

**MIDWAY SEWER DISTRICT
RESOLUTION NO. 2018 -03**

RESOLUTION AMENDING DISTRICT CODE

Background: The District manages and operates their sewer system in accordance with state, local, and federal regulations.

While the District has discretion in setting performance and design criteria and standards for its sewer system, the criteria must meet or exceed the minimum standards for public sewers as established by the Washington State Department of Ecology (Ecology) in Chapters 90.48, 90.52, and 90.54 of the Revised Code of Washington (RCW).

The District has determined Chapter 5.04 of the Midway Sewer District Code “Sewer System Use Regulations” requires certain updates to remain in compliance with the minimum standards set forth above and to maintain the District’s sewer systems in a manner that meets the District’s adopted goals of providing safe, efficient and reliable sanitary sewer service.

Resolution: NOW THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Midway Sewer District approves the following additions to the Midway Sewer District Code:

Chapter 5.04.010 is revised as follows:

5.04.010 Definitions. Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as set forth in this section. Terms not specifically defined in this section shall be as defined in the publication, Glossary Water and Wastewater Control Engineering, latest edition, published by the American Public Health Association, American Society of Civil Engineers, American Water Works Association and the Water Pollution Control Federation.

“**ABS**” means acrylonitrile butadiene styrene

“**ANSI**” means the American National Standard Institute

“**ASTM**” means the American Society for Testing Materials

“**AWWA**” means the American Water Works Association

“**B.O.D.**,” means biochemical oxygen demand, which is the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty degrees Celsius, expressed in mg/l.

“**Commercial service**” means any sanitary sewer system servicing anything other than domestic service.

“**Cover**” means the depth of material lying between the top of a sewer or drain and the finish grade immediately above it.

“**Domestic service**” means any sanitary sewer system servicing a single-unit housing accommodation, whether it be single-family dwelling or apartment.

“**Downspout**” means a pipe which conducts water from a roof of a structure.

“**EPA**” means the United States Environmental Protection Agency

“**FOG**” means Fats, Oils and Grease consists of polar and non-polar FOG. Polar FOG originates from plant and animal sources. Non-polar FOG originates from mineral sources.

“**Garbage**” means putrescible waste from the preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

“**Grinder Pump**” means a small wastewater pump, usually sized for a single home, that grinds wastewater into a fine slurry before pumping to the central collection system.

“**HDPE**” means high density polyethylene

“**Inside connection**” means a side sewer constructed on private property from a plumbing outlet to a stub sewer.

“**mg/l**” means milligrams per liter

“**ml/l**” means milliliters per liter

“**MSDC**” means Midway Sewer District Code.

“**Multiple dwelling**” means a structure designed or used to house two or more families living independently of each other and including all necessary household functions of each family; and also house trailer and mobile home parks and courts, with each house trailer, mobile home parks deemed a separate unit; and also motels, hotels, apartments, cabins and cottages.

“**NaOH**” means sodium hydroxide also known as Caustic Soda

“**Natural outlet**” means any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

“**Outside connection**” means a sewer constructed in a public right-of-way where the public agency having jurisdiction of such right-of-way requires a permit fee or any other charge for a connection thereto.

“**Permit**” means written authorization from the District. A permit is required to make side sewer connections, repairs, alterations, set up deduct meters, disconnections and caps.

“**pH**” means a measure of the acidity or alkalinity of a solution on a logarithmic scale on which 7 is neutral, lower values are more acidic, and higher values more alkaline. The pH is equal to log of the hydrogen ion concentration in moles per liter.

“**Plumbing outlet**” means the part of the lowest horizontal piping of a drainage

system that receives the discharge from soil, waste and other drainage pipes inside the walls of a structure and conveys it to a side sewer.

“**ppm**” means parts per million

“**Properly shredded garbage**” means garbage which 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 inch in any dimension.

“**Public sewer**” means any sanitary sewer constructed within a public right-of-way or perpetual easement owned by the District, including but not limited to trunk sewers, lateral sewers, stub sewer and force mains.

“**PVC**” means polyvinyl chloride

“**Sanitary sewage**” means wastewater derived from domestic, commercial and industrial wastes and to which storm, surface, and ground waters are not intentionally admitted.

“**Sanitary sewer**” means a sewer which carries sanitary sewage.

“**Sewage**” is a comprehensive term, including industrial waste, storm drainage, and wastewater.

“**Side sewer**” means a sanitary sewer pipe leading from a plumbing outlet, drain or other facility to a stub sewer of a public sewer system. It begins thirty inches outside the inner face of a structure wall.

“**Single-family dwelling**” means a structure designed or used to house a single family.

