domestic wastes from industrial or commercial processes.

INDUSTRIAL WASTE: Shall mean the waste from any **commercial or** industrial processes, trade, or business as distinct from domestic or sanitary wastes.

INDUSTRIAL WASTEWATER DISCHARGE PERMIT: Shall mean the permit issued to an industrial user by the District in accordance with the terms of this Regulation.

MANAGER: Shall mean the Maintenance Supervisor of the RSID #901 facilities.

MAY: Is permissive (see "Shall" in the definitions).

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES): Shall mean a permit issued under the National Pollution Discharge Elimination System for the discharge of wastewaters to the navigable waters of the United States pursuant to the Act. (See P.L. 92-500, including the amendments made by the Clean Water Act of 1977, P.L. 95-217.)

NATURAL OUTLET: Shall mean any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake, or other body of surface or ground water.

PERSON: Shall mean any individual, firm, company, association, society, corporation, or group.

pH: Shall mean the common logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of hydrogen-ions, in grams, per liter of solution. Neutral water, for example, has a pH of 7 and a hydrogen-ion concentration of  $10^{-7}$  power.

POINT OF EGRESS: Shall mean the point at which the District facilities connect physically to the customer's facilities, the location of which shall be designated by or satisfactory to the District. Normally the sewer pipe saddle or wye will be the point of egress.

POLLUTANT: Shall mean any dredged spoil, solids, incinerator residue, garbage, sewage, sewage sludge, biological waste or materials, biological nutrient, chemical waste, radioactive material, toxic substance, heat, malodorous substance, wrecked or discharged equipment, rock, sand, slurry, untreatable waste, or industrial, commercial, domestic, or agricultural waste discharge into or with water.

**POTW: Shall mean publicly owned treatment works.**

PRETREATMENT: Shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of the pollutant properties in waste water to a less harmful state prior to or in lieu of discharging or otherwise.

PROPERLY SHREDDED GARBAGE: Shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/4 inch (.64 cm) in any dimension.

PUBLIC SEWER: Shall mean a common sewer controlled by a governmental agency or public utility.

SANITARY SEWER: Shall mean a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm, and surface waters that are not admitted intentionally.

SEWAGE: Shall mean the spent water of a community. The preferred term is waste water.

SHALL: Is mandatory (see May in definitions).

SIGNIFICANT VIOLATION: Shall mean a violation of the Code or an industrial waste water discharge permit that exists for at least 45 days after notification of such non-compliance or that is a part of a pattern of non-compliance over a 12-month period; or that involves a failure to report an accidental discharge.

SLUG: Shall mean any discharge of water which in concentration of any given

constituent or in quantity of flow exceeds for any period of duration longer than fifteen minutes more than five (5) times the average 24-hour concentration or flows during operation and shall adversely affect the collection system and/or performance of the waste water treatment works.

TOTAL SUSPENDED SOLIDS (TSS): Shall mean the total suspended matter, expressed in milligrams per liter, that floats on the surface of, or is suspended in, water, waste water, or other liquids, and that is removable by laboratory filtering in accordance with procedures set forth in EPA "Standard Methods for Chemical Analysis of Water and Waste Water".

UNPOLLUTED WATER: Shall mean the water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and waste water treatment facilities provided.

WASTE WATER: Shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any ground water, surface water, and storm water that may be present.

WASTEWATER FACILITIES: Shall mean an arrangement of devices and structures for treating waste water, industrial wastes, and sludge. Sometimes used as synonymous with "waste treatment plant", "waste water facilities", "waste water treatment plant" or "water pollution control plant".

WPCF: Shall mean Wastewater Pollution Control Federation.

WYE: Shall mean a branching fitting that allows a service line to join a collection main designed to allow fluids to enter 45 degrees from the top center line and at an oblique downstream angle of about 60 degrees. (see 9-13)

### ARTICLE THREE

#### SERVICE AGREEMENTS

3-1 APPLICATION FOR SERVICE: The District shall require a customer or prospective customer to obtain and complete one of the District's standard applications or service agreement forms when new service is requested.

3-2 SUPPLYING OF SERVICE: When, to make service available to a prospective customer or groups of customers, District must allow extension of it's lines, or install additional lift stations, wet wells, pretreatment systems or other facilities, a special service agreement may be required.

3-3 DISTRICT'S RESPONSIBILITY: District is responsible only to the customer for supplying sewer service regardless of ownership of the premises served. District shall not be responsible for inconvenience, damage or injury to persons or property resulting from District's discontinuance of service to any premises in accordance with rule 3-7.

