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## GENERAL PROVISIONS

### § 53.01 INTRODUCTORY PROVISIONS.

- (A) *Title.* Chapters 53 and 54 shall be officially known and cited as the Sewer Use and Pretreatment Ordinance of Lake County, Illinois.
- (B) *Authority.* Chapters 53 and 54 are adopted pursuant to the statutory authority conferred by the Illinois Compiled Statutes, including without limitation 55 ILCS 5/5-15021 and pursuant to the requirements of the Federal Clean Water Act and regulations promulgated thereunder, the Illinois Environmental Act of 1970, as amended, and in accordance with Illinois Municipal Code.
  - (1) Except as otherwise provided herein, the Director, Pretreatment Coordinator and/or Duly Authorized Agent(s) shall administer, implement, and enforce the provisions of Chapters 53 and 54. Any powers granted to or duties imposed upon the Director, Pretreatment Coordinator and/or Duly Authorized Agent(s) may be delegated by the County or Pretreatment Coordinator to other County personnel or other Duly Authorized Agent(s) of the County.
  - (2) It shall be the duty of employees of the Sheriff, Building, Engineering, Emergency Management, and County Department of Transportation to give vigilant aid to the Department of Public Works in the enforcement of Chapters 53 and 54 and to this end they shall report all violations, thereof, which come to their knowledge, to the Director of Public Works.
- (C) *Applicability and jurisdiction.* Chapters 53 and 54 shall apply to all premises served directly or indirectly by the public sewerage system and WRFs owned and operated by Lake County. This chapter sets forth uniform requirements for users of LCPW WRFs and enables the County to comply with all applicable state and federal laws, including the Clean Water Act (33 USC 1251 et seq.) and the General Pretreatment Regulations (40 CFR Part 403).
- (D) *Minimum requirements.* The standards of Chapters 53 and 54 are minimum requirements. The issuance of any permit, certificate or approval in accordance with the standards and requirements of this chapter shall not relieve the recipient of such permit, certificate or approval from the responsibility of complying with all other applicable requirements of any other local, county, state or federal agency, having jurisdiction over the structures or land uses for which the permit, certificate or approval was issued.
- (E) *Purpose.* The purpose of Chapters 53 and 54 is to define and set forth uniform requirements for Users of the County's owned sanitary and interceptor sewers, pump stations and/or Water Reclamation Facilities (WRFs), hereafter referred to interchangeably as the County works. Chapters 53 and 54 provides for the use of public and private sewers and drains, private Sewage disposal, and authorizes the installation and continuing of connections into the Sewage works of the County upon certain conditions, including permission thereof; providing for the installation and maintenance of such connections and enforcements thereto; regulating the use of municipal and private sewers and drains; individual Wastewater disposal, the installation, connection and disconnection of Building Sewers, the Discharge of water and waste in the public sewer

system providing for penalties for violation therefore; and providing for penalties for violation thereof; and providing for termination of permits issued by the County pursuant to the provisions hereof.

Chapters 53 and 54 enables the County to comply with all applicable State and Federal laws, including the Clean Water Act (33 United States Code § 1251 et seq.) and General Pretreatment Regulations of 40 CFR Part 403. Additional objectives of these chapters are:

- (1) To prevent the introduction of Pollutants into the WRF that will Interfere with its operation;
- (2) To prevent the introduction of Pollutants into the WRF that will Pass Through the WRF, inadequately treated, into receiving waters, or otherwise be incompatible with the WRF;
- (3) To protect both WRF Personnel who may be affected by air, Wastewater and Biosolids in the course of their employment and the general public;
- (4) To promote reuse and recycling of Industrial Wastewater and Biosolids from the WRF;
- (5) To enable the County to comply with its National Pollutant Discharge Elimination System (NPDES) permit conditions, Biosolids Use and Disposal Requirements, and any other Federal or State laws to which the WRF is subject;
- (6) To provide for fees for the equitable distribution of the cost of operation, maintenance, and improvement of the WRF;
- (7) To provide uniform requirements for Food Service Establishments (FSE) for the control of grease Discharge to the County owned Sanitary Sewer system; and
- (8) To regulate private Wastewater disposal systems.

Chapters 53 and 54 shall apply to all Users of the County works and provides for the enforcement of general requirements for Users. These chapters authorize the issuance of Wastewater connection and Discharge permits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires User reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the programs established herein. These chapters authorize the issuance of Wastewater Discharge Permits that do not allow the Discharge of defined process waste streams but continue to allow the Discharge of domestic or Sanitary Wastewater.

- (F) *Word usage and construction of language.*
- (1) *Meanings and intent.* All provisions, terms, phrases and expressions contained in Chapters 53 and 54 shall be construed according to the purpose set out in division (E) above.
  - (2) *Headings, illustrations and text.* In case of any difference of meaning or implication between the text of Chapters 53 and 54 and any heading, drawing, table, figure, or illustration, the text shall control.
  - (3) *Lists and examples.* Unless otherwise specifically indicated, lists of items or examples that use terms such as "including", "such as," or similar language are intended to provide examples. They are not intended to be exhaustive lists of all possibilities.

- (4) *Computation of time.* The time in which an act is to be done shall be computed by excluding the first day and including the last day. If the last day is a Saturday, Sunday, or holiday observed by the county, that day shall be excluded.
  - (5) *References to other regulations, publications and documents.* Whenever reference is made to a resolution, ordinance, statute, regulation, or document, that reference shall be construed as referring to the most recent edition of such resolution, ordinance, statute, regulation, or document or to the relevant successor document, unless otherwise expressly stated.
  - (6) *Delegation of authority.* Whenever a provision appears requiring the head of a department or another officer or employee of the county to perform an act or duty, that provision shall be construed as authorizing such officer, department head or employee to delegate that responsibility to others over whom they have authority.
  - (7) *Technical and nontechnical terms.* Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases that may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.
  - (8) *Public officials and agencies.* All public officials, bodies, and agencies to which references are made are those of Lake County, unless otherwise expressly provided.
  - (9) *Mandatory and discretionary terms.* The words "shall," "will," and "must" are mandatory, unless the context clearly indicates the contrary. The words "may" and "should" are advisory and discretionary terms.
  - (10) *Conjunctions.* Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows:
    - (a) "And" indicates that all connected items, conditions, provisions, or events apply; and
    - (b) "Or" indicates that one or more of the connected items, conditions, provisions, or events may apply.
  - (11) *Tenses and plurals.* Words used in one tense (past, present, or future) include all other tenses, unless the context clearly indicates the contrary. The singular includes the plural, and the plural includes the singular.
  - (12) *Numerical calculations.* Unless otherwise specifically indicated, for standards involving the use of numbers, all calculations shall be provided with the significant digits reported by the laboratory for the specific analytical test.
- (G) *Conflicting provisions.*
- (1) *Conflict with state or federal regulations.* If the provisions of Chapters 53 and 54 are inconsistent with those of the state or federal government, the more restrictive provision shall control, to the extent permitted by law.
  - (2) *Conflict with other County regulations.* If the provisions of Chapters 53 and 54 are inconsistent with one another, or if they conflict with provisions found in other adopted ordinances or regulations of the county, the more restrictive provision will control. No text amendment, variance or condition of approval placed on a permit or other form of County approval under

Chapters 53 and 54 shall have the effect of nullifying, abrogating or diminishing the provisions of any other county ordinance.

- (3) *Violations continue.* Any violation of the previous sewer use ordinance of the County shall continue to be a violation under Chapters 53 and 54 and shall be subject to penalties and enforcement under § 53.99 and § 54.64, (or other applicable provision) unless the use, construction or other activity is consistent with the express terms of Chapters 53 and 54, in which case enforcement action shall cease, except to the extent of collecting penalties for violations that occurred before the adoption of Chapters 53 and 54.

- (H) *Abbreviations.* The following abbreviations shall have the designated meanings for both Chapters 53 and 54:

AIRD	Active interior recovery device
BMPs	Best management practices
BOD <sub>5</sub>	5-Day Biochemical oxygen demand
CBOD <sub>5</sub>	Carbonaceous 5-Day Biochemical Oxygen Demand
CFR	Code of Federal Regulations
CIU	Categorical Industrial User
CMOM	Capacity, management, operation, and maintenance
CWA	Clean Water Act
COD	Chemical Oxygen Demand
DFU	Drainage fixture unit
IEPA	Illinois Environmental Protection Agency
FSE	Food service establishment
gpd	gallons per day
GPM	Gallons per minute
GRS	Grease removal system
IEPA	Illinois Environmental Protection Agency
LCPW	Lake County Public Works
ug/l	Microgram per liter
mg/l	milligrams per liter
NFD	Non-food service establishment O&G discharger
NORM	Naturally Occurring Radioactive Material
NPDES	National pollutant discharge elimination system

NSCIU	Non-Significant Categorical Industrial User
NSRU	Non-Significant Regulated User
O&G	Oils and Grease
PE	Population equivalent
PED	Passive exterior device
PID	Passive interior device
POTW	Publicly Owned Treatment Works
RCE	Residential customer equivalent
RCRA	Resource Conservation Recovery Act
SIC	Standard Industrial Classification
SIU	Significant Industrial User
SNC	Significant Non-Compliance
SSO	Sanitary sewer overflow
SWDA	Solid Waste Disposal Act (42 USC 6901 et seq.)
TENORM	Technically Enhanced Naturally Occurring Radioactive Material
TSS	Total suspended solids
TTO	Total Toxic Organics
USC	United States Code
USEPA	United States Environmental Protection Agency
WRF	Water Reclamation Facility

(l) *Definitions.* Unless the provision specifically indicates otherwise, the following terms and phrases, as used in Chapters 53 and 54 of this ordinance shall have the meanings hereinafter designated.

**ACT or THE ACT or CLEAN WATER ACT or FEDERAL ACT.** The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. § 1251 et seq.

**ACCESSIBLE.** When applied to required pretreatment monitoring or treatment equipment, shall mean direct access without the necessity of removing any panel, door, vehicle, equipment, materials, or other similar obstruction.

**ACTIVE INTERIOR RECOVERY DEVICE (AIRD).** A GRS that has provision to automatically remove separated O&G and/or settled solids from the tank and collect them for disposal.

**ADDITIVE.** Any material, in any physical form, put into a GRS or any drain lines or appurtenances discharging to a GRS intended in any way to modify the operation of the GRS.

**ADMINISTRATIVE FINE.** A punitive monetary charge unrelated to treatment cost, which is assessed by the Director or his or her representative rather than a court.

**AGENCY (IEPA).** The Illinois Environmental Protection Agency.

**AMALGAM PROCESS WASTEWATER.** Any wastewater generated and discharged by a dental discharger through the practice of dentistry that may contain dental amalgam.

**AMALGAM SEPARATOR.** A collection device designed to capture and remove dental amalgam from the amalgam process wastewater of a dental facility.

**APPROVAL AUTHORITY.** The Regional Administrator of Region V of USEPA, until such time that the State of Illinois has a USEPA approved pretreatment program. Then the State of Illinois will become the Approval Authority.

**AUTHORIZED REPRESENTATIVE OF THE USER.**

- (1) If the User is a corporation:
  - (a) By a responsible corporate officer - 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 operation facilities provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual Wastewater permit (or 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 limited liability company (LLC): any managing member of the company.
- (4) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
- (5) The individuals described in paragraphs 1 through 4, 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 company, and the written authorization is submitted to LCPW.

- (6) If an authorization under Paragraph 5 of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall environmental matters for the company, a new authorization satisfying the requirements of Paragraph 5 must be submitted to LCPW within 30 calendar days. If an authorization under Paragraph 5 of this section is no longer accurate because the individual described in Paragraphs 1 through 4 above has changed, a new authorization satisfying the requirements of Paragraph 5 must be submitted to LCPW within 30 calendar days.

**BASELINE MONITORING REPORT.** The report required by 40 CFR 403.12(b)(1-7).

**BEST MANAGEMENT PRACTICES (BMPs).** Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in § 54.08 [40 CFR Section 403.5(a)(1) and (b)] and/or prevent or reduce the pollution conveyed to the WRF. **BMPs** also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, biosolids or waste disposal, or drainage from raw material storage.

**BIOCHEMICAL OXYGEN DEMAND (BOD) or (BOD5).** The quantity of oxygen, expressed in mg/l, utilized in the biochemical oxidation of carbonaceous (organic) matter using standard laboratory procedures as described in Standard Methods for the examination of water and wastewater, latest approved edition or other methods approved by 40 CFR 136 for five (5) days at 20 degrees centigrade, usually expressed as a concentration (e.g. mg/l).

**BIOSOLIDS.** The liquid containing solids or semi-solid WRF byproduct that has been processed to allow its disposal or land application in accordance with applicable federal and state regulations

**BUILDING DRAIN.** The part (usually the lowest piping) of a drainage system which receives the discharge from waste, and other drainage pipes inside the walls of a building and conveys it to the building sewer or other approved point of discharge, beginning five feet (1.5 meters) outside the inner face of the building wall. The **BUILDING DRAINS** from the ground level or upper floors ordinarily flow by gravity to the building sewer. The **BUILDING DRAINS** below the basement floor flow to an ejector pit and is pumped to the building sewer via an overhead sewer. Discharge of stormwater runoff to the **BUILDING DRAIN** is prohibited.

**BUILDING SEWER.** The building sewer conveys flow, whether under gravity conditions or under pressurized conditions (includes a lateral assembly kit and grinder pump station), to a public sewer. **BUILDING SEWERS** serve individual buildings, as well multiple buildings on a parcel of land comprised of one or more recorded lots that are contiguous and under the same ownership, occupied or intended to be occupied by a common use. The **BUILDING SEWER** is owned and maintained by the building or property owner, and the corporation stop is owned and maintained by the Lake County Department of Public Works. The **BUILDING SEWER** typically exits the structure approximately four feet above the basement floor elevation

**BYPASS.** The intentional diversion of waste streams from any portion of an industrial user's treatment or pretreatment facility.

**CARBONACEOUS BIOCHEMICAL OXYGEN DEMAND (CBOD<sub>5</sub>).** The same standard method test as defined in BOD<sub>5</sub> where the contribution from nitrogenous bacteria has been suppressed.

**CATEGORICAL INDUSTRIAL USER (CIU).** An industrial user that is currently subject to a categorical pretreatment standard or categorical standard except for dental dischargers as defined in 40 CFR 441. A CIU is considered to be a Significant Industrial User.

**CATEGORICAL PRETREATMENT STANDARD or CATEGORICAL STANDARD.** Any regulation containing pollutant discharge limits promulgated by USEPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. § 1317) which apply to a specific category of users, and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471 except for Part 441.

**CHEMICAL OXYGEN DEMAND (COD).** The measure of oxygen consuming capacity, expressed in mg/L, of inorganic and organic matter present in wastewater. It is expressed as the amount of oxygen consumed from a chemical oxidant in a specific test using standard laboratory procedures as described in 40 CFR Part 136 usually expressed as a concentration (e.g. mg/l).

