RESOLUTION 80-6

To Approve the Rules for the Bloomington Wastewater Utility

BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

The Bloomington Common Council approves the attached Rules of the Bloomington Wastewater Utility that were approved by the Utilities Service Board on January 28, 1980.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 10th day of July, 1980.

Tomilea Allison
Tomilea Allison, President
Bloomington Common Council

SIGNED and APPROVED by me upon this 11th day of July, 1980.

Francis X. McCloskey
Francis X. McCloskey, Mayor
City of Bloomington

ATTEST:

Nora M. Connors
Nora M. Connors, City Clerk

SYNOPSIS

This resolution requests the Council's approval of the rules adopted by the Utilities Service Board on January 28, 1980 for the wastewater utility. Portions of the new rules which involve penalties and fees and which should therefore be part of the Municipal Code are incorporated in Ordinance 80-26.

RULES

FOR

THE CITY OF BLOOMINGTON

WASTEWATER UTILITY

MAY 22, 1980

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RULE 1. Definitions.

A. "Act" is the Federal Water Pollution Control [illegible] of 1972 - P.L. 92-[illegible]

B. "Biochemical Oxygen Demand" or "BOD" of wastewater, wastewater effluent, polluted waters or industrial wastes shall mean the quantity of dissolved oxygen in milligrams per liter required during stabilization of the decomposable organic matter by aerobic biochemical action under standard laboratory procedures.

C. "Board" shall mean the Utilities Service Board of the City of Bloomington, Indiana, or any duly authorized officials acting in its behalf.

D. "Building (or House) Drain" shall mean that part of the lowest horizontal piping of a building drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the buildings and conveys it to a point approximately three feet outside the foundation wall of the building.

E. "Building (or House) Sewer Lateral" shall mean the pipe which is connected to the building (or house) drain at a point approximately three feet outside the foundation wall of the building and which conveys the building's discharge from that point to the public sewer or other place of disposal.

F. "Chemical Oxygen Demand" or "COD" of wastewater, wastewater effluent, polluted water or industrial wastes is a measure of the oxygen equivalent of that portion of the organic and inorganic matter in a sample that is susceptible to oxidation by a strong chemical oxidant.

G. "City" shall mean the City of Bloomington, Indiana or any duly authorized officials acting in its behalf.

H. "Commercial User" means any other generator of wastewater other than a Residential User, Indiana University User, or Industrial User as defined in these rules.

I. "Conventional pollutant" means those pollutants designated by the Act to include BOD, total suspended solids, pH, fecal coliform, oil and grease and such additional pollutants which may be specified and controlled in this City's NPDES permits for its wastewater treatment works where said works have been designed and used to reduce or remove such pollutants.

J. "Cooling water" means the water discharged from any use such as air conditioning, cooling or refrigeration, during which the only pollutant added to the water is heat.

K. "Director" means the Director of Utilities of this City or his duly appointed deputy, agent or representative.

L. "Domestic wastes" means liquid wastes (1) from the non-commercial preparation, cooking and handling of food or (2) containing human excrement and similar matter from the sanitary conveniences of dwellings, commercial buildings, industrial facilities, and institutions.

M. "Effluent" shall mean the water, together with any wastes that may be present, flowing out of a drain, sewer, receptacle or outlet.

N. "Garbage" means solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from handling, storage and sale of food.

"Illegal connections" shall mean connections to the sewer which have not been approved by the [illegible]ility Engineer.

P. "Indiana University User" means any Indiana University owned property located on the central campus which generates wastewater.

Q. "Industrial wastewater" means the liquid wastes resulting from the processes employed in industrial, manufacturing, trade or business establishments where characteristics of wastes are entirely different from domestic wastes.

R. "Industrial User" means any non-governmental, non-residential generator of wastewater with industrial waste discharges and with contributed volumes averaging 25,000 gallons or more per day of equivalent sanitary waste (or the weight of Biochemical Oxygen Demand (BOD) or Suspended Solids (SS) equivalent to that waste found in 25,000 gallons per day of sanitary wastes) or a volume of process waste; or has in its waste a toxic pollutant in toxic amounts; or is found to have significant impact, either singly or in combination with other contributing industries, on the wastewater treatment works or upon the quality of the treatment works effluent.

S. "Lateral" shall mean the pipe which is connected to the building or house drain at a point approximately three feet outside the foundation wall of the building and which conveys the building's discharge from that point to the public sewer or other place of disposal. "Lateral" may also be referred to as Building Lateral or House Lateral.

T. "National Pollutant Discharge Elimination System (NPDES)" means the program for issuing, conditioning and denying permits for the discharge of pollutants from point sources into the navigable waters, the contiguous zone and the oceans pursuant to the Act.

U. "Nonconventional pollutants" means all pollutants other than toxic or conventional pursuant to the Act.

V. "O & M" means the cost of operation and maintenance of the treatment works, including replacement costs. It means the expenses for supplies, materials, salaries and equipment necessary for the normal operation of the treatment works, including overhead, meter reading, bill preparation, collection system costs, sewer equipment maintenance and treatment works equipment maintenance.

W. "Outlet" shall mean any outlet, natural or constructed, which is the point of final discharge of wastewater or of treatment plant effluent into any watercourse, pond, ditch, lake or other body of surface or ground water.

X. "Person" means any individual, firm, company, partnership, corporation, association, group or society, and includes the State of Indiana, and agencies, districts, commissions and political subdivisions created by or pursuant to State law.

Y. "pH" indicates whether the solution is acidic or alkaline. A pH of 7 is neutral; a pH of less than 7 is acidic; a pH of greater than 7 is alkaline.

Z. "Pollutant" shall mean any substance that degrades the quality of water.

AA. "Pretreatment" means application of physical, chemical and biological processes to reduce the amount of pollutants in or alter the nature of the pollutant properties in a wastewater prior to discharging such wastewater in the publicly owned wastewater treatment system.

BB. "Pretreatment standards" means all applicable Federal rules and regulations

implementing the Act, as [illegible] and the [illegible] appurtenances [illegible] dards. In cases of conflicting standards or [illegible]lations, the more [illegible]gent thereof shall be applied.

CC. "Primary sewer main" for purposes of these rules shall mean the public sewer main which is required to transport wastewater from the property line of the nearest prospective customer to the proposed point of connection at the wastewater treatment works' existing sewer main.

