

COMMISSION MEETING

May 16, 2018

Engineering and Construction Department

2018 Plumbing & Fuel Gas Code

Item Number:

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WASHINGTON SUBURBAN SANITARY COMMISSION

COMMISSION SUMMARY

AGENDA CATEGORY: Engineering and Construction Department

ITEM NUMBER:

DATE: May 16, 2018

SUBJECT	Approval of the 2018 Plumbing & Fuel Gas Code.
SUMMARY	<p>WSSC staff is proposing seventeen (17) basic changes to the 2015 Plumbing and Fuel Gas Code hereafter known as the 2018 WSSC Plumbing and Fuel Gas Code. Within the body of changes are specific sections that will adopt the 2018 International Plumbing and Fuel Gas Codes. In addition, various sections of the Code will be amended to bring clarity to the regulations.</p> <p>The following subjects represent a few of the noteworthy items included in the code change package:</p> <ol style="list-style-type: none">1.) Improve permit and inspection protocols.2.) Improve Code violation protocols.3.) Improve Fats, Oils & Grease Program.4.) Revise and align Industrial Discharge limits and regulations with state and federal requirements. <p>With this change, there will be no increase in existing fees or new fees, and only minimal financial impact to property owners (i.e., only for large scale renovations requiring water upsize; to be treated like new construction in terms of cross connection/backflow protection).</p> <p>In terms of public outreach, WSSC staff posted Public Comment Period ads in the Sentinel Papers and on the WSSC web page under Public Notices. Staff also proactively reached out to both Counties and industry stakeholders through emails and meetings to alert them to the new code.</p>
SPECIAL COMMENTS	<p>No comments were received.</p> <p>On February 28, 2018, the WSSC Plumbing and Fuel Gas Board voted to recommend approval of the proposed changes by the Commissioners.</p>
CONTRACT NO. / REFERENCE NO.	N/A
COSTS	N/A
AMENDMENT/ CHANGE ORDER NO.	N/A
MBE PARTICIPATION	N/A
PRIOR STAFF/ COMMITTEE REVIEW	Chief Engineer, General Counsel's Office; and Montgomery and Prince George's County Building Code and Fire Officials; MDE
RECOMMENDATION TO COMMISSION	<i>Approve Resolution 2018 - 2183 and the 2018 WSSC Plumbing and Fuel Gas Code.</i>
COMMISSION ACTION	



WASHINGTON SUBURBAN SANITARY COMMISSION

OVERVIEW OF THE 2018 WSSC PLUMBING & FUEL GAS

AGENDA CATEGORY: Engineering and Construction Department

ITEM NUMBER:

DATE: May 16, 2018

Overview

WSSC Staff requests to add, relocate, or amend 17 subject areas of the existing WSSC Plumbing and Fuel Gas Code which will be re-titled and presented as the 2018 WSSC Plumbing and Fuel Gas Code. The proposed code changes will effectively adopt the 2018 versions of the International Plumbing and Fuel Gas Codes. Amendments to the WSSC Code will address several important subjects, including: improve permit and inspection protocols; improve Code violation protocols; Improve Fats, Oil & Grease Program; and revise and align industrial discharge limits and regulations with state and federal requirements.

WSSC staff sought public input on the proposed code changes from January 4, 2018, through February 5, 2018, through ads placed in local newspapers. No public comments were received. See a copy of the advertisement that ran in the Sentinel papers for each county on pages 86 & 87 of this package.

During the same period, WSSC staff presented proposed code changes to various governmental and industry stakeholders. Reviewers included: Montgomery and Prince George's County Building Code and Fire Officials; Washington Gas; Maryland Building Industry Association; National Association of Home Builders; Apartment & Office Building Association; Maryland Restaurant Association; American Society of Professional Engineers; Washington Suburban Master Plumber's Association; Air Conditioning Contractors of America, National Capital Chapter; and Mechanical Contractors of America, DC Metro Chapter.

The Washington Suburban Master Plumber's Association (WSMPA) and Ryan Homes each provided letters of endorsement. The letters are included in this package on pages 82 - 85.