**CLEAN OUT.** A pipe that extends from the ground surface to the interior of the passive exterior device (PED), or other GRS device, so as to allow access, maintenance, and inspection of the interior of the device.

**CMOM (CAPACITY, MANAGEMENT, OPERATION AND MAINTENANCE).** The program that provides direction and sets goals for a collection system operation and maintenance.

**CODE OF FEDERAL REGULATIONS (CFR).** The official compilation of rules and regulations of the agencies of the United States government.

**COLLECTION SYSTEM.** The sewers and appurtenances for collecting, transporting, pumping, metering, sampling, and treating wastewater that are part of the LCPW sewerage system.

**COMBINED SEWER.** A pipe or conduit that is designed and constructed to carry wastewater, stormwater, surface water and ground water drainage. Combined sewers are prohibited.

**COMBINED WASTE STREAM FORMULA.** The combined waste stream formula as found at 40 CFR Section 403.6(e).

**COMPOSITE SAMPLE.** Sample of wastewater resulting from the combination of two or more individual wastewater samples taken at selected intervals based on an increment of either flow or time. A daily **COMPOSITE SAMPLE** must be based on at least four (4) individual wastewater samples taken at different times and representative of the user's flow.

**CONTROL AUTHORITY.** USEPA Region V until the County receives approval to operate a Federally Approved Pretreatment Program. At that time the County will become the Control Authority.

**COOLING WATER.** The water discharged from any use such as air conditioning, cooling, or refrigeration to which the only pollutant added is heat.

**COMPATIBLE POLLUTANT.** Ammonia nitrogen, CBOD<sub>5</sub>, fats, oils and grease by HEM, TSS, pH, COD and fecal coliform bacteria.

**CONTROL MANHOLE.** A structure located on a site from which wastewater is discharged through. Where feasible, the manhole shall have an external drop. The purpose of the **CONTROL MANHOLE** is to provide access for the representative to sample and/or measure discharges.

**CORPORATION STOP.** A shutoff valve attached to a service connection. Corporation stops shall be installed when building sewers connect to a public sewer that conveys flow under pressurized conditions. The shutoff valve may be operated by a valve key to start or stop flow from the building sewer.

**COUNTY.** The County of Lake, a unit of local government organized and existing under the Counties Code, 55 ILCS 5/1-1001 et seq. (the ‘County’ of the State of Illinois).

**COUNTY SANITARY SEWER.** Any sanitary sewer and/or interceptor owned and operated by the county.

**CUSTOMER.** Any person, municipality or user that discharges wastewater into the county sewerage system.

**DAILY AVERAGE.** The arithmetic average of all effluent samples for a pollutant collected during a calendar day.

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

**DEMAND INSPECTION.** An inspection at any time from an SSO or blockage that occurs at or downstream of a user to determine the cause of the SSO and who is liable for any costs incurred by the county.

**DENTAL AMALGAM.** An alloy of elemental mercury and other metal(s) that is used in the practice of dentistry.

**DENTAL DISCHARGER.** A facility where the practice of dentistry is performed, including, but not limited to, institutions, permanent or temporary offices, clinics, home offices, and facilities owned and operated by Federal, state or local governments that discharge wastewater to a WRF.

**DIRECTOR.** The Director of the Lake County Public Works or his or her duly authorized deputy or designee.

**DISCHARGER.** Any person, firm, establishment or institution that discharges wastewater, excluding inflow and infiltration, into the WRF from any non-domestic source regulated under Section 307(b), (c), or (d) of the Act and 35 Ill Adm. Code (IAC) 307.

**DISCHARGE PERMIT.** An individual or general permit issued to a user which specifies the requirements for discharge of wastewater or the requirements for zero discharge of process wastewater as appropriate.

**DOMESTIC SEWAGE OR WASTEWATER.** The liquid and water borne wastes derived from ordinary living processes, free from wastes from non-residential sources including industrial process wastes, and of such character to permit satisfactory disposal, without special treatment, into the WRF.

**DRAINAGE FIXTURE UNIT (DFU).** A value used to determine the required drainage capacity from the fixtures and their service systems as defined in the Illinois Plumbing Code.

**DULY AUTHORIZED AGENT.** The Board of Lake County and designated employees and agents of the County.

**DWELLING.** A unit designated for occupancy by one household. It may be a house designated for the exclusive use of one family, or it may be a portion of a building designated and intended to be used by one family.

**EASEMENT.** An acquired legal right for the specific use of land owned by others.

**ECONOMIC BENEFIT.** The difference between the cost of on-time compliance and delayed compliance. **ECONOMIC BENEFITS** realized by a user who fails to comply by a required deadline can be measured by:

- (a) The money that the user would expect to earn by delaying the purchase of pretreatment equipment and investing the money in more profitable projects; or
- (b) The annual cost the user avoids, and the expected return on avoided costs during the period of noncompliance; or
- (c) Any competitive advantage the user may gain, such as increased market share over competitors already in compliance, because of cost advantages attributed to delayed compliance.

**EFFLUENT CRITERIA.** Criteria defined in any applicable NPDES Permit.

**EFFLUENT TEE PIPE.** A tee-shaped pipe extending from the ground surface below grade into the PED to a depth allowing recovery of water located under the layer of fats, oils, and/or greases to be discharged.

**ENVIRONMENTAL PROTECTION AGENCY.** The U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, the Regional Administrator, or other duly authorized official of said agency.

**EXISTING DENTAL DISCHARGE SOURCE.** A dental discharge that is not a new source.

**EXISTING SOURCE.** Any source of discharge that is not a new source.

**FATS, OILS AND GREASE (FOG).** Is used interchangeably with “Oils and Grease”.

**FECAL COLIFORM.** Any number of organisms common to the intestinal tract of humans and animals whose presence in sanitary sewage is an indicator of pollution.

**FLOATABLE OIL.** Oil or Grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility.

**FLOW.** Volume of wastewater per unit of time.

**FOG HAULER.** See GRS Maintenance Hauler.

**FOOD SERVICE ESTABLISHMENT (FSE).** Any user engaged in the activities of manufacturing, preparing, serving, or otherwise making available for consumption food that uses one or more of the following preparation activities: blending, cooking by frying (all methods), baking (all methods), grilling, sautéing, rotisserie cooking, broiling (all methods), boiling, blanching, roasting, toasting, or poaching and infrared heating, searing, barbecuing, and any other food preparation or servicing activity that produces a consumable food product in or on a receptacle requiring washing to be reused. A limited food preparation establishment is not considered to be a FSE when only engaged in reheating, hot holding or assembly of ready to eat food products and as a result, there is no wastewater discharge containing significant amounts of Oil and Grease.

**GALLONS PER DAY (gpd).** A rate of water, wastewater or other flow.

**GALLONS PER MINUTE (GPM).** A rate of water, wastewater or other flow.

**GARBAGE.** The solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage and sale of produce.

**GI SAMPLING CHAMBER.** A clean out or small sampling box located after the effluent pipe of a GRS that is used to obtain a representative sample of effluent to be used to demonstrate compliance with the local limits of the county.

**GRAB SAMPLE.** A sample which is taken from a waste stream on a one-time basis without regard to the flow in the waste stream and over a period of time not to exceed fifteen (15) minutes.

**GREASE/GREASES.** See **OILS AND GREASE (O&G)**.

**GREASE INTERCEPTOR (GI).** Any relatively large in-ground or above-ground tank with internal plumbing and baffling intended to act as a GRS to serve one or more fixtures and which shall be remotely located.

**GREASE REMOVAL SYSTEM (GRS).** Any device designed for, and intended for, separating, collecting, and removing waterborne O&G and settleable solids prior to discharging to the WRF. This includes any internal or external, GRS whether passive or automatic.

**GRS Maintenance Hauler.** Any waste disposal firm licensed by the Illinois Department of Agriculture that hauls and disposes of Oil and Grease wastes as described in Chapters 53 and 54.

**HAULED WASTE.** Domestic sanitary wastewater from septic systems transported as a commercial venture. Process wastewater will only be allowed upon approval from the Director.

**HEXANE EXTRACTABLE MATERIAL (HEM).** The oil and grease extracted from a wastewater sample using USEPA Method 1664 as found in USEPA document EPA-821-B-94-004, October, 1994.

**IMMEDIATE SERVICE AREA.** The area of a specific residential or nonresidential development delineated on a conceptual, preliminary or final engineering plan proposed to be directly serviced by a specific size and quantity of public sewer connected to an existing or proposed sanitary sewer interceptor. This area is exclusive of the ultimate service area.

**INCOMPATIBLE POLLUTANT.** All pollutants other than the compatible pollutants as defined herein.

**INDIRECT DISCHARGE or DISCHARGE.** The introduction of pollutants into the Lake County WRF from any non-domestic source regulated under Section 307(b), (c), or (d) of the Act, state law, or Chapters 53 and 54.

**INDUSTRIAL USER.** A source of indirect discharge from a non-residential source including, but not limited to, a manufacturing or process facility or other facility engaged in the purchase or sale of goods, transaction of business or who otherwise renders services to the public.

**INDUSTRIAL WASTE.** A combination of liquid and water carried wastes discharged, permitted to flow or escape from any non-residential source, including the wastewater from pretreatment facilities and polluted cooling water.

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

**INTERCEPTOR SEWER.** Any public sewer that collects sewage flows from local sewers and conveys them to a WRF, as designated by the Director.

**INTERCEPTOR SEWER CAPACITY.** The total flow rate through an interceptor sewer segment that the LCPW determines is available for allocation to its customers, expressed in population equivalents.

**INTERFERENCE or INTERFERE.** A discharge which alone or in conjunction with a discharge or discharges from other sources, either: (1) inhibits or disrupts the WRF, its treatment processes or operations; (2) inhibits or disrupts its biosolids (sludge) processes, use or disposal; and (3) is a cause of a violation of any requirement of the county's WRF's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of wastewater or biosolids (sludge) use or disposal by the

WRF in accordance with applicable statutory provisions and regulations or permits issued thereunder, including without limitation: Section 405 of the Clean Water Act; the Solid Waste Disposal Act (SWDA), including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any state regulations contained in any state biosolids (sludge) management plan prepared pursuant to Subtitle D of the SWDA; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

**LAKE COUNTY PUBLIC WORKS (LCPW).** Lake County (Illinois) Department of Public Works established by the County Public Works Act of July 22, 1959 (55ILCS 5/5-15003).

**LIMITED DENTAL DISCHARGER SOURCE.** A dental discharger that does not place dental amalgam and does not remove dental amalgam except in limited emergency or unplanned, unanticipated circumstances. A new **LIMITED DENTAL DISCHARGER SOURCE** means a limited dental discharger whose first discharge to a WRF occurs after July 14, 2017. An existing **LIMITED DENTAL DISCHARGER SOURCE** means a limited dental discharger that is not a new source.

**LOCAL LIMITS.** Specific discharge limits on specific pollutants in wastewater discharged to local sewers, developed and enforced by the LCPW, and applied to industrial and commercial facilities to implement the general and specific discharge prohibitions listed in 40 CFR Section 403.5(a)(1) and (b) or other applicable laws or regulations.

**LOCAL MUNICIPAL SEWER.** A sanitary sewer and related appurtenances and facilities, not owned or operated by the county, which is in a municipality or other jurisdiction, and which eventually discharges to a county sanitary sewer or a county WRF. Also referred to as a **MUNICIPAL SEWAGE COLLECTION SYSTEM**.

**MANIFEST.** A log or document record of the hauler name, address, and state license/permit number; and, the volume, date of removal and disposal destination of pumped materials or wastes from a grease interceptor or other grease removal device. (See 415 ILCS 5/22.30(d) and (e).)

**MAXIMUM ALLOWABLE HEADWORKS LOADING.** The estimated maximum loading of a pollutant that can be received at a POTW's headworks without causing pass through or interference.

**MAXIMUM ALLOWABLE INDUSTRIAL LOADING.** The estimated maximum loading of a pollutant that can be received at a POTW's headworks from all permitted industrial users and other controlled sources without causing pass through or interference. This is usually calculated by applying a safety factor to the Maximum Allowable Headworks Loading and discounting for uncontrolled sources, hauled waste and growth allowance.

**MEDICAL WASTE.** Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

**MICROGRAMS PER LITER ( $\mu\text{g/L}$ ).** A unit of concentration of water or wastewater constituent. It is 0.000001 g of the constituent in 1,000 mL of water.

**MILLIGRAMS PER LITER (mg/l).** A unit of concentration of water or wastewater constituent. It is 0.001 g of the constituent in 1,000 ml of water. It has replaced the unit formerly used commonly, parts per million, to which it is approximately equivalent, in reporting the results of water and wastewater analysis.

**MOBILE UNIT.** A specialized mobile self-contained van, trailer, or equipment used in providing dentistry services at multiple locations.

**MONTHLY AVERAGE.** The sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

**MONTHLY AVERAGE LIMIT.** The highest allowable average of daily discharges over a calendar month, calculated as a sum of all the daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

**NATIONAL CATEGORICAL PRETREATMENT STANDARD, CATEGORICAL PRETREATMENT STANDARD, or CATEGORICAL STANDARD.** Any pretreatment regulation containing pollutant discharge limits promulgated by EPA in accordance with Section 307 (b) and (c) of the Act (33 USC 1317) which apply to a specific category of users, and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM or NPDES.** The national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits from point sources to waters of the United States, and imposing and enforcing pretreatment requirements, under Section 402 of the CWA.

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT.** Any permit or equivalent document to regulate the discharge of pollutants pursuant to Section 402 of the CWA.

**NATURAL OUTLET.** Any non-manmade discharge into a watercourse, pond, ditch, lake, or other body of surface water.

**NEW DENTAL DISCHARGER SOURCE.** A dental discharge whose first discharge to a WRF occurs after July 14, 2017.

**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 which will be applicable to such source if such Standards are thereafter promulgated in accordance with that section, provided that one of the following is true:
  - (a) The building, structure, facility, or installation is constructed at a site on which no other source is located;
  - (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 installations 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 done one of the following:
  - (a) Begun, or caused one of the following to begin as part of a continuous onsite construction program:
    1. Any placement, assembly, or installation of facilities or equipment; or
    2. 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.
- (4) New sources shall install and have in operating condition and shall “start-up” all pollution control equipment required to meet applicable Pretreatment Standards before beginning to discharge.

**NON-CONTACT COOLING WATER.** Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

**NON-RESIDENTIAL USER.** All users not defined as residential users.

**NON-SIGNIFICANT REGULATED USER.** A non-residential user that meets the criteria outlined in § 54.23(C)(5).

**NORM.** Naturally occurring radioactive materials as defined in Section 3.1 of the Guidance on Radioactive Materials in Sewage and Ash at Publicly Owned Treatment Works Interagency Steering Committee on Radiation Standards.

**OIL AND GREASE (O&G).** The sum of polar hexane extractable material (P-HEM) (polar hydrocarbons such as vegetable oils, animal fats, and other highly biodegradable oils) and of silica gel treated hexane extractable material (SGT-HEM) (non-polar hydrocarbons such as petroleum oil, non-biodegradable cutting oil, products of mineral

oil origin) as determined by HEM and SGT-HEM analyses. **O&G** is interchangeable with **HEXANE EXTRACTABLE MATERIAL (HEM)**.