DD. "Replacement costs" shall mean expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary to maintain the capacity and performance during the useful life of the wastewater treatment works for which such works were designed and constructed.

EE. "Receiving stream" shall mean the watercourse, stream or body of water receiving the waters finally discharged from the wastewater treatment plant.

FF. "Residential User" means any single or double family dwelling which generates wastewater.

GG. "Sanitary sewage" shall mean wastewater discharged from the sanitary conveniences of dwellings (including apartment houses, hotels and motels), office buildings, factories or institutions and free from storm water, surface water and industrial wastes.

HH. "Secondary sewer main" for purposes of these rules shall mean the public sewer main which is required to provide service from a prospective customer to the primary sewer main.

II. "Service charge" shall mean the basic charge levied on all users of the public wastewater system for operation and maintenance expenses.

JJ. "Sewage" shall mean the water-carried wastes from residences, business buildings, institutions and industrial establishments, singular or in any combination, together with such ground, surface and storm waters as may be present.

KK. "Sewage treatment plant" shall mean the arrangement of devices, structures and equipment used for treating and disposing of wastewater and sludge.

LL. "Sewage works" shall mean the organization and all facilities for collecting, transporting, pumping, treating and disposing of wastewater and sludge, namely the sewerage system and the wastewater treatment plant.

MM. "Sewer" shall mean a pipe or conduit for carrying wastewater or other waste liquids.

(1) "Public sewer" shall mean a primary sewer or secondary sewer in which all owners of abutting property have equal rights and which is controlled by the sewage works.

(2) "Sanitary sewer" shall mean a sewer which carries wastewater and to which all storm, surface and ground waters and unpolluted industrial wastewaters are not intentionally admitted.

(3) "Storm sewer" shall mean a sewer which carries storm and surface water drainage but excludes wastewater.

NN. "Sewerage system" or Sewage system" shall mean the network of sewers and appurtenances used for collecting, transporting and pumping sewage to the wastewater treatment plant.

"Shall" is mandatory, "may is permissible.

PP. "Slug" shall mean a[illegible]scharge of water, wastewater or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration of flows during normal operation.

QQ. "Special service charge" shall mean the extra charges for sewerage service assessed customers whose wastewater is of such a nature that it imposes upon the sewage works a burden greater than that covered by the basic service charge.

RR. "Standard Methods" shall mean the examination and analytical procedures set forth in the most recent edition of (1) "Standard Methods for the Examination of Water and Wastewater," published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation; (2) "Annual Book of ASTM Standards," published by American Society for Testing and Materials; (3) "EPA Manual--Methods of Chemical Analysis of Water and Wastes."

SS. "Storm water" means any flow occurring during or immediately following any form of natural precipitation and resulting therefrom.

TT. "Suspended solids" shall mean the solids which either float on the surface or are in suspension in water, wastewater or other liquid and which are removable by laboratory filtration on a glass fiber filter. Their concentration shall be expressed in milligrams per liter.

UU. "Toxic pollutant" means those pollutants designated pursuant to the Act.

VV. "Unpolluted water" is water not containing any pollutants limited or prohibited by the effluent standards in effect, or water whose discharge will not cause any violation of receiving water quality standards.

WW. "User" means any person who discharges, causes or permits the discharge of wastewater into the City's wastewater treatment system. "User" shall be interchangeable with "customer."

XX. "User charge" means the charge levied on users of wastewater treatment works for the cost of operation and maintenance of such works including replacement expenditures.

YY. "Utility" is the City of Bloomington, Indiana, wastewater utility, also referred to as the "Municipal Utility."

ZZ. "Wastewater" means the liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, whether pretreated or not, which is discharged into or permitted to enter the City's treatment works. The terms wastewater and sewage can be used interchangeably throughout these Rules.

AAA. "Wastewater treatment system or wastewater treatment works" means any devices, facilities, structures, equipment or works owned by the City for the purpose of the transmission, storage, treatment, recycling and reclamation of industrial and domestic wastes, or necessary to recycle or reuse water at the most economical cost over the estimated life of the system, including intercepting sewers, outfall sewers, sewage collection systems,

[illegible]nstruction shall be permitted over [illegible]

pumping, power, and other equipment and the [illegible] appurtenances; extensions, improvements, remodeling, additions, and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment. The terms "sewage treatment facility," "sewage plant," "wastewater treatment plant" and "wastewater treatment facility" can be used interchangeably throughout these rules.

AAA. "Watercourse" shall mean a channel in which a flow of water occurs either continuously or intermittently.

Terms not otherwise defined herein shall be as adopted in the latest edition of Glossary of Water and Wastewater Engineering, jointly published by the American Public Health Association, The American Water Works Association, The Water Pollution Control Federation and The American Society of Civil Engineers.

RULE 2. Public Inspection and Information.

A. Inspection. Copies of all rates, rules, regulations and policies under which utility service will be supplied by the Municipal Utility are filed and posted in the Commercial Office of the Municipal Utility of the City of Bloomington, Indiana. Said rates, rules, regulations and policies shall be open for examination by the public during the regular business hours of the Commercial Office.

B. Information to Applicants and Customers. The Utility shall print and distribute, without request, to all applicants for service and to all current customers (1) a comprehensive description of all customer's rights and responsibilities under these Rules and (2) a general description of available service and equipment.

C. Rate Schedules. The Utility shall supply to new applicants or existing customers free of charge a copy of the rate schedules applicable to the types of service available, upon request by the applicant or customer.

RULE 3. Billing and Payment Standards.

A. Billing frequency. The Utility shall, after the initial bill for new service is rendered, render a bill once during each billing month to every customer to be paid at the Commercial Office of the Utility during business hours, or at such other place or places as may be determined by the Board.

B. Payment of bill. The Utility shall allow each customer at least twenty-five (25) days from the mailing of each bill, for payment in full, without penalty.

C. Computation of payment period. The date of receipt of a bill shall be presumed to be three (3) days after the date of mailing, however the presumption may be rebutted by contrary evidence. If the last calendar day for remittance falls upon a day when the Utility's Commercial Office is closed to the general public, the final payment date shall be extended through the next business day.