WSSC staff presented all of the proposed code changes to the Plumbing and Fuel Gas Board. After thorough discussions and editing, the Plumbing & Fuel Gas Board endorsed the proposed code changes and recommends approval by the Commissioners. See the Meeting Minutes of the Board's February 28, 2018 meeting on pages 79 - 80 of this package.

With this change, there will be no increase in existing fees or new fees, and only minimal financial impact to property owners (i.e., only for large scale renovations requiring water upsize; to be treated like new construction in terms of cross connection/backflow protection).

On March 6, 2018, this process was reviewed, corrected with minor editorial changes, and found legally sufficient by the WSSC General Counsel's Office.

Details

- Nov 30, 2017 – Finalized Internal Draft
- Dec 12, 2017 – Staff Presented and Discussed Details with the WSSC Plumbing and Fuel Gas Board - Board Vote to Release for Commenting Period
- Jan 4, 2018 – Feb 5, 2018 - Public and Stakeholder Review and Comment Period
- Feb 28, 2018 – Approval Vote by the WSSC Plumbing and Fuel Gas Board
- Apr 18, 2018 – Presentation of the Code Changes to the Commissioners
- May 16, 2018 – Approval of Code Changes by the Commissioners
- Jun 1, 2018 - Jun 30, 2018 - Mandatory 30 Day Public Notice Period
- **July 1, 2018 - Effective Date of 2018 WSSC Plumbing & Fuel Gas Code**

RESOLUTION NO.: 2018-2183

Adopted: May 16, 2018

Effective Date: July 1, 2018

WASHINGTON SUBURBAN SANITARY COMMISSION

Subject: A RESOLUTION adopting the 2018 Plumbing and Fuel Gas Code and repealing the existing 2015 Plumbing and Fuel Gas Code.

WHEREAS, the Washington Suburban Sanitary Commission (“Commission” or “WSSC”) is authorized and empowered pursuant to the provisions of Section 24-201 of the Public Utilities Article, Annotated Code of Maryland, to adopt regulations governing sewer cleaning in the Washington Suburban Sanitary District (“WSSD”); and

WHEREAS, the Commission is authorized and empowered pursuant to Section 17-403 of the Public Utilities Article, Annotated Code of Maryland, to adopt regulations governing plumbing installations in the WSSD; and

WHEREAS, the Commission is authorized and empowered pursuant to Section 17-404 of the Public Utilities Article, Annotated Code of Maryland, to adopt regulations governing fuel gas installations in the WSSD; and

WHEREAS, the Commission is authorized and empowered pursuant to Section 9-332 of the Environment Article, Annotated Code of Maryland, to adopt regulations constituting the WSSC Pretreatment Program governing the discharge of certain industrial pollutants into WSSC’s sewerage systems; and

WHEREAS, the Commission is otherwise generally authorized and empowered pursuant to the provisions of Section 17-403 of the Public Utilities Article, Annotated Code of Maryland, to adopt regulations to carry out the provisions of the Public Utilities Article and any other laws the enforcement and administration of which are vested in the WSSC; and

WHEREAS, pursuant to the foregoing authorities, the Commission previously promulgated the 2015 Plumbing and Fuel Gas Code; and

WHEREAS, for the technical provisions relating to plumbing and fuel gas installations, the 2015 Plumbing and Fuel Gas Code, in turn, adopts and incorporates therein by reference, with certain amendments thereto, the 2015 editions of the International Plumbing Code and the International Fuel Gas Code, all as published by the International Code Council, Inc.; and

WHEREAS, the 2015 Plumbing and Fuel Gas Code also contains administrative provisions, and provisions related to WSSC water meters, site-utility systems and industrial/special waste discharge requirements, including food service establishment discharge requirements; and

WHEREAS, pursuant to the foregoing authorities, the Commission has now determined to update and replace the 2015 Plumbing and Fuel Gas Code, in whole, with a new body of regulations governing the same subject matters to be known as the 2018 Plumbing and Fuel Gas Code; and

WHEREAS, the 2018 Plumbing and Fuel Gas Code, in turn, for the technical provisions relating to plumbing and fuel gas installations, adopts and incorporates therein by reference, with certain amendments thereto, the 2018 editions of the International Plumbing Code and the International Fuel Gas Code, all as published by the International Code Council, Inc., and also effects certain changes to the remaining areas of the Code as described above; and

WHEREAS, the Commission communicated the proposed code changes embodied in the 2018 Plumbing and Fuel Gas Code to identified stakeholders and to the WSSC Plumbing and Fuel Gas Board to solicit input from interested parties, and published a general notice of its intent to adopt the 2018 Plumbing and Fuel Gas Code to solicit input from the public at large; and

WHEREAS, the Commission has duly considered the matters involved, including any comments made and views expressed by the public, comments or views of identified stakeholders including the WSSC Plumbing and Fuel Gas Board, and the recommendations of Commission Staff.