“**Standard specifications**” means Standard Specifications for Road, Bridge and Municipal Construction published by the Washington State Department of Transportation and the American Public Works Association, Washington State Chapter, latest edition with latest revisions.

“**Storm drain**” means public or private drain which carries storm and surface waters, or drainage effluent from storm plumbing outlets, and other unpolluted water.

“**Structure**” means anything constructed or erected, the use of which requires location or attachment to something having location on the ground, including, but not limited to, buildings, house trailers and mobile homes, but not fences and walls.

“**Stub sewer**” means a sanitary sewer constructed from a lateral or trunk sewer to a property line or the edge of a perpetual easement of a property being served.

“**Suspended solids**” means solids that either float on the surface of, or are in suspension in water, wastewater, or other liquids, and which are largely removable by laboratory filtering.

“**TPH**” means total petroleum hydrocarbons

“**TSS**” means Total Suspended Solids

“**TTOC**” total toxic organic compounds

“**Unpolluted water**” means water in its natural state, or water which, after use for any purpose, is not substantially changed as to chemical or biochemical qualities.

“**Wastewater**” means the spent water of a community. It may be a combination of the liquid and water-carried wastes from residences, commercial structures, industrial plants and institutions, together with any groundwater, surface water and stormwater. (Res. 1999-08 §1; Res. 1979-28 §1).

A new Section 5.04.015 is added as follows:

5.04.015 Sewer Connection Ownership and Responsibility. The side sewer located on private property as defined in Section 5.04.10 shall be the property owner’s responsibility to construct, maintain and repair. The stub sewer located in the public right-of-way or on easements as defined in 5.04.20 shall be the responsibility of the District.

A new Section 5.04.135 is added as follows:

5.04.135 Grinder Pumps. Grinder Pumps may be allowed only when no other practical alternative to serve a residential connect by gravity is feasible. The determination of feasibility shall be made by the District. When Grinder Pumps are allowed, they shall meet the following minimum requirements:

- A. Grinder pump systems shall be Environment One Corporation (E/One) or approved equal.
- B. Grinder pump systems shall be designed to achieve a minimum of 2 feet per second minimum flow velocity from the grinder pump system to the District main in the public right-of-way.
- C. Grinder pump system piping shall be installed with cleanouts at the end of each line and at critical line size changes.
- D. The minimum grinder pump system storage volume shall be 70 gallons.
- E. The grinder pump system owner shall agree to maintain the grinder pump system on an annual basis with a prequalified professional maintenance service.
- F. In the event the grinder system is not adequately maintained or fails to function properly, the grinder pump system owner shall grant the District immediate access to the property to perform maintenance as required to make the grinder pump system operational and to assure continued successful service.
- G. Access on site shall include areas necessary to service the grinder pump and the discharge line should it be blocked.
- H. The property owner shall be financially responsible for material, equipment, labor expenses and vendor costs incurred by the District for the repair.
- I. Grinder pump system owner agrees that the District is not liable for any inconveniences, delays or damages caused by the District accessing the property and servicing the grinder system.

J. The grinder pump system and its operation and maintenance shall be tied to the property deeds and shall transfer completely to the next property owner upon sale of the property.

Section 5.04.360 is revised as follows:

5.04.360 Prohibited discharges. No person shall discharge or cause or permit to be discharged any substances, materials, waters, or wastes if it appears likely, in the opinion of the District Manager, that such wastes can harm either the sewers, sewage treatment process, or equipment; have an adverse effect on the receiving stream; degrade biosolids quality; or can otherwise endanger life, limb, public property, or constitute a nuisance. This includes, but is not limited to, any wastes or pollutants that adversely affect biosolids utilization or disposal practices, and the following prohibited substances.

A. Corrosive Substances. Any water, waste or mater having a pH lower than 5.0 or higher than 10.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the District sewer system.

1. Lower Limit. The **instantaneous minimum limit** is violated when any grab sample (a single, random sample) or continuous recording is less than **pH 5**. The **daily minimum limit** is violated when a recording of 15 minutes or longer remains below **pH 5.5**, or when four consecutive grab samples collected at 15-minute intervals or longer in a 24-hour period are all below **pH 5.5**.

2. Upper Limit. Discharges of more than fifty gallons per day of caustic solutions equivalent to more than one percent NaOH by weight or greater than pH 9.0 are prohibited unless authorized by permit and subject to special conditions to protect worker safety, the collection system, and treatment works;

B. High Temperature. Any liquid, vapor or matter having a temperature in excess of thirty-eight degrees Celsius (one hundred degrees Fahrenheit);

C. Obstructive Wastes. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, manure or any other solid or viscous substance capable of causing obstructions to normal flow in sewers or other interference with the proper operation of the District sewer system;

D. Toxic or Poisonous Substances. Any water, waste or matter containing toxic or poisonous substances in sufficient quantity to injure or interfere with any sewage or which creates any hazard in the receiving waters of the District sewer system;

E. Total Petroleum Hydrocarbon (TPH), also referred to as non-polar FOG, in excess of 100 mg/l as measured by standards set by the EPA. TPH concentrations in sludge must be monitored if any customer's effluent shows TPH as being present.