**ORDINANCE.** The Lake County Sewer Use & Pretreatment Ordinance (Chapters 53 and 54) as amended from time to time by Lake County Board.

**OVERHEAD SEWER.** Piping that conveys pumped flows from the ejector pit below the basement floor level up to the building sewer. All plumbing fixture flows that are collected below the level of the basement or crawl space floor are to be directed to an ejector pit and pumped up to the level of the service sewer exiting the house. Non-residential wastes discharged from overhead sewers are subject to all the same limits and requirements of sanitary sewers.

**PASSIVE EXTERIOR DEVICE (PED).** An oil/water separating container with no moving parts that requires pumping and is housed outside a building or structure.

**PASSIVE INTERIOR DEVICE (PID).** An oil/water separating container with no moving parts that requires normal manual cleaning, by pumping or bailing, and is housed inside a building or structure.

**PASS THROUGH.** A discharge which exits the WRF into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the county's NPDES permit (including an increase in the magnitude or duration of a violation).

**PERMITTEE.** A person or user given written authorization to discharge into a county sewer.

**PERSON.** Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity, or their legal representatives, agents, or assigns. This definition includes all federal, state, or local governmental entities.

**pH.** A measure of the acidity or alkalinity of a solution expressed in standard units.

**POLAR HEXANE EXTRACTABLE MATERIAL (P-HEM).** Vegetable oils, animal fats, other highly degradable oils and other polar hydrocarbons as determined by subtracting a sample's SGT-HEM content from its HEM content. **POLAR FOG** is defined as floatable oils, fat or grease of animal or vegetable origin.

**POLLUTANT.** Any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage biosolids, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, commercial, agricultural waste, and certain characteristics of wastewater (e.g. pH, temperature, TSS, turbidity, color, BOD<sub>5</sub>, COD, toxicity, or odor).

**POPULATION EQUIVALENT (PE).** A term used to evaluate the impact of industrial or other wastes on a treatment works or stream. **ONE POPULATION EQUIVALENT** is 100 gallons of sewage per day, containing 0.17 pounds of BOD and 0.20 pounds of total suspended solids.

**POTENTIAL PROBLEM.** Any discharge which alone or in combination with discharges from other sources inhibits or disrupts the WRF or any of its processes or operations including plant emissions or any conditions which create public nuisance, causing the WRF to expend additional resources or manpower or take additional steps to protect the WRF processes or receiving stream.

**PRETREATMENT.** The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to (or in lieu of) discharging or otherwise introducing such pollutants into the county's sewerage system and WRF. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting concentrations of the pollutants unless allowed by an applicable pretreatment standard.

**PRETREATMENT COORDINATOR.** The Public Works Operations Technician of the County or his designee.

**PRETREATMENT REQUIREMENTS.** Any substantive or procedural requirement related to pretreatment, other than a pretreatment standard, imposed on a user.

**PRETREATMENT STANDARDS or STANDARDS.** Any Lake County prohibitive discharge standard as set forth in any applicable federal, State, or local statute, code, or regulation, including without limitation § 54.08, Lake County specific limitation on discharge as set forth in § 54.11(A), a State of Illinois pretreatment standard in Ill Adm. Code Section 307, or a national categorical pretreatment standard.

**PRIVATE SEWER.** A sanitary sewer not owned by the county or other public agency.

**PROHIBITED DISCHARGE STANDARDS or PROHIBITED DISCHARGES.** Absolute prohibitions against the discharge of certain substances; these prohibitions appear in § 54.08.

**PROPERLY SHREDDED GARBAGE.** The wastes from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1.27 centimeters) in any dimension.

**PUBLIC SEWER.** A sanitary sewer owned, operated and maintained by a public agency. **PUBLIC SEWERS** are inclusive of both county sanitary sewers and local municipal sewers.

**PUBLICLY OWNED TREATMENT WORKS (POTW).** Water Reclamation Facility owned by the County or other public agency.

**PUMP-AND-RETURN METHOD.** The method of decanting or discharging of removed waste back into the GRS from which waste was removed or to any other GRS or sanitary sewer connection.

**RATE ORDINANCE.** An ordinance setting charges, fees, and rates for customers served by the county water and sewer system.

**RECEIVING WATER.** A surface body of water into which wastewater or effluent is discharged.

**RECORD.** Any material on which written, drawn, printed, spoken, visual, or electromagnetic information is recorded or preserved, regardless of physical form or characteristics, which has been created or is being kept by an authority. A **RECORD** includes, but is not limited to, handwritten, typed or printed pages, maps, charts, photographs, films, recording, tapes (including computer tapes), computer printouts, and optical disks. A **RECORD** does not include drafts, notes, preliminary computations, and like materials prepared for the originator's personal use, or prepared by the originator in the name of a person for whom the originator is working; materials which are purely the personal property of the custodian, and have no relation to his or her office; materials to which access is limited by copyright or patent; and published materials in the possession of an authority other than a public library which are available for sale, or which are available for inspection at a public library.

**RECORD DRAWING.** Construction drawings revised to reflect all changes made in the specifications and design drawings during the construction process, and showing the exact dimensions, geometry, and location of all elements of the work completed under the contract.

**REGIONAL ADMINISTRATOR.** The appropriate EPA Regional Administrator.

**REMODELED.** Any facility that requires a building permit to make planned changes to an existing or a new O&G producing facility.

**RESIDENTIAL CUSTOMER EQUIVALENT (RCE).** A unit basis for billing sewage collection and treatment service which is equivalent to a single-family residential customer with an average sewage load of two and one-half times that of a "population equivalent", unless defined otherwise by an intergovernmental agreement with the county.

**RESIDENTIAL USER.** Any dwelling unit, including without limitation, single family houses, mobile homes, apartments, and permanent multi-family dwellings which discharges only domestic wastewater to the County's system.

**RESOURCE CONSERVATION RECOVERY ACT (RCRA).** The federal law in the United States governing disposal of solid and hazardous waste.

**SANITARY SEWER.** Any pipe conduit, or other device used that collects and conveys sewage from residences, commercial buildings, industrial plants and institutions, and to which stormwater, surface water, groundwater or unpolluted non-contact cooling water are not intentionally admitted.

**SANITARY SEWER OVERFLOW (SSO).** Any unplanned discharge from the sanitary sewer system.

**SANITARY SEWER/WATER PERMIT.** A written permit issued to a customer granting authorization to connect to the LCPW sewerage system.

**SEPTAGE.** Wastewater from a septic tank, soil absorption field, holding tank, vault toilet, or privy. **SEPTAGE** does not include the waste from a grease trap.

**SEPTIC TANK WASTE.** Any domestic and/or residential sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

**SETTLABLE SOLIDS.** The solids that sink to the bottom of water, wastewater, or other liquid, and which are amenable to measurement by the methods described in Standard Methods for the examination of water and wastewater, latest approved edition or other methods approved by 40 CFR 136.

**SEVERE PROPERTY DAMAGE.** Substantial physical damage to the WRF 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 bypass.

**SEVERE PROPERTY DAMAGE** does not mean economic loss caused by delays in production.

**SEWAGE.** Human excrement and gray water (household showers, dishwashing operations, food preparation, and the like).

**SEWER SERVICE PIPE.** See *Building SEWER*.

**SEWERAGE SYSTEM.** All facilities of the County for collecting, pumping, treating and disposing of sewage and non-residential wastes, including sanitary sewers, interceptor sewers, sanitary pumping facilities, and WRF facilities.

**SHALL/MAY.** Shall is mandatory; May is permissive.

**SIGNIFICANT INDUSTRIAL USER (SIU).** A user of the WRF (except as provided by paragraphs (3) and (4)) who is:

- (1) A User subject to any National Categorical Pretreatment Standards; or
- (2) A User that:
  - (a) Has an average process wastewater discharge flow of twenty-five thousand (25,000) gallons or more per work day (excluding sanitary, non-contact cooling and boiler blow-down wastewater);
  - (b) Has a discharge flow of process wastewater that makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the WRF; or
  - (c) Is designated as such by the County on the basis that it has a reasonable potential for adversely affecting the WRF's operation or for violating any pretreatment standard or requirement.
- (3) The County may determine that a user subject to categorical pretreatment standards is a Non-Significant Categorical Industrial User (NSCIU) rather than a SIU on a finding that the 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 or requirement) and the following conditions are met:
  - (a) The user, prior to the County's finding, has consistently complied with all applicable categorical pretreatment standards and requirements;
  - (b) The user annually submits the certification statement required in § 54.41(C) [see 40 CFR Section 403.12(q)], together with any additional information necessary to support the certification statement; and
  - (c) The User never Discharges any untreated concentrated Wastewater.
- (4) Upon a finding that a user meeting the criteria in Subsection (2) of this part has no reasonable potential for adversely affecting the WRF's operation or for violating any pretreatment standard or requirement, the County may at any

time, on its own initiative or in response to a petition received from a user, determine that such user should not be considered a SIU in accordance with 40 CFR Section 403.8(f)(6); provided, however, that any such determination may be revoked at any time in the reasonable discretion of the County upon written notice to the use.

**SILICA GEL TREATED HEXANE EXTRACTABLE MATERIAL (SGT-HEM).** The total petroleum hydrocarbons extracted from a wastewater sample using USEPA Method 1664 as found in USEPA document EPA-821-B-94-004, October, 1994.

**SLUDGE.** See biosolids.

**SLUG 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 or any discharge of flow rate or concentration, which has a reasonable potential to cause interference or pass through, or in any other way violate the WRF's regulations, local limits or permit conditions or a non-customary batch discharge or any discharge of flow rate or concentration that could cause a violation of the prohibited discharge standards in § 54.08 or any other applicable federal, State, or local statutory, regulatory, or permit condition or standard.

**SOLIDS TRANSFER/GREASE RECOVERY DEVICE.** An active automatic pretreatment device, which macerates coarse solids and separates/recovers free floating grease, fats and oils from effluent. The device cleans itself of accumulated grease, fats and oils at least once every 24 hours, utilizing an electromechanical apparatus to accomplish recovery and removal.

**SOLID WASTE DISPOSAL ACT OF 1965 (42 USC 6901 et seq.) (SWDA).** The law passed by Congress to regulate methods for disposal of household, municipal, commercial and industrial wastes.

**STANDARD INDUSTRIAL CLASSIFICATION (SIC).** The system used by government agencies to classify non-residential users. Activities may also be classified under NAICS.

**STATE.** The State of Illinois.

**STORM SEWER or STORM DRAIN.** A conduit or pipe that conveys stormwater runoff and surface water drainage but excludes sewage and polluted industrial wastes.

**STORMWATER.** Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

**SUMP PUMP.** Any electrical and/or mechanical device designed to raise water from a lower level to a higher level and is designed to remove collected storm water from a pit to a storm sewer or other approved point of discharge.

**SURCHARGE.** The fee Lake County assesses to industrial user for the treatment of excessive or high strength sewage, without incurring a violation for one or more pollutants.

**TENORM.** Technically enhanced naturally occurring radioactive materials, technologically enhanced by human activity as defined in Section 3.1 of the Guidance

on Radioactive Materials in Sewage and Ash at Publicly Owned Treatment Works Interagency Steering Committee on Radiation Standards.

**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 filtering under standard laboratory procedures approved in 40 CFR Part 136.

**TOTAL TOXIC ORGANICS (TTO).** The sum of the masses or concentrations of specific toxic organic compounds at a concentration greater than 0.01 mg/L for the toxic organics specified in the applicable regulation.

**TOXIC POLLUTANT.** Any pollutant or combination of pollutants identified as toxic pursuant to Section 307(a) of the Federal Water Pollution Control Act or other federal statutes or in regulations promulgated by the state under state law.

**TWENTY FIVE PERCENT RULE (25% RULE).** The rule by which all grease traps and/or grease interceptors shall be cleaned. For example: If the total depth (TD) of the PED is 40 inches, the maximum allowable depth (d) of floatable grease and settled sludge equals 40 inches multiplied by 0.25 or  $d = TD \times 0.25 = 10$  inches. Therefore, the maximum allowable total depth of floatable grease and sludge of the vessel should not exceed ten inches.

**ULTIMATE SERVICE AREA.** The total area delineated in the vicinity of an immediate service area that is tributary to an existing or proposed sanitary sewer interceptor serving the immediate area. This is inclusive of the immediate service area.

**UNPOLLUTED WATER.** Water 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 wastewater treatment facilities provided.

**UPSET.** An exceptional incident in which there is unintentional and temporary noncompliance with 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 preventative maintenance, or careless or improper operation.

**UNITED STATES CODE (USC).** The collection of the general and permanent laws of the United States.

**U.S. ENVIRONMENTAL PROTECTION AGENCY (USEPA).** The U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, or other duly authorized official of that agency.

**USER.** Any person or source that contributes, causes or allows the source of indirect discharge into a County sanitary sewer or WRF. It may also include such persons or sources that are prohibited from discharging specific pollutants of waste streams to the WRF.

**WASTE HAULER.** Any person or waste disposal firm who transports waste to a receiving station.

**WASTEWATER.** The combination of the liquid and water carrying industrial or domestic wastes from residences, commercial buildings, industrial and manufacturing facilities, and institutions including polluted cooling water, whether treated or untreated. Sanitary wastewater means the combination of liquid and water carried wastes discharged from toilets and other sanitary plumbing facilities. Industrial wastewater means a combination of liquid and water carried wastes discharged from any industrial user, including the wastewater from pretreatment facilities and polluted cooling water.

**WASTEWATER DISCHARGE PERMIT.** The document(s) issued to a user allowing discharge into the Lake County WRF pursuant to § 54.22 thru § 54.29.

**WATER QUALITY STANDARDS.** Those standards defined in the Water Pollution Regulations of Illinois, Title 35, Subtitle C, Chapter I.

**WATER RECLAMATION FACILITY.** A treatment works as defined by Section 212 of the Act, (33 U.S.C. Section 1292) regardless of ownership. This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature that convey wastewater to the WRF regardless of ownership, but does not include sewers, pipes, and other conveyances not connected to the WRF.

**WATER RECLAMATION FACILITY EFFLUENT.** The discharge from the county's WRF into the receiving water.

**WATERS OF THE STATE OF ILLINOIS.** All streams, lakes, ponds, marshes, water courses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, Flow through, or border upon the State of Illinois or any portion thereof.