NOW, THEREFORE, BE IT RESOLVED, this 16th day of May, 2018, that the Washington Suburban Sanitary Commission hereby adopts the 2018 Plumbing and Fuel Gas Code as official WSSC regulations for all purposes set forth therein; and

BE IT FURTHER RESOLVED, that the 2015 Plumbing and Fuel Gas Code, as originally adopted on April 15, 2015 and as amended from time to time thereafter, and all other regulations or parts of regulations in conflict herewith, are hereby repealed; and

BE IT FURTHER RESOLVED, unless otherwise provided by law, that nothing in this resolution or in the 2018 Plumbing and Fuel Gas Code hereby adopted shall be construed to affect any pending suit or proceeding of any kind, or any rights acquired, or liability incurred, or any cause(s) of action acquired or existing under any regulation repealed by this resolution as set forth immediately above; nor shall any legal right or remedy of any character be lost, impaired or affected by this resolution; and

BE IT FURTHER RESOLVED, that if any section, subsection, sentence, clause or phrase of this resolution or the 2018 Plumbing and Fuel Gas Code hereby adopted is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this resolution or the regulations. The Commission hereby declares that it would have adopted this resolution and the regulations adopted hereby, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional; and

BE IT FURTHER RESOLVED, that notice of this resolution and the actions taken hereunder be published in at least two (2) newspapers published in each county of the Washington Suburban Sanitary District as soon as practicable, but in any event not later than June 1, 2018; and

BE IT FURTHER RESOLVED, that this resolution and the 2018 Plumbing and Fuel Gas Code hereby adopted shall take effect on July 1, 2018.

A True Copy.

Sheila R. Finlayson, Esq.
Corporate Secretary

Introduction and Formatting of the Proposed WSSC Plumbing and Fuel Gas Code changes

The following 72 pages contain the proposed amendments to the WSSC Plumbing and Fuel Gas Code which includes the adoption of the 2018 International Plumbing and Fuel Gas Codes and technical and administrative modifications to update and replace the 2015 WSSC Plumbing and Fuel Gas Code. The proposed changes have been extensively reviewed by staff, industry stakeholders, the public, and the WSSC Plumbing and Fuel Gas Board. On February 28, 2018, following a public and stakeholder comment period, the WSSC Plumbing and Fuel Gas Board voted to recommend approval by WSSC Commissioners.

The following pages include the proposed Code changes and they are presented in the following order and format:

- 1.) Spreadsheet format of changes to Chapters 1 - 9.
- 2.) Spreadsheet format of proposed permit selection tables (no new requirements, simply presented in a user friendly format).
- 3.) Chapter 8 – Industrial Discharge Control - in actual Code format.
- 4.) For all three above: **black text** = existing code provisions; **green & underlined** = new or revised code provisions; **red & ~~strikethrough~~** = existing code provisions to be deleted.

Proposed Code Changes to Facilitate Creation of the
2018 WSSC Plumbing and Fuel Gas Code