3-4 KINDS OF SERVICE AVAILABLE: The capacity of District's facilities may vary in different areas. As protection against the installation of unsuitable fixtures and equipment, customers are advised to ascertain from the District the type of service available at their point of egress. The type of service available under different rates and schedules may vary, so the customer should consult the District prior to purchasing and installing equipment to ascertain the type of service available.

3-5 USES OF SERVICE: Service shall be used only for the purposes specified in the service agreement, contract, applicable rates or schedules, and the customer shall not share, sell or permit others to use such service, except when expressly authorized to do so by the rates, schedules or contracts under

which the service is supplied.

3-6 SEASONAL CONSTRUCTION, SHORT-TERM OR TEMPORARY SERVICE: Contractors, builders or owners are required to obtain District permission for the use of sewer for building and other purposes at locations not presently served by the District. Customer shall not allow contractor, builder or owner to use customer's service unless contractor, builder or owner obtains a District permit granting permission to do so.

3-7 DISCONTINUANCE AND REFUSAL OF SERVICE BY DISTRICT: District may refuse service to any customer or prospective customer, including any member of the same household or firm, when application by such member may subject the District to abuse, fraud or theft, as follows:

A. Without notice:

(1.) In the event of any condition determined by the District to be hazardous.

(2.) In the event of customer use of equipment in such a manner as to adversely effect the District's equipment or the District's service to others.

(3.) In the event of any unauthorized use or diversion of service or any evidence of tampering or interference of District equipment or the proper functioning thereof is found.

B. Upon not less than 24 Hours Notice: For violation of and/or noncompliance with any applicable Federal, State, Municipal or other local laws, regulation and codes, including rules established by the Commissioners.

Whenever service is discontinued under this rule, District shall not be required to restore service until a settlement has been made. District may also require customer to pay all costs of discontinuing and reestablishing service.

#### ARTICLE FOUR

##### LINE EXTENSIONS

4-1 EXTENSION OF SEWER MAINS: To unplatted or commercial areas, or to new developments, the cost of extending service shall be borne by the **customer**. For new developments, the sewer main extension shall include installation of a service saddle clamp and/or wyes applicable to the lot lines. All regulations of the State and County shall be complied with regarding prior approval of plans, permits, installation and testing.

Violations of these requirements may result in work stoppages and/or Health Department sanctions on use of the lines or connections thereto. Only equipment and materials approved for use by the district shall be installed (see Article 9-9). Extensions of sewer mains will be made within, but not limited to the following parameters:

A. No connections shall be made to the system until all testing is completed and all defects corrected. All wyes and services shall be in place prior to testing each particular reach of sewer.

B. At final testing, two copies of as-built drawings will be provided to the District.

C. Materials and workmanship shall be warranted for a period of two years from the date the line is accepted by the District. The work shall be performed by a bonded contractor.

D. All appurtenances such as manholes, cleanouts, lift stations, etc., shall be at proper finish grade at completion. These appurtenance shall have a sufficient clearance for proper operation and maintenance. A 7-foot radius minimum clearance from buildings, concrete structures and sudden grade changes, shall be maintained. These devices must also be protected from vehicular hazards.

E. Any non-metallic services shall have a trace wire installed with the line. The trace wire will be designed for underground service.

F. Asbestos-cement (transite) pipe of any specification is no longer allowed for new construction.

G. Unless otherwise provided for by the District, all installations will meet the standards adopted by the State of Montana, and Missoula County.

H. All preliminary plans and specifications for proposed sewer lines must be submitted to the District for review and approval prior to a petition for construction RSID or prior to construction commencing, whichever is sooner.

## ARTICLE FIVE

### CUSTOMER'S INSTALLATION

5-1 CUSTOMER'S RESPONSIBILITY: The responsibility of the customer includes but is not limited to the following:

A. All changes in existing lines must meet current Practices and Codes.

B. Owners, agents and tenants should familiarize themselves with the location of the cleanouts. Traps should be filled with anti-freeze as the property becomes vacant, thereby preventing pipes bursting from freezing.

5-2 CHANGES IN INSTALLATION: Customer shall notify District of any proposed changes or increases in his installation which might overload or adversely affect the District's facilities.

5-3 CORRECTION OF FAULTY CONDITIONS: It is the District's obligation to supply satisfactory service to all of it's customers and any use of equipment by the customer which prevents the District from carrying out it's obligation must be corrected by the customer.

5-4 CUSTOMER-OWNED LINES AND FACILITIES: The District shall have no responsibility for operation or maintenance of any line or facilities which it does not own, but the utility may discontinue service to any such line or facilities or portion thereof, if in the opinion of the District such line or facilities, or portion thereof, is in a hazardous condition or may interfere with the District's operations, provided, however, that the District shall have no duty or obligation to inspect any such line or facilities.

The District may require such lines or facilities to be placed in conformance with it's specifications and standards of good practice for similar lines or facilities before furnishing or restoring service to any such line or facilities.