**WORK DAY.** A day on which work, or service is performed by the County excluding holidays.

## SEWER USE

### § 53.05 USE OF PUBLIC SEWERS.

(A) *Use of public sewer required.*

- (1) It shall be unlawful for any person to place, deposit, or permit to be deposited in an unsanitary manner human waste on public or private property within any area under the jurisdiction of the county.
- (2) It shall be unlawful to discharge to any natural outlet within any area under the jurisdiction of the county any sewage or other polluted waters except where suitable treatment has been provided in accordance with the provisions of Chapters 53 and 54, the Lake County Health Department and the Illinois Environmental Protection Agency.
- (3) Except as hereinafter provided and subject to the provisions of Article V of the County Board of Health Ordinance, 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 sewage.
- (4) (a) The owners of all existing houses, building, or properties used for human occupancy, employment, recreation, or other purposes situated within the county and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located and available any public sanitary sewer of the county, is after notice from the county hereby required to install at the owner's expense suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of Chapters 53 and 54. The connection shall be made within 180 calendar days after the date of official notice to do so provided that the public sewer is within 300 feet from the nearest property line of a single family dwelling and 1,000 feet from the nearest property boundary of a nonresidential, multi-family, or subdivision property boundary.  
(b) The county will not issue any permit or approval to repair or upgrade an existing private disposal system where the public sanitary sewer is available within 300 feet of the property line of a single family dwelling and 1,000 feet from the nearest property boundary of a non-residential, multi-family, or subdivision property boundary. Owners whose private disposal system requires repairs or upgrades, plans to sell or have a change of use of the property shall notify LCPW and the Lake County Health Department, and then abandon the existing system in accordance with the Lake County Health Department regulations and connect to an available public sewer within one 180 calendar days of the notification.  
(c) The owners of all future houses, building, or properties used for human occupancy, employment, recreation, or other purposes situated within the county and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located any available public sanitary sewer of the county, is after notice from

the county hereby required to install at the owner's expense suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of Chapters 53. The connection shall be made within 180 calendar days after the date of official notice to do so provided that an available public sewer is within 300 feet from the nearest property line of a single family dwelling and 1,000 feet from the nearest property boundary of a nonresidential, multi-family, or subdivision property boundary.

- (d) The owner shall pay all costs of connection and sewer main extension fees.
- (e) For purposes of this Section, a sewer is available if it has adequate capacity to accept sewage from a user and there is legal authority to make such connection under the Ordinance and any applicable agreements, permits, and other conditions affecting such sewer.

(B) *Private sewage disposal.*

- (1) Where a public sanitary sewer is not available under the provisions of division (A) above, the building sewer shall be connected to a private sewage disposal system complying with the provisions of the Lake County Health Department.
- (2) When a public sanitary sewer becomes available, the building sewer shall be connected to the public sanitary sewer within 180 calendar days after the date of official notice to do so and the private sewage disposal system shall be abandoned in accordance with Lake County Health Department regulations.
- (3) No statement contained in Chapters 53 and 54 shall be construed to interfere with any additional requirements that may be imposed by the building or zoning authority having jurisdiction over the property.

(C) *Building sewers and connections.*

- (1) No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written sanitary sewer/water permit from the Director.
- (2) It shall be unlawful to discharge wastewater to any public sanitary sewer except those wastewaters that are in compliance with standards promulgated pursuant to the Federal Act, or any State or County statute, ordinance, rules, regulations, or standards.
- (3) The owner of a building or his or her agent seeking to connect to the public sewer shall complete a sanitary sewer/water permit application as furnished by the county. The sanitary sewer/water permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Director. An industrial user, as a condition of permit authorization, must complete the industrial user survey (see LCPW website for a copy) and provide information describing its wastewater constituents, characteristics, flow and type of activity.
- (4) Each sanitary sewer which is designed and is to be connected so as to be an integral part of the public sanitary sewer system shall be constructed

- pursuant to a sanitary sewer/water permit issued by the county and the Illinois Environmental Protection Agency, where required.
- (5) A new or supplemental sanitary sewer/water permit, connection fee and/or Illinois Environmental Protection Agency permit may be required for existing buildings or premises when there is a change of use or intensity of use, a change in process, a change of the constituents, or a change in flow of the sewage discharged from such premises.
  - (6) A sanitary sewer/water permit will only be issued, and a building sewer connection shall only be allowed if it can be demonstrated that the downstream sewerage system, including sewers, pump stations and WRFs, have sufficient reserve capacity to adequately and efficiently handle the additional anticipated waste load.
  - (7) All costs and expense incidental to the installation and connection of the building sewer shall be borne by the owner. The person installing, maintaining or repairing the building sewer for the owner shall (a) be a licensed plumber or sewer contractor and (b) indemnify the county for any loss or damage that may directly or indirectly be occasioned by the installation.
  - (8) A separate and independent building sewer shall be provided for every building. A building sewer may serve more than one building in circumstances where a collection of buildings on a parcel of land comprised of one or more recorded lots that are contiguous and under the same ownership, or occupied, or intended to be occupied by a common cause.
  - (9) Existing building sewers may be used in connection with new buildings only after an internal video inspection of the building sewer has been completed and either provided to (in digital format) or witnessed by the Director and has been determined in writing by the Director to meet all of the requirements of Chapters 53 and 54.
  - (10) Each unit of a multi-unit residential (e.g., condos and townhomes) or commercial establishment (e.g., strip malls) must have its own building drain and building sewer. A common interior domestic line may be used at the discretion of the LCPW Engineering Supervisor.
  - (11) The connection of the building sewer into a county sanitary sewer shall conform to the requirements of the building and plumbing codes, Chapters 53 and 54, and other applicable rules and regulations of the county and the procedures set forth in appropriate specifications of the Standard Specifications for Water and Sewer Construction in Illinois by Illinois Society of Professional Engineers, et al. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Director before installation.
  - (12) (a) No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof run-off or sub-surface drainage to any building sewer or building drain which is connected directly or indirectly to a public sanitary sewer.  
(b) The above requirements and prohibitions shall include, but not be limited to, the following:

1. *Downspouts.* No downspouts or roof drains shall be connected to the sanitary sewer system.
  2. *Footing/foundation drains.* No footing drains or drainage tiles shall be connected to the sanitary sewer system.
  3. *Sump pumps.* Sump pumps installed to receive and discharge ground waters or other storm waters shall not be discharged to a public sanitary sewer. Ejector pumps installed to receive, and discharge floor drain flow, or other wastewater shall be connected to the sanitary sewers.
  4. *Window well and area drains.* No window well or area drains shall be connected to the sanitary sewer system. Area drains include, but are not limited to, dumpster drains, stairwell drains, yard drains and dock drains.
  5. *Drain tiles.* Discharge from drain tiles shall not be directed to the sanitary sewer system.
- (D) *Prohibitive discharge.* See § 54.08 for the prohibitive discharge standards.
- (E) *Application for connection.* If requested sewer service requires the installation of any sewer main, any applicant whose building, structure or premises directly benefits from such main extension shall pay with such application the cost to install the main (including, but not limited to construction cost, permit fees, and all engineering, administrative and legal expenses). Such payment shall be made in addition to any other connection fees in force at the time of the application. Any extension of the main shall be installed in accordance with plans approved by the Public Works Department and shall be installed along the entire frontage of the premises to be served to the next adjacent property as determined by the Director.
- (1) No connection shall be made to the county's sanitary sewer system or to any tributary sanitary sewer system, and no additional use shall be made of an existing connection until an appropriate sanitary sewer/water permit for such connection or additional use has been issued by the county. Prior to the issuance of such permit by the county, an application shall be properly completed and filed with the county and all applicable fees and charges paid in full. In addition, the applicant shall submit plans and specifications for the proposed construction in accordance with the provisions of § 53.06(C). The County may require, as a condition of any permit, the depositing of adequate financial security to ensure proper performance and payment of all work relating to or otherwise affecting the County Sewerage System.
  - (2) After a connection has been made according to the provisions of the sanitary sewer/water permit issued the construction excavation shall be left open until the county has inspected and approved the connection.
  - (3) All building sewers (whether new installation or replacing or repairing existing services) within the service area of the county shall be constructed in accordance with Title 77 Illinois Administrative Code, part 890, "Illinois Plumbing Code", latest edition or materials as required by the municipality and approved by the county.
  - (4) All sanitary sewer/water permits issued by the county shall expire after two calendar years from the date of issuance. If the permit has expired, the

applicant shall be required to obtain a new permit. Additional permit fees may be incurred by the owner if the fee amount at the time of re-applications is larger than the original amount paid.

- (5) When any work to any building sewer is necessary (including lining or repairs requiring excavation), a sanitary sewer/water permit shall be issued prior to commencement of any such work.
- (a) *Connection fees and credit.*
- (1) *Sanitary sewer connection fees.* Sanitary sewer connection fees shall be as set forth in the county's then-applicable Retail Water/Sewer Rate Ordinance.
  - (2) *Credit toward connection fees.* Credit towards connection fees may be issued by the county for the circumstances where specific documentation either exists in the county's records or is presented to the county by the developer.
  - (3) For residential property the connection charges can be found in the county's Retail Water/Sewer Rate Ordinance.
  - (4) For nonresidential property the connection charges can be found in the county's Retail Water/Sewer Rate Ordinance.
  - (5) Where it has been determined by the county that there are existing/unpaid connection fees, user fees, fines, penalties, or other specific use charges in any nonresidential building, any permit(s) applied for within the building shall be held and not issued by the county until restitution of unpaid amounts has been made in full to the county by either the tenant or the owner of the building. For purposes of this Ordinance, any user or prospective user has an affirmative duty to confirm whether all connection fees, user fees, fines, penalties, or other specific use charges have been paid, and any person who occupies any premises with any such outstanding connection fees, user fees, fines, penalties, or other specific use charges shall be deemed to have assumed responsibility for payment thereof as a condition of receiving sanitary sewer service.
- (G) *Duty to notify at change of use, ownership, tenant or process.* Each customer is obligated to notify the county when the following occurs in connection with any premises from which such customer receives sewer service from the county:
- (1) Any structure or dwelling is to be sold, quit claimed, traded or otherwise transferred;
  - (2) The use of the property has or will change from its existing use;
  - (3) There is a change in process that impacts or can significantly impact the volume or characteristics of discharge;
  - (4) There is a building expansion;
  - (5) There is a change of tenant;
  - (6) There are interior or exterior building changes that affect the sewer discharge upon the premises.

(Ord. 19-1394, passed 9-10-2019) Penalty, see § 53.99

## **§ 53.06 CONNECTIONS TO PUBLIC SEWER.**

- (a) *General conditions.* A connection to a county sanitary sewer will be allowed only if:
  - (1) The existing county sanitary sewer has adequate capacity to transport the additional flow from the proposed connection;
  - (2) The county has an existing intergovernmental agreement in place with the local municipal sewer authority to provide service to the property or properties to be connected; and
  - (3) The local municipal sewer authority shall implement a county-approved CMOM program in accordance with the provisions of § 53.07.
- (b) *County sanitary sewer/water permits.*
  - (1) A sanitary sewer/water permit shall be obtained before any connection is made to a county sanitary sewer and before alterations or modifications of existing connections are made unless the connection is approved as part of a public sewer extension (see division (H) below).
  - (2) A sanitary sewer/water permit must also be obtained if the existing building use has an addition or expansion, has a change in use, is demolished or reconstructed or otherwise is required to obtain a permit or supplemental permit pursuant to Section 53.05(C)(5) of this Ordinance.
  - (3) No person or agency shall hereafter connect to any county sanitary sewer without having first applied for and obtained a permit from the county.
  - (4) No sanitary sewer/water permit shall be issued unless it has been determined by the applicable municipality, county, and/or the Illinois Environmental Protection Agency (or other) documentation, that there is adequate capacity available in all downstream sewer facilities.
  - (5) (5)
  - (6) After a sanitary sewer/water permit has been received, the owner shall notify the Director a minimum of 48 hours in advance when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Director.
- (c) *Building sewer requirements.*
  - (1) Construction of building sewers and connections shall be in compliance with the terms and provisions of Chapters 53 and 54 and then-current specifications.
  - (2) Building sewers shall enter the public sewer by way of a wye or tee. In the event of the absence of a wye or tee, an approved equivalent shall be installed. When a building sewer connects to a public sewer that conveys flow under pressurized conditions, the building sewer shall be connected to a corporation stop that is publicly owned. Internal or external drop manhole connections shall only be allowed in accordance with LCPW Department policy.
  - (3) Any connection to a public sewer or building sewer shall be made in accordance with methods and materials that have been approved by the county.
  - (4) Building sewers which are connected directly to a public sewer shall be watertight, gastight, clean, repaired, rebuilt or otherwise kept flowing freely by the property owner.

- (5) All building sewers shall be designed to convey the design flow. When the building sewers convey flow under gravity conditions, the building sewer should not surcharge unless approved otherwise.
  - (6) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the county.
  - (7) *Overhead sewers.* Whenever possible, the building sewer shall discharge at an elevation below the ground floor to the public sewer via gravity. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, wastewater carried by the building drain shall be lifted by an approved means and discharged to the building sewer.
  - (8) Overhead sanitary sewers must be provided to all floor levels that are less than one foot above the elevation of the rim of the sanitary sewer manhole immediately upstream of the point of connection of the building to the sanitary sewer system. Plumbing fixtures on a building floor level below an overhead sewer shall drain into an ejector pit.
- (d) Additional Structures Required for the Connection to Public Sewers
- (1) A grease removal system (GRS) discharging through a separate grease sewer shall be required for applicable nonresidential facilities. See § 53.09 for requirements.
  - (2) Garbage Grinders at FSE. Garbage Grinders shall not be installed in FSE. The purpose of which is to reduce not only the amount of food debris entering any given GRS, but also the frequency in which a GRS is cleaned. In addition, this also aids in reducing the biochemical oxygen demand (BOD) and total suspended solids (TSS) loading at all County WRFs.
  - (3) *Garbage Grinders.* Mechanical grinders shall be installed for uses demonstrated to have rags and inappropriate debris discharges, including but not limited to, assisted living facilities, nursing homes, and hospitals.
  - (4) LCPW may require Neutralizing Basins (laboratories or facilities using acid and alkaline chemicals or compounds), Equalization Basins and/or Pretreatment Equipment. Detailed plans and specifications, prepared by an Illinois registered professional engineer, of the pretreatment facilities proposed to be constructed shall be submitted to LCPW for review and must be acceptable to LCPW before construction of the facility is commenced. Said facilities shall also be subject to approval by IEPA consistent with IEPA regulations. The review of such plans shall in no way relieve the User from the responsibility of modifying the pretreatment facility as necessary to comply with Chapter 53 and 54.

The User shall submit, within a reasonable time after the completion of the pretreatment facility, a copy of the facility's operations and maintenance procedures to LCPW. The User is required to continuously maintain the basins and/or equipment in satisfactory and effective operation at the User's expense.