Chapter 1 - Administration

Count	Code Section No.	Delete/Strikethrough -Add/ <u>Underline</u>	Comments	Proposed By
1	101.3.1.1	International Plumbing Code. The 2015 <u>2018</u> edition of the International Plumbing Code (hereinafter "IPC"), published by the International Code Council, Inc., is hereby adopted and incorporated herein by reference, and has the same force and effect as though fully set forth in this Code, subject to the additions, deletions or other modifications thereto set forth in Chapter 3 of this Code.	Change updates version of model code to be adopted	WSSC RSD Staff
2	101.3.1.3	International Fuel Gas Code. The 2015 <u>2018</u> edition of the International Fuel Gas Code (hereinafter "IFGC"), published by the International Code Council, Inc., are hereby adopted and incorporated herein by reference, and have the same force and effect as though fully set forth in this Code, subject to the additions, deletions or other modifications thereto set forth in Chapter 4 of this Code.	Change updates version of model code to be adopted	WSSC RSD Staff
3	<u>102.1.1</u>	<u>102.1.1 Supersedes. Notwithstanding the provisions set forth in Section 102.2, the latest approved version of this Code shall supersede all previously adopted versions. Where applicable, the provisions of this Code shall also supersede any previously related provisions contained within WSSC Standard Procedures or other internal policies or procedures.</u>	Defines the current Code as the most pertinent/highest ranking regulation	WSSC RSD Staff

4	102.3.6.2.3	<u>102.3.6.2.3 Video Inspection. Where video technology is utilized and an off-property lateral or mainline issue is evident/verified, a copy of the video recording shall be retained and forwarded to WSSC in conjunction with the required "commitment"/notification per 102.3.6.2.4.</u>	Indicates appropriate WSSC department responsible for off-property piping which is under the ownership and maintenance responsibility of the WSSC.	WSSC RSD Staff
5	102.3.6.4	<u>102.3.6.4 Enforcement Related to Off-Property Matters. The enforcement of matters that pertain to 102.3.6.1 and 102.3.6.2 and relate to all off-property and Rights of Way matters, such as sewer lateral sections under WSSC's ownership and responsibility, shall be under the authority of the applicable WSSC Utility Services office and not under the authority of the Regulatory Services Division.</u>		
6	102.3.10.3	<u>102.3.10.3 Sewer Piping. Sewer and Building Drain "trenchless" restoration shall meet this section and IPC 716. Existing piping shall be pre-qualified by flushing and video recording the pipeline prior to commencing work. Where the existing pipeline grade/slope is unsatisfactory, pipe-bursting, relining, or other forms of trenchless reconstruction cannot be utilized. Open trench replacement with adequate bedding of over-excavated areas is required. Restored sewer piping shall be flushed and then flow one gpm of clean water while video recording as a final inspection requirement. Copies of the video recordings for both required video inspections shall be provided to the Code Official.</u>	Enhances provisions by codifying current practice/policy	WSSC RSD Staff
7	<u>106.3.1</u>	<u>106.3.1 Foundation or Sub-Slab Permits. At the discretion of a code official, certain large scale projects may present and obtain a separate initial permit to install sub-slab <i>Ground Works</i> in conjunction with a County issued 'Foundation Only' building permit. Construction documents/plans submission required under 106.5 shall include load factors for, and adequate identification of, future above slab piping, fixtures, and equipment in order to determine the adequacy of pipe sizing as well as waste and venting configurations served by and routing to the sub-slab piping. Where applicable, the owner shall submit a "hold-harmless" statement, for a project to commence prior to final water and sewer connection design approval and issuance.</u>	Allows WSSC to align with both Counties' Building permit approval practices and industry trends towards design/build projects	WSSC RSD Staff