D. Billing information. Each bill for service rendered by the Utility shall be in writing and shall show at least the following information:

(1) The dates and meter readings at the beginning and end of the period for which the bill is rendered;

(2) The billing date;

(3) The number and kind of units of service supplied;

(4) The billing rate code, if any;

(5) The previous balance, if any;

(6) The amount of the bill;

(7) The sum of the amount of the bill and the late payment charge, if any;

(8) The date on which the bill becomes delinquent and on which a late payment charge will be added to the bill;

(9) If an estimated bill, a clear and conspicuous coding or other indication identifying the bill as an estimated bill;

(10) Printed statements and/or actual figures on either side of the bill informing the customer of the twenty-five (25) day non-penalty period;

(11) An explanation, which can be readily understood, of all codes and/or symbols.

E. Delinquencies. Each bill shall be rendered as a net bill. If the net bill is not paid within twenty-five (25) days after the bill is mailed, it shall become a delinquent bill. A late charge may be added to each customer's bill in the amount of three percent (3%) of the unpaid balance.

F. Estimated billing. The Utility may estimate the amount to be billed any customer pursuant to a billing procedure approved by the Board, or for good cause. "Good cause" shall include, but not be limited to, the request of the customer; inclement weather; labor or union disputes; inaccessibility of a customer's meter, provided the Utility has made a reasonable attempt to read it; and other circumstances beyond the control of the Utility, its agents and its employees. The Utility may read meters on a bi-monthly basis.

RULE 4. Adjustment of Bills.

A. Adjustment for interruption of service. In the event the customer's service is interrupted for a reason other than the act of the customer or the condition of the customer's control equipment, and the service remains interrupted for more than two (2) days after being reported or found to be out of order, appropriate adjustments or refunds shall be made in accordance with the Rate Schedule, attached hereto and made a part hereof.

B. Other billing adjustments. All other billing errors may be adjusted to the known date of error or for a period of one (1) year, whichever period is shorter.

C. Illegal connections. In cases where connections are made to the wastewater treatment system which have not been approved by the Utilities Engineer, service will be immediately disconnected and a charge to recover losses, together with a service charge not to exceed six (6) months estimated billing, will be made.

RULE 5. Rates.

Rates or charges shall be collected for the use of and the service rendered by said wastewater utility, from the owners of each and every lot, parcel of real estate or building that is connected with and uses such utility by or through any part of the wastewater system of the City, which rates or charges shall be payable as herein provided, and in an amount determined in the rate schedule.

A. Quantity of water used. The Residential User rates and charges shall be based upon the quantity of water used on or in the property or premises subject to the rates and charges, as water is measured by the City water meter there in use, except as otherwise provided. Residential summer rates for the months of June, July, August and September shall be based upon the average of April and May or actual usage, whichever is less. All other users shall be charged on the basis of one hundred per cent of metered water consumption subject to user proof of lower wastewater use. Industrial user rates and charges shall be based on the quantity of water used as well as any special service rates that may apply.

B. Exemptions. Water which is used in process of manufacture or for any other purpose which does not discharge into the sanitary sewers shall be exempted; provided, however, that the property owner shall install, under the supervision of the City, the necessary meters to indicate the amount of water used which does not discharge into the sanitary sewers. All such meter installation and maintenance costs shall be paid by the customer. A monthly service charge for each such meter shall be made pursuant to the Rate Schedule. A monthly charge shall also be made for reading the meter so installed. Drawings must be submitted to the Utilities Engineer showing where the water enters the nearest watercourse.

C. Measurement of water.

(1) In the event a lot, parcel of real estate or building discharging sanitary wastewater, water or other liquids into the sanitary wastewater system of the City, either directly or indirectly, is not a user of water supplied by the City, and the water used thereon or therein is not measured by a City water meter or by a meter acceptable to the City, then the amount of water used shall be otherwise measured or determined by the City in order to determine the rate or charge provided for in this rule, or the owner or other interested party, at his expense may install and maintain a meter acceptable to the City for said purpose.

(2) In the event of a lot, parcel of real estate or building discharges wastewater in the form of industrial waste either directly or indirectly into the City wastewater system and the City finds it is not practical to attempt to measure such wastes by meter, the same shall be measured in such manner and by such methods as the City may find practical in the light of the conditions and attendent circumstances of the case in order to determine the rate or charge according to the corresponding rates per thousand gallons provided in the Rate Schedule. Higher than average wastewater strengths shall pay accordingly.

D. Septic tank haulers. [illegible]l septic tank haulers will secure from the Commercial Office a book of coupons at a price found in the rate schedule. At the time of delivery of septic tank refuse to the wastewater treatment facility, the hauler will relinquish one coupon which will be time dated.

E. Collection and Foreclosure of Lien.

(1) In addition to the methods of collection of such rates or charges, including the penalty thereon, when the same becomes delinquent as hereinabove provided, the Utility shall have the right to foreclose the lien. The Utility shall recover the amount of such rates or charges and the penalty thereon, together with a reasonable attorney's fee, pursuant to the provisions of the Indiana Code, and all acts amendatory thereof or supplemental thereto.

(2) The Utility shall not involve itself in the landlord-tenant relationship. The Utility shall have the right to foreclose the lien, as above described, against rental property regardless of whether the delinquency in payment was created by the tenant or owner.

F. Biennial review. Not less than every two (2) years the Board shall review the wastewater contribution of users and user classes, the total cost of operation and maintenance of the treatment works and its User Charge System. The Board shall, subject to enactment by the Bloomington Common Council, revise the charges for users and user classes to accomplish the following:

(1) Maintain the proportionate distribution of operation and maintenance costs among the user and user classes,

(2) Generate sufficient revenue to pay the total operation and maintenance costs necessary for proper operation and maintenance (including replacement) of the treatment works, bond payments and routine improvements.

RULE 6. Sewer Main Connections and Construction.

A. General Construction Regulations.

(1) All public sewer mains shall be no smaller than 8 inches in diameter.

(2) No more than one (1) user shall be connected to a lateral.

(3) The Utilities Engineer shall, from time to time, specify technical regulations concerning the construction of and connection to sewer mains.

B. Easements.

(1) All easements showing the location of sewer main construction shall be filed with the Utilities Engineer prior to the commencement of any construction or rebate payments.

(2) No construction shall be permitted over sewer easements.

C. Inspections.

(1) All sewer main construction or extensions shall be approved and inspected by the Utilities Engineer according to the Utility Engineer's standards.

(2) No fee shall be charged for inspections done during normal working hours. Inspections conducted after working hours shall be subject to a fee as provided in the Rate Schedule.

D. Commercial or Residential Development. All developments which may at a later time, be subdivided, shall comply with all rules and regulations governing potential later use.