- (5) *Monitoring Facilities.*

- (a) Control Manhole Applicability & Requirements.
1. All Non-Residential Users are required to install a Control Manhole for each separate Discharge in the Building Sewer in accordance with the plans and specifications approved by LCPW to allow inspection, sampling and flow measurement of the building sewer or internal drainage systems. Each manhole or sampling chamber shall be installed and maintained at all times at the User's expense and shall have ample room to permit LCPW to take accurate samples for analysis.
    - (1) When required by LCPW, a Significant Industrial User (SIU) or Non-Significant Regulated User (NSRU), that does not have a unique sampling chamber at end-of-pipe, shall install a Control Manhole for use as the regulation location of Local Limits in the Building Sewer in accordance with plans and specifications approved by LCPW.
    - (2) When required by LCPW, a Categorical Industrial User (CIU) shall install a Control Manhole or sampling chamber for use as the regulation location of the categorically regulated Discharge in the Building Sewer in accordance with plans and specifications approved by LCPW. This sampling chamber may be required to be installed within the building and may be in addition to an end-of-pipe Control Manhole.
    - (3) Where required by LCPW, additional control manholes or sampling chambers shall be provided at the end of each industrial process within an Industrial User's facility suitable for the determination of compliance with "end of process" pretreatment standards.
  2. The monitoring facilities shall be situated on the User's premises. However, when such a location is impractical or causes undue hardship to the User, LCPW may allow the facility to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping, parked vehicles, or other activities of the User.
  3. The monitoring facility shall be safely, easily and independently accessible to authorized representatives of LCPW any time or day of the week.
- (b) Wastewater Monitoring and/or Flow Measurement Facility Operation and Maintenance
1. Such facilities will be installed and maintained at all times at the User's expense. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that the sample results are unrepresentative of its Discharge.
  2. The manhole or chamber located on a Building Sewer Discharge located in dedicated Easements shall be easily accessible to representatives of LCPW twenty-four (24) hours per day, seven (7) days per week.
  3. The manhole or chamber at a Discharge location within the building shall be accessible to representatives of LCPW during normal User

- operating hours.
4. Metered water supply may be used to determine Wastewater Flow; provided, however, that if substantial evidence is presented to LCPW that the metered water supply and Wastewater quantities are not approximately the same, LCPW may agree to an adjustment to the metered water supply to determine Wastewater Flow which is documented through the use of sub-meters and/or production records. In the event that the Wastewater Flow cannot be substantiated at any regulated location, the User will be required to install Flow monitoring.
  5. The sampling chamber, Flow metering device, sampling equipment and documentation of the frequency of sampling, sampling methods and analysis of samples shall be subject, at any reasonable time, to inspection by LCPW.
- (6) *Trench drain, triple basins, sand interceptors.*
- (a) Exterior trench drains, triple basin oil separators, and sand interceptors shall not connect to the sanitary sewer. Petroleum based oils are not regulated as an O&G issue, rather these are prohibited substances, that maybe flammable or toxic. The oil separator is an engineering spill control measure that is not a regulated industrial waste.
  - (b) Interior trench drain, triple basin oil separator, and sand interceptors shall not connect via a blind connection to the sewer. LCPW may monitor these entry points and act in the event of an emergency spill.
  - (c) *Direct connections to County interceptor sewers.* No connections of a building sewer or private sewer directly to a County interceptor sewer shall be made.
  - (d) *Connections to local municipal sewers not owned by the County.* Sanitary sewer/water permit applications to connect a building sewer or private sewer to a local municipal sewer shall be made to the municipality/sanitary district in which the connection is being made. At the time of connection, each building sewer shall be inspected by a civil engineer or inspector of the municipality/sanitary district in which the connection is being made. The applicant shall pay the municipality the prescribed fees. Copies of all permit applications, including Illinois Environmental Protection Agency applications, schedules and supporting documentation shall be provided to the Director prior to connecting to any local municipal sewer, subject to such conditions as the Director may require. At the request of a municipality/sanitary district, the County may review and issue sanitary sewer/water permits. A nonrefundable connection fee shall be paid to the County at the time a sanitary sewer/water permit is issued by the county for a municipality/sanitary district.
  - (g) *Connection of a local municipal sewer to an existing County sanitary sewer.* Application for permission to connect any public sewer to an existing county sanitary sewer tributary to the County's WRFs shall be made in writing to the Director. The application shall describe the location of the requested connection and the character of the wastewater to be transmitted. The application shall be accompanied by at least three sets of

plans for the connecting public sewerage system. The plans shall be prepared by a professional engineer and shall conform to state and local plumbing codes and the requirements of the IEPA. The plans shall be accompanied by a complete and signed IEPA sanitary sewer extension submittal form. The plans shall be subject to review and approval of the County. The plans, upon being approved by the Director, shall be transmitted to the IEPA and any other government agency having appropriate jurisdiction thereof. Upon receiving the approval of the IEPA and any such governmental agency, the applicant shall provide the county with one set of plans, if not already supplied by the IEPA, together with evidence of approvals by the IEPA and any such governmental agencies.

(h) *Extensions to local municipal sewers.*

(1) *Permitted extensions and enlargement.* The municipality shall be permitted to extend, enlarge, or otherwise modify or improve the local municipal sewer in any manner that the municipality determines is necessary and appropriate in order to serve customers within the municipal service area; provided that any such extension, enlargement, modification, or improvement shall be undertaken in accordance with the terms of the current intergovernmental sewer agreement in place between the County and municipality and provided that the municipality shall implement a CMOM program in accordance with the provisions of § 53.07.

(2) *Standards for extensions or enlargements.* In the event that the municipality elects to extend, enlarge, or otherwise modify or improve the local municipal sewer, either directly or by owners, sub-dividers, or developers of any lot, tract, or parcel within the municipal service area in connection with the development of any such lot, tract, or parcel, the municipality shall require any such extension, enlargement, modification, or improvement, to be designed, constructed, and installed in accordance with the current intergovernmental sewer agreement, Chapters 53 and 54, all other requirements of law, and sound engineering practices. In fulfilling its responsibilities hereunder, the municipality shall, at a minimum, undertake or cause to be undertaken, at no cost to the County, the following:

- (a) Obtain engineering services, from a firm experienced in the design of public sewerage systems, for the design, plans and specifications, and construction of any portion of the local municipal sewer;
- (b) Obtain all easements, rights-of-way, licenses, and other property rights that are necessary or convenient to construct, install, operate, and maintain any portion of the local municipal sewer, including the preparation of appropriate surveys, agreements, and other relevant documents;
- (c) Enter into contracts with firms experienced in the construction and installation of public sewerage systems;

- (d) Secure all permits, approvals, and authorizations that may be necessary or appropriate to construct, install, and operate the portion of the local municipal sewer; and
  - (e) In cases where the Director is required to execute an Illinois Environmental Protection Agency permit application, submit to the County, for the County's review and approval, all preliminary and final engineering plans and specifications and all permit applications for such new portions of the local, municipal sewer.
- (3) Further, the municipality shall permit the county to conduct such reviews and inspections of the work required to be performed pursuant to this section as the County may deem necessary or appropriate to protect its interests.
  - (4) A condition of any connection, extension, or enlargement of a local municipal sewer that is tributary to the County Sewerage System is that the municipality shall: (a) indemnify, defend, and hold the County harmless from and against any damage or injury relating to such work; (b) be responsible for all costs of repair to the County Sewerage System resulting from such work; and (c) be responsible for discharging any lien placed upon any County property resulting from such work.
- (i) *Extensions of sanitary sewers.*
- (1) When a sewer pipe is extended and the extension may serve additional properties within the ultimate service area, those facilities must be installed to the standards of a public main consistent with the County's standards and policies. Such facilities must be installed within the public right of way or an easement for public sewer. The sewer main shall be sized in such a way as to accommodate reasonably anticipated future connections. All public sewer infrastructure shall be conveyed to the Lake County Department of Public Works under such terms and conditions prescribed by the County, including appropriate guaranty security.
  - (2) Public sewer extensions shall be constructed so as to extend to the farthest point of the parcel or development being serviced and shall terminate at a manhole. Design criteria shall include proper line, grade, depth as well as maximum sanitary sewer segment lengths.
  - (3) Public sewer extensions shall be designed to provide adequate capacity and maximize gravity service to all potential properties ultimately to be served by the sanitary sewer extension. In some instances, traditional gravity sewer systems are not well-suited for a particular area due to topographic grade or patterns of development. At the Director's discretion, installation of a low pressure sanitary sewer system may be allowed.
  - (4) All proposed public sewers shall be designed to the appropriate size, depth and gradient practicable to reasonably provide service for the ultimate service area(s), as well as to provide for gravity connections

from all of the properties which are potentially tributary to the sanitary sewer extension as directed by the county. The design engineer may be required to provide documentation if the sanitary sewer is not proposed as required above. At the Director's discretion, installation of a low pressure sanitary sewer system may be allowed.

- (5) Prior to the acceptance any sanitary sewer, the developer shall conduct an internal video inspection of all sanitary sewers, eight inches in diameter and larger, whether public or private, and submit in digital format the video inspection (with accompanying log or report and any certifications requested by the County) to the Director for approval. For inspection purposes, the developer and contractor shall provide proper access to each new manhole.
- (6) Prior to acceptance, all sewers shall be inspected and tested to ensure there are no sags, leaks, structural defects, or other related issues. Sanitary sewer mains shall be subject to air and mandrel testing, as well as internal video inspection. Sanitary sewer manholes shall be vacuum tested. Accompanying reports shall be submitted for review. All defects shall be repaired by the developer's contractor at the direction of the county. The developer's contractor shall re-inspect all repaired sanitary sewers and shall either provide the re-inspection data to the Director in accordance with division (H)(5) above or shall have the appropriate municipality confirm in writing to the Director that the repairs have been completed satisfactorily.
- (7) No variance in the line and grade of any proposed public sewer shall be made between manholes. No bends or elbows shall be used except at drop manhole connections. Any variance requires written approval by the Director.
- (8) (8) Private sewers may be approved for construction if such facilities are constructed to the same standard as public sewers and maintained consistent with all standards, practices and requirements of public sewer, including capacity, management, operations and maintenance (CMOM) requirements. The users of the private sewer must have an ownership interest in the asset, and the entity that owns the main must impose joint and several responsibilities for the expenses of the private sewer on all of its users. Private sewers may not be further extended to serve the ultimate service area and shall not obstruct service to the ultimate service area.

- (j) *Submittal requirements.* Any applicant seeking county approval pursuant to this section shall submit the following documents:
  - (1) *Civil engineering plan submittals.* Subdivisions/extensions/new building site design.

- (a) Plans, drawings and documents shall be submitted to the county at the applicant's sole expense and shall include three complete sets of 24-inch by 36-inch plans and profile drawings, signed and sealed by a professional engineer registered in Illinois. Electronic copies shall be submitted in PDF format. Plans shall contain the following information:
1. The length, size and material of pipe; horizontal location; elevations of new and existing inverts; clearly identified distances and slopes between manholes; and manhole types and locations including unique numbers assigned to each for identification.
  2. All existing and proposed underground structures or facilities that may affect the location of the sanitary sewer lines or are in the general area of construction.
  3. Elevation of the existing and proposed ground surfaces over the sanitary sewer centerline.
  4. The county's specifications, general notes, notice and details for sanitary sewer construction.
  5. Site location map, showing the project site or area in relation to the surrounding area.
  6. An approved preliminary plan and plat for the county's use in determining the applicable connection fee charges for the subject site.
  7. Four copies of the original applications to the Illinois Environmental Protection Agency's Division of Water Pollution Control where a sanitary sewer extension is being proposed. These applications shall indicate design calculations including population equivalents (PE), peak design flow, pipe slope, pipe capacity, minimum and maximum pipe cover, and the like. These applications shall be submitted to the County only after all appropriate signatures have been procured by all other parties.
  8. An accurate map depicting the service areas for all subdivision or sanitary sewer extension requiring an Illinois Environmental Protection Agency permit.
  9. Plan and profile views for all public sewers. Recommended scales for these plans are as follows:
    - A. Horizontal: 1 inch = 50 feet; and
    - B. Vertical - 1 inch = 5 feet.
  10. An overall utility plan showing all of the proposed public sewers. This plan shall be of a readable scale and have sanitary sewer manhole numbers which are consistent with those shown on the plan and profile pages.
  11. A grading plan indicating the location of the county interceptor sewer and applicable easement for proposed developments in which an existing county interceptor sewer is located. Within this area, the exposed manholes shall be rehabilitated and adjusted to grade per county specifications.
  12. A landscaping plan indicating the location of the county interceptor sewer and applicable easement for proposed

developments in which an existing county interceptor sewer is located. Any landscaping within a county easement must be approved by the county. Continuous access to all manholes must be provided at all times throughout the length of the easement.

13. A final plat of subdivision or other adequate documentation as determined by the Director shall be submitted prior to approval of the project. In order for the county to allow connections to any newly constructed public sewer, the developer shall submit a recorded plat of subdivision (or approved alternative documentation) and all testing.
- (2) *Architectural plan submittals.* New or existing buildings.
  - (a) The County requires that architectural plans, site plans, plumbing drawings and documents be submitted to the LCPW when making application for a sanitary sewer/water permit. Electronic copies shall be submitted in PDF format.
  - (b) All architectural plans for new buildings shall have the appropriate "pre-review" checklist comments incorporated into the initial submittal. This checklist, with each item marked off, shall be included with the plan set.
- (3) Projects for which architectural plans are submitted to the County for review may be required to be accompanied by applications to the Illinois Environmental Protection Agency's Division of Water Pollution Control. These applications shall only be submitted to the County when domestic loads are expected to exceed 15 P.E. and/or non-domestic waste is proposed. These applications shall be submitted to the county only after all appropriate signatures have been procured by all other parties. Where allowed, schedule F.T.P. (fast-track permit) may be submitted along with form WPC-PS-1. Other cases will require Schedule A/B to accompany WPC-PS-1, along with all other applicable schedule forms.
- (4) All architectural submittals shall be accompanied by appropriate plumbing plans, including riser diagrams. Fixture schedules for nonresidential facilities such as food service establishments (FSEs) shall also be submitted for review.
- (5) Identify any separate grease line and grease removal system (GRS) required for applicable nonresidential facilities.
- (6) *Record drawings.*
  - (a) Following the completion of all public improvements and at least two months prior to final acceptance, the applicant shall provide to the Director for review and approval either:
    1. Three paper sets and one Adobe PDF copy of record drawings; or
    2. One digital copy of the record drawings in either ArcGIS (preferred), Microstation, or AutoCAD format with one paper copy and one Adobe PDF copy.
  - (b) Drawings must be sealed by a professional engineer registered in the State of Illinois. If corrections are found to be necessary, revised drawings shall be submitted in accordance with division (1)((7)(a) above.