8	<u>106.4</u>	106.4 Authorized Permit Applicant. Application for a permit shall be made by <u>a WSSC registered Master Plumber/Gasfitter</u> licensee, <u>the</u> licensee's authorized representative (<u>proxy</u>) or <u>a State of Maryland registered Professional Engineer</u> , to install all or part of any plumbing, <u>or</u> fuel gas; or site utility system. The applicant shall meet all qualifications established by this Code and/or by other applicable law. The full name and address of the applicant shall be stated in the application.	Adding Engineer as authorized to submit and secure a permit	WSSC RSD Staff
9	<u>106.4.1</u>	106.4.1 Purchase of Permits Security Policy. Only the Master Plumber/Gasfitter, their <u>registered</u> representatives (proxies) or <u>a State of Maryland registered Professional Engineer</u> will be able to purchase Long Form or Short Form Permits. The identity of the licensee, proxy or <u>engineer</u> will be validated using the Commission's database, along with photo identification such as a driver's license. <u>Although a registered Professional Engineer may apply and purchase a permit on behalf of a property owner, no work shall commence and the permit will remain inactive until a registered Master Plumber/Gasfitter is to the permit, via WSSC's electronic permit system.</u>	Adding Engineer as authorized to submit and secure a permit	WSSC RSD Staff
10	106.5	106.5 Construction Documents (<u>Plans</u>) Submission. Construction documents, <u>plans</u> , engineering calculations, diagrams and other such data shall be submitted in two <u>one</u> sets with each application for a Long Form plumbing/gasfitting permit or for a site-utility permit ; or for a Short Form permit when required by the Code Official. The Commission may require construction documents, computations and specifications to be prepared and designed by a registered design professional. Construction documents shall be drawn to scale and shall be of sufficient clarity to indicate the location; nature and extent of the work proposed and show in detail that the work conforms to the provisions of this Code.	Clarify that "construction documents" means plans	WSSC RSD Staff
11	<u>106.5.1</u>	<u>106.5.1 Engineered Design Required.</u> <u>The Commission may require construction documents, plans, computations, and specifications to be prepared and designed by a registered design professional. Where fixtures, equipment, or processes are outside the scope of standard loading factors prescribed in this Code, such as commercial/industrial laundries and laundromats, an engineered design shall be required and the documents, plans and/or specifications shall be sealed and signed by a State of Maryland registered Professional Engineer. In any case where the design has been sealed and signed, the engineer shall be proficient in mechanical/plumbing/fuel gas design; specifically, water, drainage, fuel gas, appliance venting, or ventilation/make-up air, as applicable.</u>	Require Engineered design for high capacity projects that are not represented by normal code sizing charts/rules	WSSC RSD Staff

12	106.5.2	106.5.2 Qualified Agent for the Applicant. In conjunction with Section 106.4, a registered Professional Engineer (PE) or a WSSC registered Master Plumber/Gasfitter shall submit required construction documents/plans following WSSC published procedures. At their discretion, Code Officials may require that any technical-based inquiry relative to a project be made only by a registered engineer or a minimum of a Journeyman level licensee.	Allows WSSC staff to request that technical interaction occur with an engineer or Journeyman level plumber/gasfitter present.	WSSC RSD Staff
13	106.5.3	106.5.3 Approved Construction Documents (Approved Plans). When the Commission issues a permit where construction documents/plans are required, the construction documents/plans shall be endorsed in writing and stamped approved by the Code Official/plans reviewer. Such approved construction documents/plans shall not be changed, modified or altered without authorization from the Code Official. All work shall be done in accordance with the approved construction documents/plans.	Clarify that "construction documents" means plans	WSSC RSD Staff
14	106.5.4	106.5.4 Retention of Construction Documents (Plans). One set of construction documents/plans shall be retained by the Code Official until final approval of the work covered therein. One set of approved construction documents/plans shall be returned to the applicant, and shall be kept on the site of the building or work at all times during which the authorized work is in progress. <u>Where construction documents/plans were submitted electronically, the licensed plumber or gasfitter shall have the approved set printed and provided on the site for the inspector's use to document the job's progress and incremental inspection results.</u>	Clarify that "construction documents" means plans and clarify process for how approved electronic plans transition into the required "field" set	WSSC RSD Staff
15	106.11.5.2	106.11.5.2 Connection to a Commission Water or Sewer Service Connection; <u>or any installation, or replacement, of a WSSC Meter (Domestic, Sewer Only, Water Only, Submeter, etc.):</u> This work shall <u>only</u> be performed by a WSSC-licensed Master Plumber.	Add WSSC Meters to list of "work not allowed" by a homeowner or home improvement contractor	WSSC RSD Staff