RULE 7. Extension of Sewer Mains.

The extension of sewer mains and related facilities may be accomplished under either Rule 7 (A) or 7 (B) as directed by the Board, provided that said extension is within the corporate limits of the City of Bloomington.

A. Extensions constructed by Utility.

(1) Free extensions. The Utility, upon written request for service by a prospective customer, or a group of prospective customers located in the same neighborhood, shall extend a main and connect the customer, or customers thereto free of charge as necessary to provide the service requested if the cost of such installation does not exceed three (3) times the estimated annual revenue from the original customer, or customers, which investment by the Utility shall be first applied to the cost of connecting the customer, or customers, to the main; subject, however, to the condition that such customer, or customers agree to take service within nine (9) months following the date on which such extension is placed in service.

(2) Extensions above free limit. If the cost of the extension required in order to furnish service by the Utility is greater than the free extension specified in paragraph (1) above, such an extension shall be made, upon receipt by the Utility of a case deposit as provided in subparagraph (2) (a) below, and under the following conditions, without specific approval of the agreement by the Board:

(a) Determination of cost of extensions.

1. The Utility shall prepare an estimate of the total cost of the extension from its existing main or mains which is to serve the extension to the end of the lot or frontage of the most remote original applicant to be served.

If this lot or frontage is a corner lot abutting an intersecting street in which an existing main is

located, then the terminal point of the extension shall be located so that the main constructed ties in with the existing main located in such intersecting street.

If the existing main which is to serve the extension terminates within the limits of a lot having available sewer service, and if the extension is to serve only the lot immediately adjacent thereto, then the Utility shall be responsible for bearing the cost of extending the main to the far end of the lot where sewer service is available and this terminal point shall be considered the beginning point of the requested main extension.

If the street in which the main is to be laid dead ends in a cul-de-sac or appears to be permanently dead ended against a railroad, creek, river, or other physical or natural barrier, then the estimated cost of the main extension, if serving the most remote lot or frontage, shall be based on a termination point at the most remote service line connection. Such estimated cost of the main extension shall be computed in accordance with the provisions of paragraph (3) below and the amount as so determined shall constitute and be referred to herein as the cost of the main extension.

ii. The cost so estimated in subparagraph (2) (a) (i) above may be adjusted to the actual cost by the Utility, in which event the actual cost as finally determined shall constitute the cost of the main extension as referred to herein.

If the main extension agreement provides for the adjustment of the estimated cost of the main extension to the actual cost, the adjustment shall be made upon completion of the main extension, as follows: should the actual cost of the extension be less than the estimated cost, the Utility shall refund the difference to the original depositor as soon as the actual cost of the extension has been determined; should the actual cost of the extension exceed the estimated cost, then the Utility shall bill the original depositor for, and such depositor shall pay, the difference between the estimated cost and the actual cost.

(b) Determination of number of lots to be served by the extension. A determination shall be made of the number of lots to be served by the main extension. Only lots which directly abut the main extension between its original beginning and its original terminus shall be included in such determination. If all or any part of such main extension is located within an area platted or to be platted, the number of such lots

as shown within such plat to be se[illegible]d shall be included. If all or any part of such main extension is located in an unplatted area, the number of lots to be included shall be determined by dividing the total front footage of the main extension within such unplatted area on either or both sides of the street, alley or right-of-way in which the main is located by 100 feet and rounded to the nearest whole number of lots, provided either or both sides respectively, are available for future development and not restricted against usage because of limited access or for other reasons. The determination of the number of lots for a particular extension may include a combination of platted and unplatted lots as defined above. Any further main extension subsequently connected to the original main extension shall, for all purposes under this Rule, constitute a separate main extension.

(c) Determination of cost per lot. The total number of lots to be served by the main extension shall be divided into the cost of such main extension, as determined above, in order to calculate the cost per lot of the main extension, except as provided in subparagraph (e) (iii) below.

(d) Basis and allocation of initial deposit. The basis for the initial deposit for the main extension shall be the cost of installation of the sewer main, less the amount by which three (3) times the estimated annual revenue for service to each original applicant or applicants, who agree to take service from the proposed main extension within nine (9) months after the main is placed into service, exceeds the Utility's estimated investment in connecting the applicant or applicants to the main.

The total initial deposit may either be made in cash payment or it may be secured by an irrevocable letter of credit acceptable to the Utility and issued by a national banking association or a bank chartered under the laws of the State of Indiana or secured in another manner which is mutually acceptable to the parties and which guarantees payment of the deposit immediately upon completion of the construction of the extension.

In the case of a residential real estate development, no immediate revenue allowance shall be deducted from the cost of such extension in determining the amount of the total initial deposit, except for those residential dwelling units, if any, where construction has commenced above the first floor level. In the case of a commercial or industrial real estate development, no immediate revenue allowance shall be deducted from the cost of such extension in determining the amount of the total initial deposit, except where construction has commenced and pertinent data, such as service pipe(s), metering arrangements, and sewerage demands, have been furnished to

Utility's contributions in aid of construction. All other deposits shall be held as customers' advances for construction until returned to the depositors or turned over to the Attorney General of the State of Indiana as required by the Uniform Disposition of Unclaimed Property Act (IC 32-9-1-1), as the same may be amended from time to time, as required by subparagraph (2) (g), above.

(3) Computation of cost.

(a) Actual and estimated costs. The cost of each main extension made hereunder shall, as set out in subparagraph (2) (a) above, be either the actual cost of the extension, or it may be computed by applying the appropriate actual average costs for similar conditions experienced by the Utility during its preceding fiscal year, plus or minus any amount necessary to adjust for known cost increases or decreases respectively.

The computation of cost, either actual or estimated, shall be based on an 8-inch main, unless a larger or smaller main as determined by the Utility, is reasonably necessary to serve the proposed customer or customers, in which event the cost, estimated or actual, shall be based on the size of main required. If the cost is estimated, the computation shall be made by applying the Utility's appropriate actual average cost for the immediately preceding year of the main size and related facilities required, adjusted for known cost increases or decreases as above provided. In the absence of representative cost data for the previous year for any size or type of main or for any special construction incident to, or for any particular related facility involved in a main extension, the cost thereof as used for this purpose shall be the best estimate of the Utility of the cost of such mains, special construction; or related facilities based upon current available information.