- (c) The record drawings shall include any and all field changes and shall include state plane coordinates, Eastern Zone, NAD 1983 HARN, with minimum sub foot accuracy.
- (7) *Illinois Environmental Protection Agency permit application.* The applicant and design engineer shall sign and submit the required Illinois Environmental Protection Agency documents to the municipal government which has initial jurisdiction. After all other remaining parties have signed these applications, the municipal government shall sign the documents, and the applicant shall then submit four sets of original applications to the county for evaluation, review and signature. After any applicable fees have been paid, the county shall retain one original application and return the remaining three signed original applications to the applicant or design engineer, who shall forward them to the Springfield office of the Illinois Environmental Protection Agency. The county reserves the right to retain the Illinois Environmental Protection Agency documents until any/all possible issue(s) deemed important by the county, such as execution of intergovernmental agreements, service area, size of pipe, depth of pipe and payment of fees for example, have been resolved.
- (8) *Illinois Environmental Protection Agency permit exemptions and requirements.*
- (a) A building sewer constructed to serve a single family home or a building producing less than 1,500 gpd domestic sewage flow may be exempt from being required to apply to the Illinois Environmental Protection Agency for a permit from the Bureau of Water, Division of Water Pollution Control, subject to specific standards hereinafter provided.
- (b) A building which formerly produced less than 1,500 gpd of domestic sewage flow and increases flows greater than 1,500 gpd shall be required to apply to the Illinois Environmental Protection Agency, Bureau of Water, Division of Water Pollution Control.
- (c) A building producing any amount of non-domestic flows, even though the building generates less than 1,500 gpd (15 P.E.) of domestic flows, shall be required to obtain a permit from the Illinois Environmental Protection Agency, Bureau of Water, Division of Water Pollution Control.
- (9) *Consultation with the County.* The design engineer is encouraged to consult with the county to ensure adequacy and conformance of the drawings to the applicable requirements. In cases which involve the design of WRFs and any project involving industrial waste, the design engineer should confer with the county prior to the preparation of the final plans and Illinois Environmental Protection Agency applications. Such consultation shall not release the design engineer or the user (or prospective user) from compliance with the requirements of this Ordinance.
- (10) *Seals and signatures.* The seal and signature referred to shall be those of the professional engineer responsible for the design. The seal shall be affixed on the title sheet that includes the index of sheets. Where no index sheet is provided, the seal and signature shall be affixed on each sheet.

- (11) *Permits for construction.*
- (a) No public sewer construction shall commence without both an approved Illinois Environmental Protection Agency permit and a sanitary sewer/water permit (see § 53.06(B)). Contact the LCPW office for the sanitary sewer/water permit.
  - (b) No building construction shall commence without a sanitary sewer/water permit and, if applicable, an approved Illinois Environmental Protection Agency permit on file (see § 53.06(B)).
- (12) *Construction.* The county has developed design and performance standards for the installation, rehabilitation and repair of the sanitary sewers. Any person, firm or municipality constructing, repairing, rehabilitating, or maintaining any new or existing sanitary sewers, building sewers or building drains tributary to the county shall be subject to these standards as amended from time to time.
- (13) *Rules and regulations.*
- (a) Any person, firm or municipality constructing, repairing, rehabilitating, or maintaining any new or existing sanitary sewers, building sewers or building drains tributary to the county shall be subject to the rules and regulations as set forth by Chapters 53 and 54.
  - (b) All final engineering and/or building plans, which are submitted to the local municipality for their review, shall also be submitted to the county for review. Once the county review has been successfully completed, the local municipality shall verify County connection fees have been paid prior to releasing their building permit. Connection fees shall be collected and paid consistent with applicable intergovernmental agreements, which may include pass-through fee collection.
  - (c) All sanitary sewer construction shall have an Illinois Environmental Protection Agency permit and plan approval letter on file at the county prior to commencing any construction.
  - (d) During any construction activity that requires the disconnection of an existing sanitary sewer service line, the portion of the existing service line to be reused shall be certified before the reconnection is made. This is usually done by a CCTV inspection in the presence of a LCPW inspector but ultimately will be done by whatever means necessary.
- (14) *Advance notice.* All persons, firms, or municipalities shall notify the county a minimum of 48 hours prior to starting any construction, connections, repairs, or rehabilitation as required or approved by the county.
- (15) *Conformance to plans and specifications.* The rules, regulations, ordinances and policies listed herein, and issued by the authorities indicated, are incorporated herein by reference, including without limitation:
- (a) The LCPW regulations, policies, directives, specifications, general notes, contractor notice, construction details, permit forms and instructions that may be adopted or issued from time to time.
  - (b) Federal Water Pollution Control Act Amendment of 1972 as amended (33 USC 1251 et seq.).

- (c) The Illinois Pollution Control Board including all orders, rules and regulations thereof.
- (d) Environmental Protection Act, including all orders, technical releases, rules and regulations issued from time to time.
- (e) Standard Specifications for Water and Sewer Main Construction in Illinois, latest edition.
- (f) Title 35: Environmental Protection, Subtitle C: Water Pollution, Chapter II: Environmental Protection Agency Part 370: Illinois Recommended Standards for Sewage.
- (g) 77 Illinois Administrative Code, part 890, Illinois Plumbing Code, latest edition.
- (h) The Occupational Safety and Health Administration (O.S.H.A.) Regulations Standards, 29 CFR – Standard Number 1926.652.
- (16) The county reserves the right to adopt continuous rules and regulations in order to ensure adherences to the policies and directives listed in division (l)(16)(a) through (h). These rules and regulations shall apply to any person, firm or organization under section 53.06(1) as deemed necessary by the county in order to provide for the safety and welfare of the public.
- (17) Bill of Sale: A bill of sale shall be executed for all developer provided assets in a form to be approved by the County. Such bill of sale provide for the conveyance to the County of all warranties relating to the asset.
- (k) *Septic tank Connections.* No connection shall be made to any county sanitary sewer or local municipal sewer if the connection pipe is carrying any contents from a septic tank.

(Ord. 19-1394, passed 9-10-2019) Penalty, see § 53.99

### **§ 53.07 CAPACITY, MANAGEMENT, OPERATION AND MAINTENANCE (CMOM).**

*General conditions.* Local municipal sewer authorities that have an intergovernmental sewer agreement with the county that are operating local municipal sewer systems that are tributary to the county's sewerage system shall adopt and implement a CMOM program that meets or exceeds the minimum requirements contained in the capacity, management, operations and maintenance (CMOM) program; refer to the Director for updated copy.

(Ord. 19-1394, passed 9-10-2019)

### **§ 53.08 RESIDENTIAL SEPTAGE WASTE DISCHARGE PERMIT.**

- (A) *Permit conditions.*
  - (1) No waste hauler shall discharge septic tank waste from a tanker truck into any county WRF without first obtaining a general permit from the Director as outlined in Chapter 54. Disposal shall be limited to wastes generated within Lake County. No trucked wastes are to be discharged by any entity except at the discharge points designated by the County.
    - (a) Application for permits shall be filed with LCPW per § 54.26(E) accompanied by a fee as outlined in the Rate Ordinance. The application shall be signed as required in § 54.27. Applications shall

contain such information such as the LCPW determines necessary including but not limited to:

1. Number of vehicles to be used to transport septage;
  2. Name of driver(s);
  3. Capacity of each vehicle;
  4. License number for each vehicle; and
  5. Assigned LCHD license number.
- (b) A separate permit shall be obtained for each truck and shall be in possession of the driver of the truck at all times. All trucks which are permitted by LCPW shall be identified with the following:
1. Owner's name, address and phone number;
  2. Liquid capacity; and
  3. County Permit number and year covered.
- (c) Each permit shall designate the location and manner of disposing of trucked wastes.
- (d) No permit shall be transferable. A permit becomes void under any of the following conditions:
1. Change in ownership of the permittee;
  2. Change in vehicle for which the permit is issued; or
  3. Change in the name and address of the permittee.
- (e) Any violation of the terms and conditions of the permit shall be deemed a violation of Chapters 53 and 54.
- (f) Obtaining a discharge permit does not relieve the permittee of his obligation to comply with all federal, state, county or local standards, ordinances or regulations.
- (2) As a condition of the general permit, the permittee agrees to abide by the following operating procedures:
- (a) All discharges shall be in compliance with Chapters 53 and 54.
  - (b) Discharge at any location other than the Mill Creek WRF receiving station is prohibited and shall be deemed a permit violation.
  - (c) The permit shall remain in effect for one year from the date of issuance.
  - (d) Each discharge shall be subject to sampling, inspection and testing as necessary to determine the characteristics and concentration of the waste to be discharged. The determinations shall be made as often as may be deemed necessary by the LCPW.
  - (e) The permittee shall provide a representative sample of the waste to be discharged for laboratory analysis. The cost of this analysis shall be borne by the permittee if any parameter exceeds the established concentration limit.
  - (f) The LCPW operational staff may direct the permittee to cease the discharge of any waste determined to be incompatible with the WRF's treatment system.
  - (g) The permittee's truck driver shall sign and complete the WRF's discharge log in a clear and legible manner at the time of each discharge. In addition, the permittee is required to provide full disclosure on the origin of each load discharged.

- (h) The permittee shall be responsible for the cleanup of all spills or other deposits resulting from their activity while on county premises.
  - (i) The permittee shall furnish a list of authorized drivers to the County covered by the permit and keep this list current.
  - (j) The County reserves the right to reject any wastes delivered to the facilities of the County, which the County believes may have an adverse effect on the WRF and/or process.
- (B) *Prohibitive discharges for septage haulers.*
- (1) Dischargers shall adhere to the list of restrictive waste discharge cited in § 53.05(D).
  - (2) Each discharged load shall not exceed the maximum concentration limits for any parameter established for the individual permittee as outlined in § 54.11(A) and (B).
  - (3) In order to protect the integrity of the County's WRF the Director reserves the right to modify the maximum concentration limit of any parameter or to add additional parameters of concern as outlined in § 54.11.
  - (4) Public notice consistent with 40 CFR 403 will be made whenever the maximum concentration limit or parameters are modified, unless conditions at the WRF require more immediate modifications to protect and preserve the public health and safety, to maintain the operational integrity or capabilities of the WRF, or to ensure regulatory compliance of the facility.
- (C) *Service charges.*
- (A) All septage waste discharged into the County WRF shall be billed in accordance with the County Rate Ordinance. Additional charges may be levied by the county for the following: wastewater discharges exceed the County Local Limits in § 54.11; damage to the WRF, its structures or apparatus; or restoration of the discharge area required as a result of spills or other waste hauler activities.
  - (2) Service charges shall be billed on a monthly basis, and shall be due and payable within 30 calendar days of the invoice date. Unpaid balances remaining beyond 30 calendar days of the invoice date shall be assessed a 10% charge. In addition, after the notice and an opportunity to be heard, the Director may suspend the discharge privileges of the permittee, if an invoice remains unpaid for more than 45 calendar days after the invoice date.
- (D) *Insurance conditions and requirements.* The permittee shall maintain insurance for the duration of the permit that meets all conditions and requirements set forth by the county. Contact the Department or visit the LCPW website for a copy of the application package.
- (E) *Revocation of Permits.* Any violation of the conditions states above shall be justification for the LCPW to immediately revoke any or all permits issued in addition to the reasons stated in § 54.35. The LCPW reserves the right to revoke any and all permits at any time if it determines the revocation of said permits is in the best interests of the County.

(Ord. 19-1394, passed 9-10-2019) Penalty, see § 53.99

## § 53.09 OILS AND GREASE (O&G).

- (A) *Purpose.* This section sets forth uniform requirements for food service establishments (FSEs) and non-food service establishment O&G dischargers (NFDs) that discharge wastewater into the County owned Sanitary Sewer and/or its Sewerage System. The objectives of this section are:
- (1) To prevent the introduction of pollutants into the County's Sanitary Sewers by FSEs and NFDs that will interfere with the operation of the Sewerage System;
  - (2) To prevent the introduction of pollutants into the County's Sewerage System by FSEs and NFDs that could cause sanitary sewer overflows (SSOs); and
  - (3) To protect the environment from pollution resulting from SSOs.
- (B) *Application.* This section shall apply to all nonresidential users (as defined herein as FSEs or NFDs) and owners of Grease Removal Systems (GRS) that serve multiple FSEs and NFDs that discharge directly to the County's Sewerage System. Chapters 53 and 54 authorize inspection and regulation of these users; authorizes monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires user record keeping; provides for the issuance of connection/installation and discharge control mechanisms; and provides for the setting of fees for the equitable distribution of costs resulting from the administration of the program established herein (if deemed necessary by the Director).
- (C) *FSE and NRD General Requirements.*
- (1) All FSEs and NFDs shall install a GRS based on size that is either compliant with the LCPW formula provided in § 53.09 (F)(7)(e)1 for exterior GRS or the Illinois Plumbing Code for an interior GRS. The type and size of GRS required will be subject to the review and approval of the County.
    - (a) Exterior GRS. Chemical rinse dishwashers and temperature rinse dishwashers are required to be tempered to under 150 degrees Fahrenheit. Where feasible, all kitchen drains and any other drains that may carry grease-laden waste shall be connected to the GRS
    - (b) Interior GRS. The sizing and connection requirements for an interior GRS shall be determined in accordance with the Illinois Plumbing Code. The County may grant discharge permits with variances from the Illinois Plumbing Code based on grade and utility issues, but variances relating to sizing must be obtained from the Illinois Plumbing Code office.
  - (2) Installation permits. No person shall construct or install a GRS without the prior approval of the Director and issuance of an installation permit from the County. Such approval shall include both the approval of a plan for the proposed GRS installation and permission to conduct the work required.
    - (a) An installation permit shall be required for all FSE/NFDs that are either newly constructed, change of use or remodeled, and for the replacement of any existing GRS.
    - (b) Installation applications at minimum are required to contain plumbing plans for all potential internal grease discharging lines, connection to

all GRSs, and building sanitary sewer connecting to the County Sewerage System for approval prior to installation and construction and other GRS information required in § 53.09(F). The plumbing shall be installed in accordance with the approved plans.

- (c) An installation permit shall be valid for a 365-day period following the date of issuance.
  - (d) Repairs to a GRS for which there exists a valid general permit issued by the Director, do not require an installation permit, provided that the repairs do not include a total replacement of the GRS.
- (3) Each GRS shall have a control manhole or sampling chamber installed where a representative sample can be taken downstream of the GRS discharge per § 53.06 (D)(5).
  - (4) Upon completion of the installation work and approval by the Director, prior to any direct discharge into a County sanitary sewer, a general discharge permit shall be required for each FSE/NFD and for the owner of a multi-tenant GRS (if appropriate) from the Director. General discharge permit requirements may be found in § 53.09(I) and (J).
  - (5) All FSEs/NFDs shall exercise proper kitchen Best Management Practices (BMP) and have a Spill Plan per § 53.09 (H)(2)(e) to ensure that excess concentrations of O&G are not discharged to the County Sewerage System in violation of the requirements of Chapters 53 and 54.
  - (6) All discharge permits shall require users to clean, operate and maintain a GRS to ensure that excess concentrations of O&G are not discharged to the County Sewerage System in violation of the requirements of Chapters 53 and 54.
  - (7) In addition to standard discharge permit requirements, the Director or his or her representative may include conditions, restrictions, or performance standards on any general discharge permit where that user or GRS multi-tenant owner is served by a non-compliant GRS to minimize the risk of discharges exceeding maximum pollutant discharge standards.
- (D) *Prohibitions Specific to FSE/NFD connections and GRS maintenance*
- (1) Wastewater that does not contain O&G and that otherwise does not require grease separation treatment shall not be discharged into the GRS.
  - (2) Wastewater from a dishwasher machine or wastewater that otherwise exceeds 150 degrees Fahrenheit shall not be discharged into the GRS.
  - (3) Tempered dishwasher wastewater shall not be discharged to an interior GRS.
  - (4) Passive interior devices are not allowed to be used as a GRS.
  - (5) Biological or chemical treatment agents. The use of biological or chemical agents or additives that dissolve grease to allow it to be discharged into the sanitary sewer is not permitted.
  - (6) Domestic sewage shall not be discharged into a GRS.
  - (7) Dumpsters/dumpster pads. Dumpsters and dumpster pad drains shall not connect to the sewerage system.
  - (8) Wastes and/or wastewater removed from any GRS maintenance method (whether full or partial cleaning) is prohibited from being returned to the GRS or County sewerage system.