16	107.2.1.3	107.2.1.3 Approved Plans on Jobsite. On buildings requiring a plans review, a WSSC Master licensee or a WSSC Journeyman licensee shall be present at the inspection site, and shall provide the approved construction documents/ <u>plans</u> including modifications. The Master or Journeyman licensee shall be appropriately licensed for the scope of work being inspected; either plumbing, gasfitting, or both. <u>Where construction documents/plans were submitted electronically, the licensed plumber or gasfitter shall have the approved set printed and provided on the site for the inspector's use to document the job's progress and incremental inspection results.</u>	Clarify that "construction documents" means plans and clarify process for how approved electronic plans transition into the required "field" set	WSSC RSD Staff
17	107.2.1.8	107.2.1.8 Notification and Test Tags Provided. <u>Notification and test tags, such as Hose Bibb Maintenance Tags, Testable Backflow Assembly Test Tags and Non-Testable Backflow Device Replace/Re-Build Tags, are provided as a courtesy to WSSC customers and their contracted plumbers. As such, they are not permitted to be used outside of the Washington Suburban Sanitary District. Any abuse of this privilege may lead to the courtesy being revoked.</u>	Codifying a penalty for contractors abusing a privilege/courtesy that the Commission provides.	WSSC RSD Staff
18	107.4.1.4	107.4.1.4 Close-In. A close-in inspection shall include all rough-in work above grade...inspected as a part of the close-in inspection. On factory-built housing or in buildings with factory-built plumbing cores, the installation shall have a State of Maryland inspection sticker and the drainage and venting system shall require a peppermint-test in the presence of the Code Official. A field fabricated shower liner or a lined floor for any other purpose shall not require a WSSC close-in inspection. The installer shall be responsible for the integrity and leak tight nature of his/her installation. The installation shall meet IPC Section 417.5 and the applicable manufacturer's installation instructions; testing requirements set forth in this Code and within the applicable manufacturer's instructions shall be followed by the installer and are not subject to inspection by a Code Official.	Move testing for modular home to section on Final Inspections Field fabricated shower liners are no longer an inspectable item that the plumber should be held accountable for. Liners are not typically affixed to the drain system by a plumber; tile installers use specific manufacturer's procedures and processes to "water proof" the shower liner system.	WSSC RSD Staff
19	107.4.1.5	107.4.1.5 Final. A final inspection shall include all required plumbing fixtures and appliances, appurtenances, and gas appliances...hot water to fixtures; fixtures clean, undamaged, secure, and operating properly; no leaks; no water hammer; mechanical equipment properly installed; backflow devices in place; and all tests completed. <u>On factory-built housing or in buildings with factory-built plumbing cores, the installation shall have a State of Maryland inspection sticker. A peppermint test or a smoke test in the presence of the Code Official shall be required for the drainage and venting system, see IPC Section 312.4.</u>	Modular home inspection requirements moved from <i>Close-in</i> to <i>Final</i> , where they belong.	WSSC RSD Staff

20	<u>107.4.1.7</u>	<u>107.4.1.7 System Development Charge Inspections. Where applicable, the accuracy of a plumbing permit, relative to the declared quantity and descriptions of plumbing fixtures to be installed or remain as "existing", shall be the sole responsibility of the applicant. Through plans review and progress inspections of Ground Works and Close-In , a code official may direct certain permit corrections to be executed by the applicant, while such progress inspections may be allowed to continue at the inspector's discretion. An approved final inspection and subsequent building occupancy shall be contingent on the complete inclusion and accuracy of all assessable plumbing fixture items.</u>	Establish final inspection as critical timeline/event for SDC accuracy	WSSC RSD Staff
21	108.2.1	108.2.1 Failure to Comply. <i>Failure to comply</i> with a Notice of Violation or other enforcement action <i>shall be a further violation</i> of this Code. This may result in the issuance of a WSSC Civil Citation, a Stop Work Order at the premises where the improper work occurred, termination of Commission <u>water and/or sewer</u> service, or additional enforcement measures.	Specify water, sewer and gas (where applicable) as services qualified for turn-off as a final enforcement step.	WSSC RSD Staff
22	108.6	108.6 Termination of Water, Sewer or Gas Service. A property owner is subject to termination of water, sewer, or gas service where any of the following conditions exist <u>and progressive enforcement actions were unsuccessful, or where imminent danger to life exist. See also Sections 108.10 and 108.11:</u>	Adding clarity to recognize enforcement progression or an imminent threat to describe what conditions must be present to have to resort to an extreme enforcement measure.	WSSC RSD Staff
23	<u>108.7.1</u>	<u>108.7.1 Temporary Inactivation of License. A Code Official has the discretion to inactivate a license due to repeated non-responsiveness to phone calls or emails; or when a compliance directive cited in a Notice of Violation (NOV) has not met the compliance date. When lines of communication are re-established or where work to correct a NOV has satisfactorily progressed, the temporary inactivation shall be lifted.</u>	Not a license suspension; it is a tool needed to facilitate action on a stale matter. Will not be used when a formal appeal is on-going.	WSSC RSD Staff
24	108.10.4	108.10.4 Authority to Disconnect Service Utilities. A Code Official shall have the authority to authorize <i>disconnection</i> of utility <u>water, sewer or gas</u> service to any building, structure or system regulated by this Code to eliminate an immediate danger to life, property, environment, <u>health hazard</u> or the Commission's systems. Where possible, the owner and/or occupant of the building, structure or service system shall be notified of the decision to disconnect utility service prior to taking such action. If not notified prior to disconnection, the owner or occupant of the building, structure or service systems shall be notified in writing, as soon as practical thereafter.	Specify water, sewer and gas (where applicable) as services qualified for turn-off as a final enforcement step.	WSSC RSD Staff