5-5 ACCESS TO PREMISES: Employees and agents of the District, when properly authorized, shall have access at all reasonable hours to the premises of customer for the purpose of installing, inspecting, removing or replacing District property, and other purposes incident to the supplying of service.

## ARTICLE SIX



## DISTRICT'S INSTALLATION

6-1 DISTRICT'S RESPONSIBILITY: District shall maintain it's lines and facilities on it's side of the point of egress but shall not be required to install or maintain any lines or facilities on the customer's side of the point of egress. Persons not authorized by the District shall not open, close, turn or interfere with or attach to or connect with any manhole, cleanout, or other appurtenance belonging to the District. Anyone found guilty of the aforementioned will be subject to prosecution by the County Attorney's Office.

6-2 CONTINUITY OF SERVICE: District shall make a reasonable attempt to avoid interruption of service. When such interruptions occur, it shall reestablish service with reasonable diligence. The District shall not be liable to customer or others for failure or interruption of sewer service due to acts of God, governmental regulations, courts or Commission orders, acts of the public enemy, strikes or labor difficulties, accidents, weather conditions, acts of third parties, floods or, without limitation by the foregoing, or any other cause beyond the reasonable control of District.

6-3 SUSPENSION OF SERVICE FOR REPAIRS AND CHANGES: When it is necessary for the District to make repairs or inspections, the District may, without incurring any liability thereof, suspend service for such periods as may be reasonably necessary, and in such manner to minimize the inconvenience to customers. The District will however, make a reasonable effort to notify the public of discontinuance of service, when time permits.

## ARTICLE SEVEN

### USE OF PUBLIC SEWERS REQUIRED

7-1 It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the District, or in any area under the jurisdiction of said District, garbage or other objectionable waste.

7-2 It shall be unlawful for any discharge to any natural outlet within the District or in any area under the jurisdiction of said District, any sewage or polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of the Regulation.

7-3 Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cess pool or any other facility intended or used for the disposal of waste water unless approved by the Board and /or the Commissioners.

7-4 The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation or other purposes, situated within the District is hereby required at the owner(s) expense to install suitable toilet facilities therein, and to connect such facilities directly with proper public sewer in accordance with the provisions of this regulation, except that existing cesspool or septic tank systems may remain in service until ordered disconnected by public officials or until the system fails. System failure shall be determined by city/county health department regulations

## ARTICLE EIGHT

### STANDARDS

Missoula County RSID #901 adopts as guidelines the *Montana Public Works Standard Specifications*. These guidelines will also apply to connection from the main lines to the structures served. The District will comply with recommended standards where feasible. The District may approve lesser minimum standards only in special cases.

ARTICLE NINE

SANITARY SEWERS, BUILDING SEWERS AND CONNECTIONS

9-1 It is unlawful for any unauthorized person(s) to open or enter any manhole or other structure on the District sewer system or to deposit any item, material or obstruction in the same, or to use, alter, or disturb any appurtenance thereof without first obtaining a written permit from the District.

9-2 There shall be two classes of building sewer permits: (a) for residential service, and (b) for service to establishments producing commercial/industrial wastes. In either case, the owner(s) or his agent shall make application on a special form furnished by the District. The permit application shall be supplemented by any plans, specifications or other information considered to be pertinent in the judgment of the District.

9-3 A permit and inspection fee of One hundred dollars (\$100.00) for a residential building sewer inspection permit and one hundred dollars (\$100.00) for a residential water inspection permit.

9-4 One hundred fifty (\$150.00) for an industrial/commercial building sewer inspection permit and One hundred fifty (\$150.00 for an industrial/commercial water inspection permit should be paid to the District at the time the application is filed. Payment of fee shall be paid prior to use or occupancy of business or residence.

A. All industrial users shall pay the fee prescribed and complete with the District Manager a Waste Water Classification Survey containing the following information at least thirty (30) days prior to planned discharge into the wastewater utility: name and facility address; type of services rendered and products produced; principal raw materials catalysts used; plant operational characteristics; water use information; wastewater discharge information; wastewater generation; wastewater quantities and constituents; wastewater pretreatment; and non-discharge wastes and their disposal.

B. All industrial users obtaining a building permit for initial construction or for building expansion or remodeling shall complete and submit the survey to the District for review prior to any construction.

C. All industrial users shall update the Wastewater Classification Survey on file with the District Manager whenever significant changes are made in the wastewater discharge. Significant changes include without limitation, an increase or decrease in wastewater volume, changes in concentration of materials or substances, or changes in types of wastes, that will last for a period exceeding normal wastewater production variations.