- (E) *Installation Requirements for GRS based on location and start date of FSE/NFD.*
- (1) New construction or remodeled FSE/NFD.
    - (a) All new construction or remodeled FSEs/NFDs shall submit an application for installation of a GRS in accordance with § 53.09(C)(2).
  - (2) New construction at multi-tenant buildings or at properties that have multiple FSEs/NFDs discharging to an individual GRS.
    - (a) All new construction of multi-tenant buildings (e.g., including properties that contain strip centers and additional out buildings) shall include a separate waste line for each individual FSE/NFD that discharges to a common external GRS that is 1,500 gallons or larger. Multi-tenant properties may install multiple GRS.
    - (b) A separate domestic sewage service is required to be connected to the public sewer from each FSE/NFD unit in accordance with § 53.05(C)(10).
    - (c) When any unit in a multi-tenant building or property is leased, sold, or rented to a FSE or NFD, a review by the Director of all kitchen drains and any other drains that may carry grease-laden waste shall be conducted to confirm which wastes are connected to the GRS.
  - (3) Existing FSE/NFD facilities.
    - (a) Every existing FSE or NFD prior to September 10, 2019, should have filed an application for the installation of a GRS.
    - (b) An existing FSE or NFD serviced by a GRS that was non-compliant with the technical or design standards of Chapters 53 and 54 on September 10, 2019 could have been permitted to continue direct discharge to the County sewerage system provided that the user's O&G discharge, as measured at the control manhole, did not exceed the County's daily maximum discharge limit(s), as set forth in the County's Pretreatment Ordinance (Chapter 54) and a variance was issued by the Director in the General Discharge Permit or license at the time.
    - (c) Any existing FSE/NFD not equipped with a GRS required for the type of business that does not have a variance or if it has a variance but currently exceeds the County's daily maximum discharge limit(s) § 54.11(A) shall be required to install a GRS within 180 calendar days after notification. A FSE or NFD or property owner may make a request to the Director for a longer period of time to achieve compliance, which the Director may authorize based on the conditions of the non-compliant GRS, the nature of the business, and such conditions as the Director may deem necessary or appropriate.
  - (4) New FSE/NFD businesses occupying existing facilities.
    - (a) New businesses which will occupy a space that was not previously either a FSE or NFD and which are required by Chapters 53 and 54 to maintain a GRS shall install such unit prior to commencement of direct discharge to the County's Sewerage System.
    - (b) For the purpose of Chapters 53 and 54, a new FSE/NFD business shall include a change in business (whether or not the owner

changes), a new business in a previously unoccupied space, and new ownership of an existing business.

- (F) *Grease removal systems (GRS) – design and performance standards.*
- (1) GRS Connection Requirements. All kitchen drains and any other drains that may carry grease-laden waste shall be connected to the GRS. This includes but is not limited to the following major point sources: vegetable sinks, prep sinks, mop basins, floor drains, bar sinks, chemical rinse dishwashers and temperature rinse dishwashers that have been tempered to under 150 degrees Fahrenheit.
  - (2) All civil engineering and architectural plans submitted to the County for approval of a GRS shall contain a schedule of drainage fixture units (DFUs) with values tributary to the GRS. Failure to include this required information shall result in the submitted plans being rejected for review as required for a County sanitary sewer construction permit, GRS installation permit and/or general discharge permit.
  - (3) The GRS shall be located in an area so as to be readily and freely accessible for operation, maintenance cleaning and inspection and shall be equipped with easily removable covers.
  - (4) GRSs shall be installed, operated and maintained for each FSE/NFD that discharges to the County Sewerage System unless a variance is obtained.
  - (5) An approved GRS shall consist of one or a combination of the following methods:
    - (a) Passive technology that is an approved exterior GRS. See § 53.09(F)(7) below.
    - (b) Active technology including:
      1. An approved grease recovery device; or
      2. An approved solids transfer/grease transfer device.
  - (6) General compliance requirements – *GRSs*. Specifications outlined in this section shall be considered minimum requirements only.
    - (a) New GRSs shall meet or exceed the more stringent of specifications and requirements set forth in Chapters 53 and 54 and other applicable local, state, or federal requirements.
    - (b) An existing GRS which is replaced shall meet or exceed the specifications set forth in Chapters 53 and 54 and other applicable local, state, or federal requirements.
    - (c) GRSs shall receive all grease-laden waste discharge from the major point sources defined in § 53.09(F)(1) above.
  - (7) Passive exterior device (PED) requirements.
    - (a) Each PED or other GRS device design (including size, type and location) shall be reviewed and approved by the Director. All standard details for PEDs approved by the County can be obtained from the LCPW office.
    - (b) Each PED shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature and capable of withstanding an H-20 traffic load where installed in a location that contains vehicle traffic.
    - (c) Each PED shall have accessibility to both the influent and effluent tee pipes. The inlet chamber of the PED shall incorporate an open

sanitary-tee, which shall extend at least 12 inches below the water surface. The outlet chamber of the vessel shall incorporate an open sanitary-tee that extends two-thirds of the total depth below the water surface. The sanitary-tees (both inlet and outlet) shall not be capped and shall remain to allow visual inspection of the waste stream.

- (d) Each PED shall contain baffles constructed of impervious material sufficient to allow a proper separation of grease from water.
- (e) *Sizing of PEDs.*
  - 1. The design shall be in compliance with the following table, where the total number of drainage fixture units determines the PED size:

<b>Number of Drainage Fixture Units DFUs</b>	<b>Minimum PED (Grease Interceptor) Unit Size (gallons)</b>
<8	500
9-21	750
22-35	1000
36-90	1250
91-172	1500
173-216	2000
217-307	2500
>308	3000

- 2. Multiple PEDs or other approved GRSs are allowed to be installed in series.
  - 3. Exemptions to GRS (PED) sizing. FSEs that serve 18 or fewer meals per day or serve only continental breakfast may be granted a variance from the sizing requirements for PEDs listed in division (F)(1) above by the Director.
- (8) Active interior recovery device (AIRD) requirements.
- (a) AIRDs that have been previously approved through a variance process are hereby grandfathered. Note new AIRD are no longer approved by Illinois Plumbing Code.
  - (b) AIRDs approved included Big Dipper® or approved equal and sized based upon the anticipated load and/or conditions of actual use and manufacturer's recommendation. Detail and specifications for the AIRD, including sizing calculations, were required to be included on the plans.

(G) *Alternative methods.*

- (1) *Alternative technology/methods.* Engineered alternative technology or methods may be permitted, provided the technology or method meets the minimum performance standards set forth by Chapters 53 and 54. Approval of an alternative technology or method is at the sole discretion of the Director.
- (H) *General discharge requirements.*
- (1) *State requirements.* The Illinois Pretreatment Program requirements, found in Title 35 of the Illinois Administrative Code, Parts 307 & 310, are hereby incorporated into Chapters 53 and 54 by reference.
  - (2) *Discharge Limitations.*
    - (a) Prohibitions. See § 54.08.
    - (b) Discharge Limitations. See § 54.11(A) for the O&G limit and § 54.08(C)(9) for the pH limit.
    - (c) Discharge from FSEs and NFDs shall also comply with the compatible pollutants defined in the County's local limits in the Lake County Pretreatment Ordinance Chapter 54.
    - (d) 25% Rule – See § 53.01(l).
    - (e) Best Management Practices (BMP). The County requires the implementation of BMPs for FSEs and NFDs that include, but are not limited to:
      1. Proper storage of unused cooking oil;
      2. Segregation, collection, and proper storage of waste cooking oil;
      3. Disposal of food waste into the trash or garbage disposal;
      4. Installation of drain screens;
      5. Wipe-up grease spills before using water;
      6. Employee training within ninety (90) calendar days of initiation and twice each calendar year thereafter;
      7. GRS (Grease Removal System) operation and maintenance;
      8. Kitchen exhaust filter maintenance;
      9. Record keeping requirements of employee training;
 All FSEs and NFDs that meet the criteria defined in § 54.16 are required to develop and implement a BMP Plan regardless whether such FSE are regulated by a Wastewater Discharge Permit.
    - (f) Spill and Slug Load Requirements.
      1. Notifications are required for spills or Slug Loads changes;
      2. Notices and signage advising employees in the language used in the kitchen and posted in conspicuous places advising employees whom to call in the event of a spill, accidental discharge of prohibited materials, slug discharge or a bypass of the GRS;
      3. Off-site emergency (24-hour) telephone number, and backup telephone number.
      4. Procedures to prevent adverse impact from any accidental discharge to storm or sanitary sewers. 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 site runoff, worker training and building of containment structures or equipment; and
      5. Site diagram showing location of all containers holding unused

and/or spent yellow grease.

6. A written follow-up report is required to be submitted to the Director within 10 business days of a spill/slug load issue.

(I) *General Discharge Permit Requirements for FSE/NFD and Owners of multi-tenant GRS*

- (1) A general discharge permit is required for each FSE/NRD and any owner of a GRS used by multiple tenants prior to discharge to the County owned Sewerage System.
- (2) The general discharge permit is issued by the Director and shall be valid for a five-year period following the date of issuance and shall be consistent with the provisions of § 54.22 thru § 54.38.
- (3) The discharge from each GRS, as measured from the control manhole or sampling chamber, shall not exceed the County maximum discharge limit(s) and requirements as set forth in §53.09(H), nor other requirements included in the permit.
- (4) General permit application procedures. The Director is authorized to develop application forms as may be required for FSE/NFD and/or multi-tenant GRS owner to obtain a general discharge permit, or renewals thereof. The Director is authorized to establish any submittal requirements to accompany any such applications or renewals. Each applicant shall file a permit application form that at minimum shall contain the following information:
  - (a) Name, address, and telephone number of owner;
  - (b) On-site manager (if different);
  - (c) A scaled sketch/drawing of the location of the GRS on the facility premises;
  - (d) Location of the access manhole (and control manhole/sampling chamber; if different);
  - (e) The components, design, and size/capacity of the GRS;
  - (f) GRS uses by multiple tenants; and
  - (g) Other information as may be applicable.
- (5) Any refusal by the Director to issue a general discharge permit, where the applicant has submitted a complete permit, shall be in writing and shall specify the reason(s) for non-issuance.
- (6) All permits issued under Chapters 53 and 54 are not transferable per § 54.34.
- (7) Modifications of general permits will be made in accordance with provisions of § 54.33.
- (8) Any variance provided by this chapter shall be documented in the discharge permit,
- (9) Renewal of a general discharge permit shall be in accordance with the O&G discharge application in § 53.09(I)(3) above and § 54.36.

(J) *GRS System operating and maintenance requirements shall be included in the general discharge permit*

- (1) General. All GRS, both existing and new, shall be maintained in a safe and sanitary condition and in good working order so that any discharge therefrom, as measured from the control manhole, does not exceed the County's maximum discharge limit(s) identified in § 53.09(H).
- (2) Maintenance responsibility.
  - (a) The owner or the owner's designated agent shall be responsible for the operation and maintenance of the GRS for a FSE or NFD or multiple tenant GRS at all times. All costs and expenses relating thereto shall be the responsibility of the owner.
  - (b) In the case of a multi-tenant building/property, the owner of the multi-tenant building/property is responsible for all operation, maintenance and repair of the GRS. All costs associated with the GRS of the multi-tenant building/property are the building/property owner's responsibility. FSE/NFD connected to the multi-tenant GRS will be issued a GRS maintenance variance in their permits.
  - (c) Owners of any buildings that are used as an FSE or NFD are responsible for the operation and maintenance including repair of the GRS serving the buildings even when the units are being leased by a second party for such use. All costs associated with the GRS are the building owner's responsibility.
- (3) GRS Maintenance Providers - Haulers.
  - (a) Any servicing, (i.e. removal and hauling of O&G) shall be performed by a waste disposal or rendering firm, (i.e., licensed by the State of Illinois).
  - (b) Each hauler shall provide the user, at the time of service, a manifest conforming to all state statutes and regulations (see, 415 ILCS 5/22.30(e)) and the provisions of Chapters 53 and 54.
  - (c) Manifests. The removal of a GRS contents shall be recorded on a manifest. Each manifest shall contain the following information, and such other information as may be required by statute:
    1. User information including name, address, the volume or weight of waste pumped from each GRS, and date and time of the pumping;
    2. Hauler information including company name, address, state license/permit number, and disposal/receiving facility location information; and
    3. Disposal/receiving facility information, including the facility name and address, date and time of disposal/receiving, and waste manifest number.
    4. Any physical deficiencies in the GRS that were identified when cleaning, including but not limited to missing influent or effluent tees.
- (4) Frequency of GRS cleaning
  - (a) All grease interceptors and all other GRSs shall be serviced for removal of all floating material at a minimum of every 90 calendar days.