F. Suspended Solids. Any water, waste or matter containing suspended solids of such character and quantity that unusual attention or expense is required to handle at the sewage treatment plant of the District, or is in excess of three hundred mg/l;

G. Settleable Solids. Any settleable solids that exceed two ml/l;

H. B.O.D. Any water, waste or matter containing a five-day B.O.D. in excess of three hundred mg/l;

I. Fats, Oils and Greases.

1. FOG Accumulations and Obstructions

Discharges of FOG shall not result in significant accumulations which either alone or in combination with other wastes are capable of obstructing flow or that interfere with the operations or performance of sewer works or treatment facilities.

2. Non-Polar FOG (mineral origin)

Non-Polar FOG Limit: 100 mg/l

The limit for non-polar FOG is violated when the arithmetic mean of the concentration of three grab samples, taken no more frequently than at five (5) minute intervals, or when the results of a composite sample exceeds the limitation.

When using approved EPA protocols specified in 40 CFR Part 136, multiple grab samples collected during a 24-hour period may be composited prior to analysis.

Companies which violate the non-polar FOG limit may be required to complete, for District review and approval, a FOG control plan as outlined below.

3. Polar FOG (animal and vegetable origin)

Dischargers of polar FOG shall minimize free floating polar FOG. Dischargers may not add emulsifying agents exclusively for the purposes of emulsifying free-floating FOG.

Companies which discharge free floating polar FOG will be required to complete, for District review and approval, a FOG control plan as outlined below.

4. FOG Control Plans

The goal of the FOG control plan is to implement reasonable and technically feasible controls of free floating FOG. The basic components of the FOG control plan should include:

- a. A written policy articulating management and corporate support for the plan and a commitment to implement planned activities and achieve established goals.
- b. A description of the facility type and a summary of the products made and/or service provided.
- c. Quantities of FOG brought into the facility as raw product, amounts contained in products, and quantities discharged to the sewer.
- d. Schematics of process areas illustrating drains and discharge points connected to the sewer.
- e. A description of current reduction, recycling, and treatment activities.

- f. Identification of a full range of potentially feasible reduction opportunities.
- g. A description of the reduction or control opportunities selected for implementation, process(es) affected, and estimated reductions to be achieved.
- h. Specific performance goals and implementation schedule.

J. Noxious Substances. Any noxious or malodorous gases or substances capable of creating a public nuisance, including but not limited to, garbage, paper, plastic and the contents of septic tanks and cesspools without the written consent of the District;

K. TTOC's in excess of 2.13 mg/l. Volatile organic compounds are as defined Priority Pollutants by the EPA. In sewer lines, organic compounds such as solvents, cleaners, thinners, pesticides, and laboratory chemicals may cause toxic gases and fumes, which may harm sewer workers. No person shall discharge any organic pollutants that result in the presence of toxic gases, vapors, or fumes within a public or private sewer or treatment works in a quantity that may cause acute worker health and safety problems.

L. Hydrogen Sulfide. Atmospheric hydrogen sulfide greater than ten ppm as measured at a monitoring manhole designated by the District. Soluble sulfide limits may be established on a case-by-case basis, depending upon volume of discharge and conditions in the receiving sewer, including oxygen content and existing sulfide concentrations.

M. Restricted Substances. No water, waste or matter may exceed the following local limits in mg/l as a daily average:

Arsenic	0.065	Lead	0.28
Cadmium	0.040	Mercury	0.018
Total Chrome	1.1	Nickel	0.78
Copper	1.1	Selenium	0.045
Cyanide	4.9	Silver	1.14
		Zinc	2.0

(Res. 1999-08 § 7: Res. 1995-14 § 1: Res. 1994-18 § 1)

Section 5.04.340 is recodified as Section 5.04.295 and revised as follows:

5.04.295 Tees, Wyes and Taps. A contractor must install or connect a stub sewer line to a tee and shall promptly notify the District if a tee or wye is not found. Taps are not allowed. (Res. 1999-08 §5: Res. 1979-28 §8)

Section 5.04.370 is revised as follows:

5.04.370 Grease, Oil, Sand Interceptors and Traps. Grease, oil and sand interceptors shall be provided when, in the opinion of the District, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any inflammable wastes, sand, and other harmful ingredients, except that such interceptors shall not be required for private living quarters. All interceptors shall be designed by a professional engineer and approved by the District and shall be located so as to be readily and easily accessible for cleaning and inspection, and shall be maintained by the owner, at his own expense, in continuously efficient operation at all times. Grease interceptors and traps shall apply to all commercial wastewater customers that

have food handling and preparation services or otherwise generate fats, oils and greases. Discharges of FOG shall not result in significant accumulations which either alone or in combination with other wastes are capable of obstructing flow or that interfere with the operations or performance of sewer works or treatment facilities.