If the normal quantity or quality has changed, the user shall so notify the Manager by letter. The Manager may request a new submittal of the Wastewater Classification Survey as deemed necessary.

D. In the event that no work has begun for a six-month period from the date of approval by the District Board or in the event that no work has been incurred in any six-month period, then owner or his agent must appear before the Board and reapply for a new permit. A new permit fee will also be assessed on approval of permit and must be paid before work commences.

9-5 All costs and expense incidental to the installation and connection of the building sewer shall be borne by the owner(s). The owner(s) shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

9-6 A separate and independent building sewer shall be provided for every building. Where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway then the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer. But the District does not and will not assume any obligation or responsibility for damage caused by or

resulting from any such connection.

9-7 Old building sewers may be used in connection with new buildings only when they are found, on examination and tested under the direction of the District to meet all requirements of this Regulation.

9-8 The size, slope, alignment and materials of construction of all sanitary sewers including building sewers, and the methods to be used in excavating, placing of the pipe, jointing, testing, connection of the building sewer into the public sewer and backfilling the trench, shall conform to the requirements of the building and plumbing codes and other rules and regulations of Missoula County and the State of Montana, or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice No. 9. All connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the District before installation.

9-9 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, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

9-10 No person(s) shall make connection of roof spouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer unless such connection is approved by the District, Missoula County and the Montana State Department of Health for purposes of disposal of polluted surface drainage.

9-11 The minimum size **for gravity** sewer from building to District sewer shall be four(4) inches, the minimum grade of this sewer shall be one-eighth (1/8) inch per foot. The sewer shall be cast iron sewer pipe, or PVC sewer pipe. Joints shall be watertight and root-proof. **All sewers municipal, commercial and industrial shall be a minimum of eight inches diameter. Small diameter force main type sewers may be approved based on the following specifications.**

9-12 **The District adopts the E One Grinder Pump Sewer System design # PA 1333 P01. Only an E One (environmental one) system or it's equivalent may be used for small diameter sewers. Any modifications from this design must be approved in advance by the Board and/or the Commissioners.**

A. CAST IRON AND DUCTILE IRON SEWER PIPE: Cast iron pipe (CIP) shall be no less than ANS A21.6, 21/45, thickness class 22, except where otherwise specified or shown on the drawings. Ductile iron pipe (DIP) shall be ASA A21.51, ASTM A536, grade 60-40-10, thickness class 52, except where otherwise specified or shown on drawings. Fittings shall be no less than ANS A21.10. Joints shall be mechanical or push-on, ANS A21.11. Interior surfaces shall have a cement lining ANS A21.4, or the manufacturer's standard bituminous coating. All other surfaces shall have the manufacturer's standard bituminous coating.

B. POLYVINYL CHLORIDE SEWER PIPE (PVC): Pipe and fittings shall be ASTM D3034, minimum thickness SDR 35, minimum pipe length 13 feet, with rubber ring joints except where otherwise shown on the drawings. PVC materials shall be ASTM D1784, type 1, grade 1. Rubber ring water stops for manhole connection shall be as recommended by the pipe manufacturer. The above regulations also apply for service sewer lines except that fittings may be solvent-welded where appropriate.

C. MARKINGS: All pipe shall be clearly marked on the outside showing manufacturer's name, pipe size, ASTM Standard, strength class or thickness and type.

9-13 When the character of the material will permit, the bottom of the trench shall be shaped to conform to the bottom of the sewer. Where the bottom of trench cannot be shaped or rocks and boulders are present, the contractor shall provide a minimum of three (3) inches of bedding material below the service pipe and a minimum of six (6) inches of bedding material on the sides and the top of the service pipe. The bedding material shall be crushed stone or pea gravel with not less than ninety five (95) percent retained on the number 4 screen. The bedding material is to be compacted by sluicing with a shovel. Special care shall be taken to bed the pipe firmly to exact line and grade. All pipe, when joined in the trench, shall form a true and uniform line of sewer.

9-14 The applicant for the building sewer permit shall notify the Manager 24 hours in advance when the building sewer is ready for inspection and connection to the public sewer. No building sewer shall be covered until it has been inspected and approved by the Manager. The connection to the public sewer shall be made under the supervision of the Manager.

9-15 Connection to the District sewer will be made at the wyes provided in the District Sewer. If the wyes have not been provided near the point of desired connection, then an approved saddle shall be installed for the connection. Where a saddle is used, a neat hole shall first be cut in the pipe so that the sewage can pass into the District sewer without obstruction and the saddle adequately cover the hole. The entry into the District sewer shall be made at an angle of about forty-five (45) degrees from the top center line of the pipe and at an oblique downstream angle of about sixty (60) degrees.