- (b) All grease interceptors and all other GRSs shall be serviced for the removal of all contents (completely pumped out) semi-annually, or when the contents of the PED exceed the 25% Rule if appropriate.
  - (c) Semi-annual servicing and/or additional service events due to exceeding the 25% Rule shall include the complete recovery of all contents including floating materials, wastewater and bottom sludge and solids.
  - (d) The frequency of service shall be increased as necessary to comply with the County's maximum discharge limit(s) in § 54.11(A) or the manufacturer's recommendations.
  - (e) The frequency of service shall be as often as necessary to prevent overflows of O&G entering into the County's Sewerage System.
  - (f) If any GRS discharge wastes fail to meet the County's maximum limit(s) or requirements, the Director is authorized to demand or order the user to repair, replace, or upgrade its GRS consistent with the enforcement procedures in Chapter 54, at the sole expense of the Owner.
- (5) *Record Maintenance and Submittal Requirements*
- (a) Record retention. Each permittee shall keep and maintain a valid, current general permit issued by the Director as one of the documents in the manifest/maintenance log required to be kept on the O&G producing facility premises.
  - (b) The owner of each FSE/NFD and multi-tenant GRS owner shall maintain and keep available on the premises a continuous log of each GRS service and the completed manifests (and other similar record(s)) regarding each cleaning and/or maintenance of the GRS for the previous 24 months.
    1. The log shall be available for inspection or review by LCPW.
    2. If the manifest is unavailable upon request, then the FSE/NRD or multi-tenant GRS owner will have 48 hours to provide the document to LCPW.
    3. The owner of each FSE/NFD or multi-tenant GRS owner shall send a copy of the manifest to the LCPW after every cleaning and or maintenance of the GRS or a minimum of every 90 calendar days. Manifests shall be submitted via fax or email.
- (K) *Inspections.* Inspections will be coordinated with the managers/owners of FSE and NFD facilities including multi-tenant GRS as appropriate per § 53.10
- (L) *Enforcement.*
- (1) When the Pretreatment Coordinator finds that a FSE/NFD or multi-tenant building/property GRS owner has violated, or continues to violate, any provision of Chapters 53 and 54, a Wastewater Discharge Permit or order issued hereunder, or any other Pretreatment Standard or Requirement including instantaneous limits, the Pretreatment Coordinator shall initiate the enforcement actions found in Chapter 54, Article 13: Administrative Enforcement Remedies, Article 14: Penalties and Judicial Enforcement

Remedies, and Article 15: Supplemental Enforcement Action. Violations include but are not limited to:

- (a) Failure to submit GRS installation plans or connect, install, construct in accordance with approved plans is a violation of Chapters 53 and 54.
  - (b) Failure to obtain and comply with the requirements set forth in a discharge permit issued to the site.
  - (c) Failure to pay applicable fees for inspections and permits.
- (2) If a failure to maintain any grease recovery system (GRS) results in partial or complete blockage of the building sewer or private sewer system discharging to the County, or adversely affects the treatment or transmission capabilities of the County Sewerage System, or requires excessive maintenance, or poses a possible health hazard, the FSE/NFD responsible for maintaining the GRS or the owner of a multi-tenant GRS as appropriate shall be subject to the remedies herein, including Emergency Suspension provided in Section 54.59.
- (3) *Authority to revoke.* Where the Director finds that a permittee or licensee is not in compliance with any provision of Chapters 53 and 54, following issuance of a notice of violation and continued noncompliance or continuing violation by the permittee or licensee, or its agent, after 30 calendar days from the notice of violation (or such shorter time frame as may be reasonably established by the Director in the notice of violation in the event the violation poses a threat of damage to the County Sewerage System or violation of the County's IEPA permitting requirements), the Director may revoke such general permit. Any revocation of a general permit by the Director shall be in writing and shall specify the reason(s) for such revocation. Any construction work or wastewater discharge subject to or covered by a revoked general permit shall immediately cease and no construction or installation work or wastewater discharge shall occur or be allowed until such time as a new general discharge permit has been applied for and all fees, charges, fines, and costs have been paid by the owner, permittee or licensee, and the Director has issued a new general discharge permit.
- (M) *Fees.*
- (1) The user shall be responsible for the payment of all fees for the general permit and inspections, and for all other charges as may be imposed by Chapters 53 and 54 in accordance with the provisions of the County's Water and Sewer Rates and Charges.
  - (2) If a failure to operate and maintain any GRS results in partial or complete blockage of the building sewer or private sewer system discharging to the County, or adversely affects the treatment or transmission capabilities of the County sewer system, or requires excessive maintenance, or poses a possible health hazard, the FSE/NFD and/or owner responsible for maintaining the GRS shall be subject to the remedies herein, including cost recovery.

- (N) *Appeals.* The permittee shall have the right to appeal should their general discharge permit be revoked for any of the reasons cited in L (2) above. The appeal should be placed in writing to the Engineering Supervisor for review. If there is no resolution at that level, then final appeal can be made to the attention of the Director.

(Ord. 19-1394, passed 9-10-2019) Penalty, see § 53.99

**§ 53.10 INSPECTION.**

- (A) *Right of access and inspection.*
- (1) The Director or designee, with written prior notice to the property owner/manager unless there is an emergency that requires immediate access, shall access any premises within the service area for purposes of reasonable inspection to ascertain whether such premises are connected to the County sewer system, to inspect the plumbing within the building and the number and type of connections to the sewer system for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of Chapters 53 and 54.
  - (2) Where it is necessary to make an inspection to enforce the provisions of Chapters 53 and 54, or where the Director has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of Chapters 53 and 54 which makes the structure or premises unsafe, dangerous or hazardous, the Director is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by Chapters 53 and 54, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises are unoccupied, the Director shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the Director shall have recourse to the remedies provided by law to secure entry.
  - (3) Any refusal to allow access of the Director or the Director's designee pursuant to this section 53.10(A) shall be a violation of this Subsection.
- (B) *Inspections specific to food service establishments (FSEs) and non-food service establishment O&G dischargers (NFDs) and owners of multi-tenant GRS.*
- (1) *O&G annual inspections.* Any refusal of access for inspection shall be a violation of this subsection and grounds for termination of a general permit and are subject to fines per Chapter 54.
    - (a) *Existing FSE and NFD user and/or GRS inspections.* The Director shall make or conduct periodic inspections and such other or additional inspections as the Director may deem necessary of each FSE and NFD user and/or owner of a GRS to evaluate and enforce compliance with the provisions of Chapters 53 and 54.
    - (b) *New or remodeled FSE and NFD user and/or GRS inspections.* The Director shall make or conduct those inspections deemed necessary

to ensure compliance with installation permits issued. These inspections shall, at a minimum, consist of an initial or in-progress construction or installation site inspection, and a final inspection following completion of the permitted installation.

- (c) *Follow-up inspections.* A user/permittee issued a notice of violation by the Director shall be inspected at any time within 30 calendar days of the date of notice of violation issuance. Subsequent re-inspections may occur at any time for as long as the user is non-compliant under the original notice of ordinance violation. The user shall be responsible for payment of a re-inspection fee for all re-inspections in accordance with the approved fee schedule.
- (d) *Demand inspections.* Any time an SSO or blockage occurs at or downstream of a FSE or NFD facility, a demand inspection shall be made or conducted at the direction of the Director. If the user or FSE/NFD and/or GRS owner is found to be in violation of any provision of Chapters 53 and 54, and that violation caused or resulted in the SSO or blockage, the user shall be responsible for the payment of the demand inspection fee, as well as the labor, equipment, and material costs incurred by the county to correct the SSO or blockage, in accordance with the approved Rate Ordinance.

(Ord. 19-1394, passed 9-10-2019) Penalty, see § 53.99

#### **§ 53.11 AUTOMOBILE SERVICE, REPAIR AND FUEL DISPENSING PROPERTIES.**

- (A) When property use involves automotive repair or handling, sale and dispensing of petroleum products and/or automotive fluids, all Discharges shall have installed a sampling manhole consistent with the requirements of § 53.06(D)(5). All sampling manholes of this type shall be monitored throughout the year in a manner secured and coordinated by the Pretreatment Coordinator. Additionally, any property involved in the repair or servicing of automobiles, trucks, or engine-powered equipment shall install a triple basin oil separator in the sanitary line (per State of Illinois Plumbing codes) servicing the repair area of the building. This system shall be cleaned, serviced and inspected at least four times per year by the owner at his expense. The property may petition the Pretreatment Coordinator to reduce the cleaning and servicing of the triple basin oil separator to two times per year upon demonstration that the amount removed quarterly is significantly less than 25% rule for the basin capacity and the Discharge does not exceed the Oil and Grease Local Limit. Conversely, the system may be required by the Pretreatment Coordinator to be cleaned at a more frequent rate if the property cannot meet the requirements.
- (B) When property use involves automotive repair or handling, sale and dispensing of petroleum products and/or automotive fluids, there shall be a separate drainage system constructed to collect all fluids from the areas associated with pump islands and under pump canopies. This separate drainage system shall collect these fluids and hold them in a separate sealed tank for testing and removal by approved special waste handling methods. All fuel dispensing equipment, piping and venting shall be installed in accordance with the

standards listed below and be in accordance and in compliance with the current adopted building, electrical and fire codes:

- (1) *Guidance Manual for LUST Cleanups in Illinois*, September 1989; and *Leaking Underground Storage Tank Manual*, September 1991; both published by IEPA, 2200 Churchill Road, P.O. Box 19276, Springfield, IL 62794-9276.
- (2) *Recommended Practices for Installation of Underground Liquid Storage Systems, PEI/RP 100*, 1994; published by Petroleum Equipment Institute, P.O. Box 2380, Tulsa, OK 74101.
- (3) *Flammable and Combustible Liquid Code, NFPA/30; Automotive and Marine Services Station Code, NFPA/30A; National Electric Code, NFPA/70; and Underground Leakage of Flammable and Combustible Liquids, NFPA/329*, latest editions all published by National Fire Protection Association, 1 Batterymarch Park, P.O. Box 9101, Quincy, MA 02269-9904.
- (4) *Underground Storage Tanks; Technical Requirements and State Program Approval; Final Rules*, 40 CFR Parts 280 and 281, Part II, Federal Register, Friday, September 23, 1988; and *Musts for UST's: A Summary of the New Regulations for Underground Storage Tank Systems, and Hazardous Waste Management Standards*, Federal Register, July 14, 1986, both published by USEPA, Office of Underground Storage Tanks, 401 M Street, S.W., Washington, DC 20460.
- (5) *Rules of the Illinois State Fire Marshall*, Parts 170 & 180, Title 41, Chapter 1, State of Illinois, Office of the Fire Marshall, 1035 Stevenson Parkway, Springfield, IL 62703.

(C) *Jurisdiction:*

(1) The requirements of this Section shall be met by any property use associated with automotive repair or the handling, sale or dispensing of petroleum products and/or automotive fluids, where any water main, Wastewater or Stormwater facility is under the jurisdiction of the County.

(2) The requirements of this Section shall not be applied to existing property uses except that whenever an installation permit shall be required for new construction or reconstruction of a property use associated with automotive repair or the handling, sale or dispensing of petroleum products and/or automotive fluids, involving placement, replacement, reconfiguration, removal or modification of any fueling area, or a Discharge has occurred that does not meet the Local Limits, or such property use has caused or contributed to a blockage.

## **§ 53.12 AMALGAM MANAGEMENT AT DENTAL OFFICES.**

(A) *Applicability.*

- (1) Except as provided in paragraphs (3), (4), and (5) of this section, this part applies to Dental Dischargers as defined in § 53.01(I).
- (2) Dental Dischargers subject to this part are not Significant Industrial Users as defined in 40 CFR Part 403, and are not Categorical Industrial Users or industrial users subject to Categorical Pretreatment Standards as those

terms and variations are used in 40 CFR Part 403, as a result of applicability of 40 CFR Part 441.

- (3) This part does not apply to Dental Dischargers that exclusively practice one or more of the following dental specialties: oral pathology, oral and maxillofacial radiology, oral and maxillofacial surgery, orthodontics, periodontics, or prosthodontics.
  - (4) This part does not apply to wastewater discharges from Mobile Units as defined in § 53.01(l) operated by a Dental Discharger.
  - (5) This part does not apply to Dental Dischargers that do not discharge any Amalgam Process Wastewater as defined in § 53.01(l) to a WRF, such as Dental Dischargers that collect all Dental Amalgam Process Wastewater for transfer to a Centralized Waste Treatment facility as defined in 40 CFR Part 437.
  - (6) Dental Dischargers that do not place Dental Amalgam as defined in § 53.01(l), and do not remove amalgam except in limited emergency or unplanned, unanticipated circumstances, and that certify such to the Control Authority as required in 40 CFR Section 441.50 are exempt from any further requirements of this part.
- (B) *Existing Dental Discharger Compliance.* Within the shortest reasonable time, any Existing Dental Discharger as defined in Section § 53.01(l) to this section must comply with the requirements of 40 CFR Section 441.30(a) that defines removal of amalgam solids and (b) implementation of two Best Management Practices. Dental Dischargers must file a One-Time Compliance Report per 40 CFR Section 441.50(a) by October 12, 2020, to the Village/City/USEPA Region V and maintain and make available for inspection defined records per 40 CFR Section 441.50(b).
- (1) If a transfer of an Existing Source occurs after July 14, 2020, the new owner must submit a new One-Time Compliance Report no later than ninety (90) calendar days after the transfer.
- (C) *New Dental Discharger Compliance.* As of July 14, 2017, any New Dental Discharger Source as defined in § 53.01(l) subject to this section must comply with the requirements of 40 CFR Section 441.40 that states discharges must comply with the requirements of 441.30(a) that defines removal of amalgam solids and (b) implementation of two Best Management Practices. Dental Dischargers must file a One-Time Compliance Report per 40 CFR Section 441.50(a) no later than ninety (90) calendar days following the introduction of wastewater into the WRF and maintain and make available for inspection defined records per 40 CFR Section 441.50(b).
- (1) If a transfer of a New Source occurs after July 14, 2017, the new owner must submit a new One-Time Compliance Report no later than ninety (90) calendar days after the transfer.
- (D) *Limited Dental Dischargers.* Limited Dental Dischargers must file a One-Time Compliance Report with certification that they do not remove dental amalgam except in limited emergency or unplanned, unanticipated circumstances by

October 12, 2020, for Existing Sources and within ninety (90) calendar days following the introduction of wastewater for New Sources.

- (E) *Signatory Requirements.* The One-Time Compliance Report must be signed and certified by a responsible corporate officer, a general partner or proprietor if the dental discharger is a partnership or sole proprietorship, or a duly authorized representative in accordance with the requirements of 40 CFR Section 403.12(j) and § 53.01(l) under Authorized Representative (5) and (6).

### **§ 53.13 VALIDITY; SEVERABILITY.**

- (A) All ordinances or parts of ordinances in conflict herewith are hereby repealed.
- (B) The invalidity of any section, clause, sentence, or provision of Chapters 53 and 54 shall not affect the validity of any other part of Chapters 53 and 54, which can be given effect without such invalid part or parts.
- (C) If there are any conflicting ordinances, the more strict, as determined by the Director, shall control.

(Ord. 19-1394, passed 9-10-2019)

### **§ 53.14 EFFECTIVE DATE.**

Chapters 53 and 54 shall be in full force and effect from and after its passage, approval, recording and publication as provided by law.

(Ord. 19-1394, passed 9-10-2019)

### **§ 53.15 VARIANCE AND APPEAL PROCESS.**

- (A) Variances from the regulatory standards of this chapter may be granted in accordance with the provisions below. Any application for a variance shall be made to the Engineering Supervisor and will require final approval from the Director.
- (B) Individuals seeking a variance must submit a letter addressed to the Engineering Supervisor. The letter must contain:
  - (1) A request for a variance;
  - (2) Citation to the relevant section of this chapter;
  - (3) A narrative describing the reason for the variance request.
- (C) The Public Works Department shall grant the variance request if all of the following criteria are met:
  - (1) There are exceptional or extraordinary circumstances that apply to the subject of the request that do not apply to similar properties, projects or requests.
  - (2) The variance will not threaten public health, safety, or welfare, or create a nuisance.

- (3) No additional public expense will result
  - (4) Cost to the applicant of strictly complying with this chapter is not the primary reason for granting the variance.
- (D) Approved variances are specific to the individual circumstances at the time of review. If the variance pertains to a physical improvement, re-review is required if the proposal or plan changes. If the improvements are not made within two years of the decision date, re-review is required.
- (E) If an application for variance is denied or approved with conditions unacceptable to the applicant, the applicant may file a written request for a review by the Director within 15 days. Such request for review shall set forth the basis for the Director to reverse or modify the initial decision. The Director shall evaluate any such request for review and issue a written decision thereon, which decision shall be final.