If for the Utility's future extension plans a larger main is reasonably necessary for the service required, the difference in the cost of the larger pipe size and increased material and installation cost, if any, shall be borne by the Utility. If the original applicant or applicants request(s) service and it is determined by the Utility that a main larger than 8-inch is reasonably necessary to serve the requirements of said original applicant or applicants, and such requirements of the original applicant or applicants, are significantly in excess of such requirements of the other prospective customers along the intervening route of the main, the deposit or subsequent connectors' fee for the other

prospective customers shall be calculated as provided under subparagraph (2) (e) above, except that the cost of the main extension for the purpose of determining the required deposit of subsequent customers, shall be based on a smaller size, which is determined by the Utility to be adequate to meet the requirements of the other prospective customers along said intervening route.

(b) Information. All estimates of costs as required in (3) (a) above shall be determined by the Utility as aforesaid. In the event that the applicant is required to make any payment, the Utility shall upon request make available to the applicant:

i. The information used to establish the basis for the "estimated total revenue for a period of three (3) years to be realized by the Utility from permanent and continuing customers on such extensions".

(4) Contract for services. The Utility shall not be required to make extensions as described in this Rule unless the customers initially to be served by such extensions shall contract to use the service for a period of three (3) years. A bond may be required in this regard.

(5) Special contracts. In instances where

(a) The requested main is of such length and the prospective business to be developed by it is so meager as to make it doubtful whether the business from the extension would ever pay a fair return on the investment involved in such extensions, or

(b) The prospects are that the patronage and demand will not be of such permanency as to warrant the capital expenditure involved, or

(c) There are industrial installations requiring extensive sewer utility investment and where the demand for sewer service is expected to be slight, irregular or of unknown quantiy, or

(d) In any other abnormal or out of the ordinary circumstances, the Utility and the party or parties requesting such extension may enter into a special contract establishing the terms and conditions upon which such extension will be made.

(6) Other basis of extensions permissible. This Rule shall not be construed as prohibiting the Utility from making free extensions of lengths greater than hereinabove specified or from providing a method of return of deposits for extensions more favorable to customers or depositors, so long as no discrimination is practiced among customers or depositors whose service requirements are similar.

(7) Engineering practices. The Utility shall use good utility and engineering practices in determining the route for all main extensions. Any change or extension must be approved by the Utility prior to commencing work.

B. Extensions constructed by subdivision or prospective customer. As an alternative to Rule 7 (A), the Board may direct that extensions of mains and related facilities shall be accomplished under this provision, provided that said extension is within the corporate limits of the City of Bloomington.

A subdivider, prospective customer, or group of prospective customers in the same neighborhood may apply for extension of sewer mains, related facilities, and the connection of customers thereto as follows:

(1) Application. A preliminary application shall be made to the Board on a form provided by the Utility. In the case of subdivisions, no application will be approved until the subdivision plan itself has received the preliminary approval of the City of Bloomington Plan Commission and no contract for repayment, as hereinafter provided, shall be executed by the Board until after the final approval of the subdivision plat has been given by the City of Bloomington Plan Commission and the approved plat recorded. The applicant shall submit plans and specifications for the proposed sewer main extensions to the utility engineer for his approval.

(2) Utility requirements. If, for the Utility's future extension plans, a main larger than 6" or 8" is reasonably necessary, the difference in the cost of the larger pipe size and the increased cost of installation shall be borne by the Utility.

(3) Costs. The applicant proceeding under Rule 7 (B) shall bear all costs of installation and construction of the main extension and services as set out in the plans and specifications. The applicant shall not be charged for the costs of inspection that occur within regular working hours, but shall be charged for the costs of inspection occurring outside those hours.

(4) Inspection. During the course of the construction, the Utility shall shall have the right to inspect the work in progress and may order the applicant to comply with the approved plans and specifications during the course of construction.

(5) Certification. Upon the completion of the line extensions according to the plans and specifications, the utility engineer shall certify its completion.

(6) Contract. Upon certification of completion and a tendering to the sewer utility of all right, title and control in the sewer extension and appurtenant easements on a form furnished by the Utility and executed by the applicant, the Board shall approve and order the execution of a contract making payments to the applicant as follows:

(a) As a new customer is connected for service to the mains conveyed, the revenue generated from that customer, as it is paid, shall become the basis of a semi-annual payment to the applicant.

(b) Each customer billing shall continue to be added to this account for a period of three (3) years from the date of that customer's initial billing. After the expiration of the three (3) year period no billing from that customer or a succeeding customer on that connection shall be counted toward the basis of a semi-annual payment.

(c) The billings of each new customer on the subject main shall be the basis for such calculations and payments for a period of five (5) years from the date of the first connection. Upon the expiration of such a five-year period, no added payment shall be made for any customer regardless of the length of service to that customer.

(d) The contract shall include a liquidated sum representing the cost of the sewer main extension. The total shall be certified by the utility engineer on the basis of verified accounts and billings presented to him.

(e) In no event shall the total of the sums paid to the applicant under subparagraph (6) (a) above, exceed the cost as certified in the contract.

(f) Payments made under this plan shall be in lieu of any other payments for connections to the mains to the applicant and the Board shall have the complete right to permit extensions and connections to the mains by other parties without requiring or making payments to the applicant, other than those set out above.

C. Ownership of Extensions. The legal and equitable ownership of all extensions, whether constructed under (A) or (B) above, must be properly vested in the Utility prior to any users being connected thereto.

RULE 8. Prohibitions and Limitation on Wastewater Discharges.

A. General prohibitions. It shall be unlawful to discharge to any natural outlet within said City, or in any area under the jurisdiction of said City, any sanitary wastewater, industrial waste or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of these Rules.

B. Prohibitions on Wastewater Discharges. No person shall discharge or deposit or cause or allow to be discharged or deposited into the wastewater treatment system any wastewater which contains the following:

(1) Oils and Grease.

(a) Oil and grease concentrations or amounts from facilities violating Federal pretreatment standards.

(b) Wastewater from industrial facilities containing floatable fats, wax, grease or oils.

(c) Wax, grease or oil concentrations of mineral origin of more than 10 mg/l (milligrams/liter) whether emulsified ornot, or containing substances which may solidify or become viscous at temperatures between 32°F and 150°F (0°C and 65°C) at the point of discharge into the system.

(2) Explosive Mixtures. Liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the wastewater treatment facilities or the operation of the system. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the sewer system, be more than five percent (5%) nor any single reading over 10 percent (10%) of the Lower Explosive Limit (L.E.L.) of the meter. Prohibited materials include, but are not limited to gasoline, kerosene, naphtha, benzene, toluene, sylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides.