9-17 After the pipes have been laid and properly joined, the space between them and the sides of the trench and for one (1) foot over the top of the pipe shall be carefully filled with fine sand, gravel or earth which shall be thoroughly tamped, care being taken not to loosen the joints or to disturb the alignment of the pipes. The backfill may be completed by either tamping in layers of twelve (12) inches in thickness, or thoroughly soaking with water entire depth of the trench, or both, as the District Manager may direct, the object being to have the least possible settlement after the work is completed. Backfilling of the sewer trench and under roads, driveways or sidewalks will be in general required compaction of 90% ASTM. Materials not needed for backfilling shall be considered the property of the contractor and he shall be responsible for its disposal.

9-18 All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to warn the public of hazard. Street, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Board.

## ARTICLE TEN

### USE OF PUBLIC SEWERS

10.0 The District has the responsibility to protect the Publicly-Owned Sewage Treatment Works (POTW) from pollutants which would inhibit, interfere, or otherwise be incompatible with operation of the treatment works including with the use or disposal of municipal sludge.

a. Pretreatment Standards (40 CFR Section 403.5) developed pursuant to Section 307 of the Federal Clean Water Act (the Act) require that the (Permittee) District shall not allow, under any circumstances, the introduction of the following pollutants to the POTW from any source of nondomestic discharge:

b. Any other pollutant which may cause Pass Through or Interference.

c. Pollutants which create a fire or explosion hazard in the POTW, including but not limited to, wastestreams with a closed cup flashpoint of less than sixty (60) degrees Centigrade (140 degrees Fahrenheit) using the test methods specified in 40 CFR Section 261.21.

10-1 No person(s) shall discharge or cause to be discharged any unpolluted waters such as storm water, surface water, ground water, roof runoff, subsurface drainage, or cooling water to any sewer, except storm water runoff from limited areas, which storm water may be polluted at times, may be discharged to the sanitary sewer by permission of the District and the Montana State Department of Health.

10-2 Storm water other than that exempted under section 10-1, and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to natural outlet approved by the District and the Montana State Department of Health. Unpolluted industrial cooling water or process water may be discharged, on approval of the District to a storm sewer, combined sewer, or natural outlet.

10-3 No person(s) shall discharge or cause to be discharged any of the following described water or wastes to any public sewers;

A. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid, or gas including petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through pollutants.

B. Each user who discharges any toxic pollutants which cause an increase to the cost of managing the effluent or the sludge of the District Treatment Works shall pay for such increased costs.

C. Solid or viscous substance in quantities or of such size capable of causing obstructions to the flow in sewers, or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, underground garbage, whole blood, paunch manure, hair and fleshlings, entrails, paper dishes, cups, milk containers, etc, either whole or ground by garbage grinders.

D. Any water or waste containing a toxic or poisonous substance, in sufficient quantity to injure or interfere with any sewage treatment process, to constitute a hazard to humans or animals, or to create any hazard to the receiving waters or storm water overflows, or to the effluent of the sewage treatment plant.

E. Liquids containing copper, zinc, and similar toxic substances at the point of discharge to the District sewer or in combination with the total sewage treatment plant flow, shall not exceed EPA pretreatment standards, or the following limits, which ever are the most restrictive;

Treatment	Entry into Sewer	Sewage Plant
Arsenic . . . . .	0.5 mg/1	0.3 mg/1
Cadmium . . . . .	0.1 mg/1	0.3 mg/1
Chromium (Total) . . . . .	2.77 mg/1	1.0 mg/1
Copper . . . . .	2.0 mg/1	0.3 mg/1
Cyanide . . . . .	1.0 mg/1	0.2 mg/1
Iron . . . . .	10 mg/1	2.0 mg/1
Lead . . . . .	0.69 mg/1	0.2 mg/1
Nickel . . . . .	3.0 mg/1	0.5 mg/1
Phenols or Cresols . . . . .	1.0 mg/1	0.3 mg/1
Zinc . . . . .	2.61 mg/1	1.0 mg/1

F. Any material which exerts or causes;

(1) Unusual concentrations of inert suspended solids, such as, but not limited to, diatomaceous earth, lime slurries, lime residue or Fuller's earth.

(2) Unusual concentrations of dissolved solids such as, but not limited to, sodium chloride, calcium chloride, or sodium sulfate.

(3) Excessive discoloration such as, but not limited to, dye wastes or vegetable tanning solutions.

(4) Unusual biochemical oxygen demand.

G. Industrial wastes which have any of the following characteristics;

(1) A five day twenty degree Centigrade biochemical oxygen demand of more than (300) mg/l or an immediate oxygen demand of more than (100) mg/l;

(2) A suspended solids content of more than sixty (60)mg/l;

(3) A chlorine demand of more than twenty(20) mg/l;

(4) A maximum instantaneous rate of flow exceeding ten percent of the capacity of the available lateral or appropriate trunk sewer.