Non-Polar FOG (mineral origin) Limit: The limit is set in Section 5.04.360 E.

The limit for non-polar FOG is violated when the arithmetic mean of the concentration of three grab samples, taken no more frequently than at five (5) minute intervals, or when the results of a composite sample exceeds the limitation, as measured by standards set by EPA Test Method 1664.

Polar FOG (animal and vegetable origin) Limit: The limit is set in Section 5.04.360 I.

Dischargers of polar FOG shall minimize free floating polar FOG. Dischargers may not add emulsifying agents exclusively for the purposes of emulsifying free-floating FOG. Companies which discharge free floating polar FOG will be required to complete, for District review and approval, a FOG control plan as outlined below.

FOG Control Plans

The goal of the FOG control plan is to implement reasonable and technically feasible controls of free floating FOG. The basic components of the FOG control plan should include:

1. A written policy articulating management and corporate support for the plan and a commitment to implement planned activities and achieve established goals.
2. A description of the facility type and a summary of the products made and/or service provided.
3. Quantities of FOG brought into the facility as raw product, amounts contained in products, and quantities discharged to the sewer.
4. Schematics of process areas illustrating drains and discharge points connected to the sewer.
5. A description of current reduction, recycling, and treatment activities.
6. Identification of a full range of potentially feasible reduction opportunities.
7. A description of the reduction or control opportunities selected for implementation, process(es) affected, and estimated reductions to be achieved.
8. Specific performance goals and implementation schedule. (Res. 1999-08 §8: Res. 1979-28 § 9 (C))

Section 5.04.370 is revised as follows:

5.04.410 Service agreements.

A. Eligibility. Properties in the District which have not been assessed or are outside the District, and for which sewer service is available or the board of Commissioners agrees to make available, may connect to the District sewer system only after the owner thereof enters into a sewer service agreement with the District, unless the owner pays in full a connection charge in lieu of assessment as per subsection B of this section.

B. Provisions. Sewer service agreements shall provide that:

1. When sewer service is available to the property, the owner thereof may connect thereto at his own expense and agree to pay a charge in lieu of assessment on such terms, including rate of interest, as the board of commissioners from time to time may deem appropriate.

2. The connection charge in lieu of assessment for property to which sewer service has already been made in accordance with Sections 5.12 and 5.16 and as the same may be amended. The connection charge in lieu of assessment for property to which the District must arrange to provide sewer service shall be determined at such time by the board of Commissioners.

3. Until the charge in lieu of assessment is paid in full, including interest, the unpaid balance shall constitute a lien on the property and time shall be made of the essence.

4. Should any installment payment not be timely made, including interest, the District may, at its option, either sever the connection to its sewer system and terminate the sewer service agreement, retaining all sums theretofore paid in lieu of an assessment for service to that date, or declare the entire unpaid balance, both principal and interest, due and payable in full, and foreclose its lien for such amount on the property, in which event the prevailing party shall be entitled to reasonable attorney's fees.

5. The owner shall pay to the District, at the time of the actual connection, the usual permit fee for such connection (See Section 5.04.100) and thereafter shall pay to the District, when due, the usual and normal monthly sewer service charges.

6. Any and all other property owned by the same owner, whether or not abutting or adjoining the property covered by the sewer service agreement, shall not be affected by or covered by the sewer service agreement.

7. It shall constitute a covenant running with the land and be binding upon the heirs, successors and assigns of the owner and the District.

8. Other provisions may be required as the board of commissioners may from time to time deem appropriate.

C. Recording. The signatures of all owners to sewer service agreements shall be acknowledged and each sewer service agreement shall, upon execution and acknowledgement, be recorded with the King County Recorder.

D. Partial Releases. Partial releases of the liens created by sewer service agreements shall be in writing and signed by the board of commissioners. They may be approved as the board of commissioners from time to time deem appropriate. (Res. 1994-13 § 1 (part); Res. 1979-28 § 14)

Adoption: ADOPTED at a regular meeting of the Board of Commissioners of Midway Sewer District on March 28, 2018 the following Commissioners being present and voting:

Commissioner

Commissioner

Commissioner

Commissioner

Commissioner