(3) Noxious Material. Noxious or malodorous solids, liquids or gases, which, either singly or by interaction with other wastes, are capable of creating a public nuisance or hazard to life, or are or may be suffient to prevent entry into a sewer for its maintenance and repair.

(4) Improperly Shredded Garbage. Garbage that has not been ground or comminuted to such a degree that all particles will be carried freely in suspension under flow conditions normally prevailing in the public sewers, with no particle greater than one-half (1/2) inch in any dimension.

(5) Radioactive Wastes. Radioactive wastes or isotopes of such half-life or concentration that they do not comply with

regulations or orders issued by the appropriate authority having control over their use and which will or may cause damage or hazards to the wastewater facilities or personnel operating the system.

(6) Solid or Viscous Wastes. Solid or viscous wastes which will or may cause obstruction to the flow in a sewer, or otherwise interfere with the proper operation of the wastewater treatment system. Prohibited materials include, but are not limited to grease, uncomminuted garbage, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastic, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, and similar substances.

(7) Excessive Discharge Rate. Wastewater at a flow rate or containing such concentrations or quantities of pollutants that exceed for any time period longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration; quantities or flow during normal operation and that would cause a treatment process upset and subsequent loss of treatment efficiency.

(8) Toxic Substances. Any toxic substances in amounts exceeding standards promulgated by the Administrator of the United States Environmental Protection Agency pursuant to the Act (see definitions) and chemical elements or compounds, phenols or other taste-or-odor-producing substances, or any other substances which are not susceptible to treatment or which may interfere with the biological processes or efficiency of the treatment system, or that will pass through the system. These standards are subject to change.

(9) Unpolluted Waters. Any unpolluted water including, but not limited to, water from cooling systems or of stormwater origin, which will increase the hydraulic load on the treatment system.

(10) Discolored Material. Wastes with objectionable color not removable by the treatment process.

(11) Corrosive Wastes. Any waste which will cause corrosion or deterioration of the treatment system. All wastes discharged to the public sewer system must have a pH value in the range of (6) to (9) standard units. Prohibited materials include but are not limited to acids, sulfides, concentrated chloride and flouride compounds and substances which will react with water to form acidic products.

(12) Any liquid or vapor having a temperature higher than one hundred fifty degrees (150°)F (65°)C.

(13) Unusual B.O.D. chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the wastewater treatment plant.

(14) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

(15) Any storm water, surface water, ground water, roof runoff or subsurface drainage to any sanitary sewer.

C. Limitations on Wastewater Discharges. No person shall discharge or convey, or permit or allow to be discharged or conveyed, to a public sewer any wastewater containing pollutants of such character or quantity that will:

(1) Not be susceptible to treatment or interfere with the process of efficiency of the treatment system.

(2) Constitute a hazard to human or animal life, or to the stream or water course receiving the treatment plant effluent.

(3) Violate pretreatment standards.

(4) Cause the treatment plant to violate its NPDES permit or applicable receiving water standards.

D. Mandatory Connections. All wastewater sources located on property which is adjacent to an easement or public roadway in which a public sewer is located, shall be connected to the public sewer, provided that the public sewer has the capacity to adequately accept the flow. This connection shall take place within three (3) years of the effective date of these Rules or three (3) years from the construction of an adjacent public sewer.

E. Abatement of Defective Privies or Septic Systems. It is unlawful for any person to permit continuance of any outside privy or septic system owned or controlled by him that is full, has reached its capacity, overflows, or is defective, so as to pollute the air or the earth.

F. Construction of Privies or Septic Systems. No septic system or outside privy shall be installed or constructed where a sanitary sewer is adjacent or available to any property.

G. Septic Haulers. Septage shall only be accepted for treatment by the Utility at a site designated by the Director from residents of Monroe County as long as the treatment processes and final effluent are not adversely affected. Only conventional pollutants shall be accepted for treatment. All haulers must provide the Utility with the names and addresses of their customers whose septage is brought for treatment.

H. Special Agreements. Nothing in this section shall be construed as preventing any special agreement or arrangement between the City and any user of the wastewater treatment system whereby wastewater of unusual strength or character is accepted into the system and specially treated subject to any payments or user charges as may be applicable.

RULE 9. Industrial Wastewater Monitoring and Report

A. Discharge Reports.

(1) Every industrial user shall file a periodic discharge report at such intervals as are designated by the Director. The Director may require any other industrial users discharging or proposing to discharge into the treatment system to file such periodic reports.

(2) The discharge report shall include, but, in the discretion of the Director, shall not be limited to, nature of process, volume, rates of flow, mass emission rate, production quantities, hours of operation, concentrations of controlled pollutants or other information which relates to the generation of waste. Such reports may also include the chemical constituents and quantity of liquid materials stored on site even though they are not normally discharged. In addition to discharge reports, the Director may require information in the form of self monitoring reports.

B. Records and Monitoring.

(1) All industrial users who discharge or propose to discharge wastewaters to the wastewater treatment system shall maintain such records of production and related factors, effluent flows, and pollutant amounts or concentrations as are necessary to demonstrate compliance with the requirements of this Ordinance and any applicable State or Federal pretreatment standards or requirements.

(2) Such records shall be made available upon request by the Director. All such records relating to compliance with pretreatment standards shall be made available to officials of the U.S. Environmental Protection Agency upon demand. A summary of such data indicating the industrial user's compliance with these Rules shall be prepared quarterly and submitted to the Director.

(3) The owner or operator of any premises or facility discharging industrial wastes into the system shall install at his own cost and expense suitable monitoring equipment to facilitate the accurate observation, sampling, and measurement of wastes. Such equipment shall be maintained in proper working order and kept safe and accessible at all times. The Utilities Department can perform these services if requested at the price shown in the Rate Schedule.

(4) The monitoring equipment shall be located and maintained on the industrial user's premises outside of the building. When such a location would be impractical or cause undue hardship on the user, the Director may allow such a facility to be constructed in public street or sidewalk area, with the approval of the public agency having jurisdiction over such street or sidewalk, and located so that it will not be obstructed by public utilities, landscaping or parked vehicles.

(5) When more than one user can discharge into a common sewer, the

Director may require installation of separate monitoring equipment for each user. When there is a significant difference in wastewater constituents and characteristics produced by different operations of a single user, the Director may require that separate monitoring facilities be installed for each separate discharge.