10-4 The following described substances, materials, waters or wastes shall be limited in discharges to concentrations or quantities which will not harm either the sewers, the sludge, the wastewater treatment process or equipment, will not have an adverse effect on the receiving stream and will not otherwise endanger lives, limb, public property or constitute a nuisance. The District may set limitations lower than the limitations established in the regulations below if, in the District's opinion such more severe limitations are necessary to meet the above objectives. In forming it's opinion as to the acceptability, the District will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the District or as follows;

A. Wastewater having a temperature higher than 150 degrees Fahrenheit (65 degrees Centigrade).

B. Wastewater containing more than 25 milligrams per liter of petroleum oil, non-biodegradable cutting oils, or product of mineral oil origin.

C. Wastewater from industrial plants containing floatable oils, fat, or grease.

D. Any garbage that has not been properly shredded(see Article 2/Sanitary Sewer). Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.

E. Any waters or wastes containing odor-producing substances exceeding limits which may be established by the District.

F. Any water or waste which contains in excess of one hundred milligrams per liter or a lesser amount as fixed by the District for a particular establishment, of fat wastes, oil or grease, whether or not



emulsified, ether-soluble or n-hexane soluble matter or any substance which may solidify or become discernibly viscous at temperatures above thirty- two degrees Fahrenheit; (0 degrees centigrade).

G. Any soluble waste or wastewater having a pH lower than 6 or higher than 9 or having any other corrosive property which reasonably could be hazardous to structures, equipment, or personnel of the sewage disposal and sewer repair division of the District such as, but not limited to, battery or plating acids and wastes, copper sulfate, chromium salts and compounds, or salt brine;

H. Any radioactive wastes or isotopes of such half-life or concentrations as may exceed limits established by State or Federal regulations.

I. Quantities of flow, concentrations, or both which constitute a "slug" as defined in Article Two.

J. Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

K. Any water wastes which the District determines will, by itself or by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere the collection system, or create a condition deleterious to the structures and treatment processes.

10-5 If any waters or wastes discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 10-4 of this Article, and which in the judgment of the District, may have a deleterious effect upon the wastewater facilities, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the District may:

A. Reject the wastes.

B. Require pretreatment to an acceptable condition to the public sewers.

C. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the conditions of Section 10-11 of this Article. If the District permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the District, County, and the Montana State Department of Health.

No construction or installation thereof shall commence until written approval of plans and specifications by the District is obtained. No person(s), by virtue of such approval, shall be relieved of compliance with other rules of the County and of the State relating to construction and to permits.

10-6 No person(s) operating a filling station, garage, or similar place having wash or grease racks shall discharge to the wastewater utility unless such a place is provided with a sand and grease trap of a size and construction approved by the District.

No person(s) operating a restaurant or food preparation establishment or other usage whether residential or non-residential uses that has a recurring problem with grease buildup or blockage of sewer lines shall fail to install an adequate grease trap/interceptor(s) as needed to trap and keep grease. The District requires grease interceptors of a size no smaller than 1,000 gallons and adopts the City/County of Missoula MMC (Missoula Municipal Code). Variance from this code(s) must be submitted in writing to the Lolo Sewer & Water District and the Missoula County Public Works Office. The design of the

aforesaid interceptor shall be observed and may be obtained from the Office of the Public Works Director or the Lolo Sewer and Water Plant. All sand and grease traps shall be properly maintained and serviced at the owner's expense. Records of maintenance and service shall be kept on file for a minimum of three years and shall be made available to the District upon request by the Manager. Any removal and hauling of the collected materials not performed by owner(s) personnel must be performed by licensed waste disposal firms.

10-7 Where pretreatment or flow-equalization facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner(s) at his expense.

10-8 When required by the District, the owner(s) of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure together with such necessary meters and other apparatuses in the building sewer to facilitate observations, sampling, and measurement of the waste. Such structures, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the District. The structure shall be installed by the owner(s) at his expense, and shall be maintained by him as to be safe and accessible at all times. Every facility for pretreatment or handling of industrial waste shall be subject to inspection by an authorized District representative who shall determine whether or not such facility is being maintained in an effective operation.