(6) Whether constructed on public or private property, the monitoring facilities shall be constructed in accordance with the Director's requirements and all applicable construction standards and specifications.

C. Inspection, Sampling and Analysis.

(1) Compliance Determination. Compliance determinations with respect to Rule 8, Prohibitions and Limitations, may be made on the basis of either instantaneous grab samples or composite samples of wastewater. Composite samples may be taken over a 24 hour period, or over a longer or shorter time span, as determined necessary by the Director to meet the needs of specific circumstances.

(2) Sampling Frequency. Sampling of industrial wastewater for the purpose of compliance determination with respect to Rule 8, Prohibitions and Limitations, will be done at such intervals as the Director may designate. However, it is the intention of the Director to conduct compliance sampling or to cause such sampling to be conducted for all industrial users at least once in every 1-year period.

RULE 10. Control of Prohibited Wastes.

A. Regulatory Actions. If wastewaters containing any substance described in Rule 8 are discharged or proposed to be discharged into the sewer system of the City or to any sewer system tributory thereto, the Director may take any action necessary to:

(1) Prohibit the discharge of such wastewater.

(2) Require a discharger to demonstrate that in-plant modifications will reduce or eliminate the discharge of such substances in conformity with these Rules.

(3) Require pretreatment, including storage facilities, or flow equalization necessary to reduce or eliminate the objectionable characteristics or substances so that the discharge will not violate these rules and regulations.

(4) Require the person making, causing or allowing the discharge to pay any additional cost or expense incurred by the City for handling and treating excess loads imposed on the treatment process.

(5) Take such other remedial action as may be deemed to be desirable or necessary to achieve the purpose of these Rules.

B. Submission of Plans. Where pretreatment or equalization of wastewater flows prior to discharge into any part of the wastewater treatment system is required, plans, specifications and other pertinent data or information relating to such pretreatment or flow-control facilities shall first be submitted to the Director for review and approval. Such approval shall not exempt the discharge or such facilities from compliance with any applicable code, ordinance, rule, regulation or order of any governmental authority. Any subsequent alterations or additions to such pretreatment or flow-control facilities shall not be made without due notice to and prior approval of the Director.

C. Pretreatment Facilities Operations. If pretreatment or control of waste flows is required, such facilities shall be maintained in good working order and operated as efficiently as possible by the owner or operator at his own cost and expense, subject to the requirements of these rules and regulations and all other applicable codes, ordinances, and laws.

D. Admission to Property. Whenever it shall be necessary for the purposes of these rules and regulations, the Director, upon the presentation of credentials, may enter upon any property or premises at reasonable times for the purpose of (1) copying any records required to be kept under the provisions of this Ordinance, (2) inspecting any monitoring equipment or method, and (3) sampling any discharge of wastewater to the treatment works. The Director may enter upon the property at any hour under emergency circumstances.

E. Protection from Accidental Discharge. Each industrial user shall provide protection from accidental discharge of prohibited materials or other wastes regulated by these Rules. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or operator's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Director for review, and shall be approved by him before construction of the facility. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify his facility as necessary to meet the requirements of these Rules.

F. Reporting of Accidental Discharge. If, for any reason, a facility does not comply with or will be unable to comply with any prohibition or limitations in these Rules, the facility responsible for such discharge shall immediately notify the Director so that corrective action may be taken to protect the treatment system. In addition, a written report addressed to the Director detailing the date, time and cause of the accidental discharge, the quantity and characteristics of the discharge, and corrective action taken to prevent future discharges, shall be filed by the responsible user within five (5) days of the occurrence of the noncomplying discharge.

G. Personal Sewage Sludge Use. Any person who takes sludge, or has delivered to him, in any form, from any sewer plant serving the City of Bloomington, does so at his own risk.

11. Enforcement Procedure

A. Major Violations. Any discharge of nonconventional or toxic pollutants which affects the operation of the wastewater treatment plant shall be a major violation.

(1) Notification of Violation. Whenever the Director finds that any person has violated, or is violating these Rules, or any prohibition, limitation or requirement contained herein, he may serve upon such person a written notice stating the nature of the violation and providing a reasonable time, not to exceed thirty (30) days, for the satisfactory connection thereof.

(2) Show Cause Hearing.

(a) If the violation is not corrected by timely compliance, the Director may order any person who causes or allows an unauthorized discharge to show cause before the Utilities Service Board why service should not be terminated. A notice shall be served on the offending party, specifying the time and place of a hearing to be held by the Utilities Service Board regarding the violation, and directing the offending party to show cause before said authority why an order should not be made directing the termination of service. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days before the hearing. Service may be made on any agent or officer of a corporation.

(b) The Utilities Service Board may itself conduct the hearing and take the evidence, or may designate any of its members or any officer or employee of the Utilities Department to:

(i) Issue in the name of the Utilities Service Board notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in any such hearings.

(ii) Take the evidence.

(iii) Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the Utility Service Board for action thereon.

(c) At any public hearing, testimony taken before the hearing authority or any person designated by it, must be under oath and recorded stenographically. The transcript, so recorded, will be made available to any member of the public or any party to the hearing upon payment of the usual charges therefor.

(d) After the Utility Service Board has reviewed the evidence, it may issue an order to the party responsible for the discharge directing that, following a specified time period, the sewer service to be discontinued unless adequate treatment facilities, devices or other related appurtenances shall have been installed, or existing treatment facilities, devices or other related appurtenances are properly operated, and such further

orders and directives as are necessary and appropriate.

(3) Legal Action. Any discharge in violation of the substantive provisions of these Rules or an Order of the Utilities Service Board shall be considered a public nuisance. If any person discharges wastewater, industrial wastes or other wastes into the City treatment system contrary to the substantive provisions of these Rules or any Order of the Utilities Service Board, the City Attorney shall commence an action for appropriate legal and/or equitable relief in the Circuit Court of this County.

B. Other Violations. Any violation of these rules other than major violations as stated in these rules.

(a) Notification of Violation. Whenever the Director finds that any person has violated or is violating these Rules other than as is described in Rule 11 (A), he may serve upon such person a written notice stating the nature of the violation and providing a reasonable time, not to exceed thirty (30) days, for the satisfactory correction thereof.

(b) Legal Action. If after thirty (30) days the person has not corrected the violation, the City Attorney shall commence an action for appropriate legal and/or equitable relief in the Circuit Court of Monroe County.