10-9 The District may require a user of sewer services to provide information needed to determine compliance with this Regulation. The requirements may include:

- A. Wastewater's discharge peak rate over a specified period of time.
- B. Chemical analysis of wastewaters.
- C. Information on raw materials, processes, and products effecting wastewater volume and quality.
- D. Quantity and disposition of specific liquid, sludge, oil, or other material important to sewer use control.
- E. A plot plan of the user's property showing sewer and pretreatment facility location.
- F. Details of wastewater pretreatment facilities.
- G. Details of systems to prevent and control the losses of materials through spills to the District sewer.
- H. Where known, the nature and concentration of any pollutants in the discharge which are limited by any County, State, or Federal Pretreatment Standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and if not, whether additional Operation and Maintenance (O&M) and/or additional pretreatment is required for the User to meet applicable Pretreatment Standards;
- I. If additional pretreatment and/or O&M will be required to meet the Pretreatment Standards, the shortest schedule by which the User will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard;

The following conditions shall apply to this schedule:

- (1) The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the



User to meet the applicable Pretreatment Standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.)

- (2) No increment referred to in paragraph (1) shall exceed 9 months.
- (3) Not later than 14 days following each date in the schedule and the final date for compliance, the User shall submit a progress report to the Manager including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the User to return the construction to the schedule established. In no event shall more than 9 months elapse between such progress reports to the Manager.

10-10 All measurements, tests, and analysis of characteristics of water and wastes to which reference is made in this Regulation shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association. Sampling methods, location, times, duration and frequencies are to be determined on an individual basis subject to approval by the District.

10-11 No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the District and County and an industrial concern whereby an industrial waste of unusual strength or character may be accepted by the District for treatment.

10-12 If the Federal government issues Federal categorical pretreatment standards for the industrial category that are more stringent than the standards prescribed by this Regulation, such Federal standards supersede the standards prescribed by this Regulation. The District reserves the right to establish discharge limitations more stringent than Federal and State requirements, or limitations contained herein, if deemed necessary to protect the treatment facility.

10-13 No industrial user shall increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with any applicable limitations. The District in consultation with the user shall determine whether a dilution has occurred.

10-14A. Each industrial user shall provide to the District written procedures for handling accidental discharge to the District wastewater utility of materials or substance regulated by this Regulation.

(1) Each industrial user shall permanently post a spill prevention and notification procedure in compliance with this section on its bulletin board and prominently display the procedure at each area of possible accidental discharge.

(2) In the case of accidental discharge, any industrial user shall notify immediately by telephone the Manager at the wastewater treatment plant of the location of the discharge, type of waste, concentration, volume, and corrective actions. In addition to taking any other remedies for a failure to report accidental discharges, the District may revoke the industrial user's discharge permit.

(3) Within five (5) working days following an accidental discharge, the industrial user shall submit to the Manager a detailed written report describing the cause of discharge and measures to be taken by the industrial user to prevent similar future occurrences. Such notification does not relieve the industrial user of any expense, loss, damage or liability that may be incurred from the damage to the wastewater utility or quality of receiving stream, or any other damage to persons or property. Nor does such notification relieve the

industrial user from any fines, civil penalties, or other liabilities that may be imposed by this Regulation or other applicable law.

B. The District may require, at the user's expense, installation, operation and maintenance of facilities to prevent accidental discharge of such materials or substances.

10-15

A. The District may suspend or revoke an industrial discharge permit and terminate the liquid-or-water-carried waste service if the permittee:

- (1) Violates any condition stated in the permit or provisions of this code;
- (2) Fails to report an accidental discharge of a toxic substance;
- (3) Increases the use of process water or attempts to dilute the discharge for the sole purpose of achieving compliance with any limitations.
- (4) Falsifies any report of the wastewater constituents and characteristics;
- (5) Tampers with, disrupts, or damages monitoring and sampling equipment or facilities;
- (6) Refuses reasonable access to the industrial user's premises for the purpose of inspection or monitoring; or
- (7) Fails to pay fees or charges.

B. Whenever the District finds that any industrial user has violated or is violating any provision of this regulation, the Manager may serve upon such person(s) a written notice stating the nature of the violation and providing a reasonable time, not to exceed 45 days, for the satisfactory correction thereof.

The user may request a meeting with the Manager or the District Board of Trustees to discuss the violation or the correction schedule.

any C. If the District finds grounds in subsection A of this section or other grounds for suspension or revocation in this code, the District shall determine whether to revoke the permit for the remainder of its term or suspend it for any shorter period according to the severity of the disqualification, its effect on public health, safety, and welfare, and the time during which the disqualification can be remedied if at all.

D. Before the hearing required by subsection E of this section, the Manager may suspend a District permit for up to twenty (20) days, if the Manager determines that the suspension is necessary to prevent an imminent danger to the public health, safety and welfare. The Manager may include in the temporary suspension reasonable orders or conditions with which the permittee shall comply to protect the public's health and safety.

Any breach of such conditions or orders is an independent ground for revocation of the permit.

E. Except for such emergency suspension authorized by 10-15, subsection D, no such suspension or revocation shall be final until the permittee has been given the opportunity for an initial public hearing to contest the suspension or revocation with the District Board of Trustees.

F. If, after the initial hearing, the suspension or revocation is

upheld, the permittee may request a hearing before the Commissioners.

G. The industrial user shall pay all costs and expenses associated with any such suspension and restoration of service.

10-16

A. Any user violating provisions of this regulation shall be liable for any expense, loss, or damage caused by the District, by reason of such violation, including the increased cost for managing effluent, sludge, or operations when such increases are the result of the user's discharge.

B. If the user discharges such pollutants that cause the District to violate any condition of its NPDES permit and to be fined by EPA or the State for such violation, such user shall be fully liable for total amount of the fine assessed against the District including, without limitation, all legal, sampling, and analytical testing costs.

10-17 If any user discharges into the wastewater utility in violation of this code, Federal, or State regulations, or any order of the District, the County attorney may commence an action for legal or equitable relief, including a petition in a court of appropriate jurisdiction for a temporary restraining order, and preliminary, and permanent injunctions against the violation.

10-18 The District Manager may annually publish in a newspaper of general circulation in Missoula County a list of all industrial users who significantly violated any provision of this resolution during the previous twelve months and a summary of any enforcement actions taken against such users during the twelve month period.

For purposes of this Regulation, significant violations are those remaining uncorrected forty-five days after the date of the notice of non-compliance or that are part of a pattern of non-compliance over a twelve month period, or that involve a failure to report an accidental discharge to the District as required by this Regulation.

10-19 An industrial user who is required to obtain an Industrial Discharge Permit, and is discharging wastes in excess of average strength sewage (200 mg/l BOD or 440 mg/l COD; 250 mg/l TSS) shall pay excess user charges as prescribed by the County in compliance with EPA and Montana DHES approved fee schedule. Sampling, analyses, and reporting requirements to determine the excess user charge shall be a condition of the user's Industrial Discharge Permit and shall be carried out in accordance with procedures contained in this resolution. On discharges of consistent strength, the District Manager may compute a standard excess user charge based on average strength of the user's discharge.

The industrial user shall be required to sample, analyze, and report discharge strengths on a periodic basis to ensure consistency of sewage strength.

## ARTICLE ELEVEN

### POWERS AND AUTHORITY OF INSPECTORS

11-1 The District Manager and other duly authorized employees of the District or the County Health Department, bearing proper credentials and identification, shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing pertinent to discharge to the community system in accordance with the provisions of this Regulation.

11-2 The District Manager or other duly authorized employees of the District or the County are authorized to obtain information concerning industrial

processes which have a direct bearing on the kind and source of discharge to the wastewater collection. If the industry withholds information considered confidential, the District under such circumstances may refuse to accept discharges until it is satisfied that such waste and discharges will not have an adverse effect on the system and these regulations.

11-3 While performing the necessary work on private properties referred to in Article 11-1, above, the Manager or duly authorized employees of the District shall observe all safety rules applicable to the premises established by the company, and the company shall be held harmless for injury or death to District employees, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article 10-8.

11-4 The Manager and other duly authorized employees of the District bearing proper credentials and identification shall be permitted to enter all private properties through which the District holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the wastewater facilities lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

## ARTICLE TWELVE

### PENALTIES

12-1 Any person(s) found to be violating any provision of this Regulation shall be served by the District with written notices stating the nature of the violation and providing a reasonable time limit, as determined by the District, for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

12-2 Any person(s) who shall continue to violate beyond the time limit provided in Article 12-1 may be denied service until such time as the violation is corrected and may be fined in an amount not to exceed that established by the County Commissioners.

12-3 Any person(s) violating any of the provisions of this Regulation shall become liable to the District for any expense, loss, or damage occasioned the District by reason of such violation.

12-4 If the District finds that the occupant of property, who controls a preliminary treatment facility fails to maintain such facility in effective operation, the district shall shut off water service to the occupancy until the facility is put back into effective operation.

## ARTICLE THIRTEEN

### VALIDITY

13-1 All Regulations or parts thereof in conflict herewith are hereby repealed.

13-2 The invalidity of any section, clause, sentence, or provision of this regulation shall not affect the validity of any other part of this regulation which can be given effect without such invalid part or parts.

## ARTICLE FOURTEEN

### REGULATION IN FORCE

14-1 This Regulation shall be in full force and effect from and after it's

passage, approval, recording, and publication as provided by law.

14-2 Passed and adopted by the Board of County Commissioners of Missoula County, State of Montana, on the 30th day of Sept 1987 Resolution 87-106.

14-3 Resolution 87-106 amended by the Missoula County RSID #901 Advisory Board of, State of Montana, on the \_\_\_\_\_ day of 2003.

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Ray Vandelac, Chair Date  
Missoula County RSID #901 Advisory Board