C. Emergencies. When the Director finds that an emergency exists that may result in serious harm to the wastewater treatment system, or its users, the Director may request the City Attorney to obtain a temporary restraining order against the violation.

D. Penalties. Any person who is found to have violated an Order of the Utilities Service Board or who willfully or negligently failed to comply with any provisions of these Rules, and the orders, rules and regulations issued hereunder, shall be fined not less than One Dollar nor more than One Thousand Dollars for each offense. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. In addition to the penalties provided herein, the City may recover reasonable attorneys' fees, court costs, court reporters' fees and other expenses of litigation by appropriate suit at law against the person found to have violated these Rules or the orders and regulations issued hereunder.

RULE 12. Hold Harmless. As a condition precedent to the use of the sewer system by any customer and to the permission to tap any main or the connection of service pipes with any branch main, any person, firm or corporation shall hold the Municipal Utility and the City of Bloomington, Indiana, harmless for any damages related to any interruption of service, for any damages caused by accident to any part of the sewer works or for repair of machinery, mains, or for damages caused by defective piping and appliances on the customer's premises. The Municipal Utility reserves the right to restrict the use of the sewer system for any and all purposes, except domestic household use, in the event of conflagration, flood or other emergencies.

RULE 13. Complaints and Review.

A. Procedure.

(1) Complaint and Request for Conference. A customer may complain at any time to the Utility about any bill or any other matter relating to the utility service, and may request a conference thereon. Such complaint may be made in person, in writing, or by completing a form available from the Board at its Commercial Office. A complaint shall be considered filed as of the postmark date. In making a complaint and/or request for conference, the customer shall state at a minimum the customer's name, service address and the general nature of the complaint.

(2) Investigation a[illegible]port.

(a) Upon receiving each such complaint or request for conference, the Utility through its designated representative shall promptly, thoroughly and completely investigate such complaint, confer with the customer when requested and notify, in writing, the customer of the results of its proposed disposition of the complaint. The written notification shall advise the customer that the proposed disposition may be reviewed by the Board or a committee thereof, provided that a request for such review is filed with the Board within ten (10) days from the mailing of the written notification of the proposed disposition.

(b) Upon receiving such request, the Board or a committee thereof shall provide a formal review within thirty (30) days. The review shall consist of not less than a prompt and thorough investigation of the dispute and shall result in a written decision to be mailed to the customer. The parties shall be required to meet and confer to the extent and at such place as the Board may consider appropriate. The records of the Board relating to such reviews shall be available for public review.

B. Continuation of Service.

(1) If the customer is receiving service at the time the complaint and/or request for conference (as provided for in Rule 12 (A) (1) above) is received by the Utility, the customer's service shall not be disconnected until ten (10) days after the Utility has mailed the notification of its proposed disposition of the customer's complaint (as provided for in Rule 12 (A) (2). Provided, however, if the customer has requested the Board to review the proposed disposition (as provided for in Rule 12 (A) (2) then the Utility shall not disconnect the customer's service until ten (10) days after the Utility has mailed its decision upon and pursuant to such review, if the customer who has requested the review has paid and continues to pay all undisputed bills, portions of disputed bills as specified in Rule 12 (C) (2) below, and pays all future undisputed bills prior to their becoming delinquent.

(2) In those instances when the customer and the Utility cannot agree as to what portion of a bill is undisputed, it shall be sufficient that the customer pay on the undisputed bill an amount equal to the customer's average bill for the twelve (12) months immediately preceding the disputed bill except in those cases where the customer has received fewer than twelve (12) bills, in which event the customer shall pay an amount equal to 1/12 of the estimated annual cost of service to be rendered to the customer.

C. Record of Complaints.

(1) The Utility shall keep a written record of complaints and requests for conferences. Such records shall be retained at the Commercial Office of the Utility and be readily available upon request by the concerned customer or his agent possessing written authorization.

(2) The Utility shall submit an annual report to the Board and the Bloomington Common Council which shall state and classify the number of complaints made to the Utility, the general nature of the subject matter thereof, and whether Board review was conducted thereon.

WASTEWATER RATE SCHEDULE

1. METERED WATER CUSTOMERS. General service rates shall be applicable to all metered customers except those with other than average strengths of BOD and SS as described in the Special Service rates below. The General Service Rates shall be determined as follows:

	Portion of rate applicable to		
User Charge	O M & R	Capital	Total
Charge for 1000 gallons per month for all billable usage			
Residential	.43	.95	$ 1.38
Commercial	.43	.71	1.14
Indiana University	.43	.67	1.10
Industrial	.43	.67	1.10
Monthly Service Charge (for each meter installed)	2.56	0	2.56

Special service rates shall be applicable to all Industrial Users who generate wastewater which contains any nonconventional pollutants or strengths of BOD or SS that exceed the system average strengths (300 ppm BOD, 300 ppm SS) as determined by special laboratory analysis by the Central Laboratory. Other Special service rates will be charged on a case by case basis for toxic pollutant discharges. The charges will be based on the difficulty of treating the toxic pollutant at the wastewater plant as well as sampling testing, and/or disposal charges. Strength charges are to be computed on actual measured strengths and volumes. The Special service rates shall be determined as follows:

User Charge			
Charge for 1000 gallons per month for all billable usage			
Special Service Rate	.22	.29	$ .51
Non-excessive strength rate	.43	.67	1.10
Strength Charge			
Charge for 1000 gallons per month for all billable usage for each part per million of:			
BOD	*.000422(.13)	.000875(.26)*	.001297(.39)
SS	*.000277(.08)	.000385(.12)*	.000662(.20)
Special Lab Analysis Monthly Charge			
Strength of BOD and SS sampling and analysis			$30.00
Grease and Oil sampling and analysis			40.00
Metal sampling and analysis			5.00 metal/test

*Minimum charge when only one of either BOD or SS exceeds the average.

2. LABORATORY CHARGES. See attached schedule.

3. SEPTIC TANK HAULERS. For each delivery to the waste treatment plant a $10.00 fee will be charged. Coupon books with 5 coupons each will be available at the Commercial Office.

4. NON-METERED WATER CUSTOMERS. The minimum rate charge for any service where the user is not a metered water consumer shall be $151.00 per year, payable monthly. At the Utility or customers request, a meter shall be installed.

5. INSPECTION FEES. After-hour sewer inspection fees will be charged at a $12.50/hr. rate.