25	<u>108.11</u>	<u>108.11 Progression of Enforcement Actions. In general, progressive enforcement actions shall follow the following escalating plan unless an imminent danger to life warrants a more progressive tract. This escalating plan may not may not apply to actions governed by the Fats, Oils & Grease Program (Chapter 8) or the Industrial Discharge Control Program (Chapter 8) where previously mandated, specific Enforcement Response Plans exist.</u>	Codifies practice/policy relating to the fair/logical progression of enforcement actions; Separates critical path for NOV from the deadline for civil citations/fines;	WSSC RSD Staff
26	<u>108.11.1</u>	<u>108.11.1 First Notice of Violation (NOV). Property owners, their agents and contractors are subject to a written NOV, per Section 108.2, whereby the NOV will provide a directive to correct a Code violation by a specific date. In addition, illegal on-going work is subject to a Stop Work Order, per Section 108.3. Unlicensed property owners or other unlicensed workers performing illegal work are also subject to an immediate Civil Citation(s) (Fine/s), per Section 108.4. The deadlines for corrective actions cited in the NOV shall be met as directed, and not contingent on the disposition of the Civil Citation(s).</u>	Codifies practice/policy relating to the fair/logical progression of enforcement actions; Separates critical path for NOV from the deadline for civil citations/fines;	WSSC RSD Staff
27	<u>108.11.2</u>	<u>108.11.2 Second Notice of Violation. Where a corrective action cited in a previous NOV has not been met on time or in an approvable manner, a second NOV is warranted. This second notice shall contain escalating enforcement language to include, but not limited to, a shorter compliance timeline, elevated civil citation/fine(s), potential license action, civil liability and criminal prosecution, and termination of water, sewer or gas service. The deadlines for corrective actions cited in the NOV shall be met as directed, and not contingent on the disposition of the Civil Citation(s).</u>	Codifies practice/policy relating to the fair/logical progression of enforcement actions; Separates critical path for NOV from the deadline for civil citations/fines;	WSSC RSD Staff
28	<u>108.11.3</u>	<u>108.11.3 Third (Final) Notice. A final notice shall be served in one or more of the following ways: 108.11.3.1 Third level of Civil Citation/Fine as allowed under Maryland law. 108.11.3.2 Notice of proposed license action to the license holder, pursuant to Section 108.9 108.11.3.3 Summons for civil or criminal prosecution under Maryland law. 108.11.3.4 Notice to property owner for termination of service.</u>	Codifies practice/policy relating to the fair/logical progression of enforcement actions; Separates critical path for NOV from the deadline for civil citations/fines;	WSSC RSD Staff

29	<u>110.2.1.1</u>	<u>110.2.1.1 Meter By-Pass Valve.</u> A meter by-pass valve associated with an inside or outside WSSC water meter shall only be opened by Authorized WSSC personnel or by written permission from WSSC Customer Relations or Utility Services personnel. Unauthorized opening of a meter by-pass valve shall constitute prima facia evidence of theft of service.	Specify additional theft of service items	WSSC RSD Staff
30	<u>110.2.2.1</u>	<u>In order for outdoor swimming pools, decorative fountains or interactive water features to discharge to the WSSC sanitary sewer system, there shall include a raised curb, other peaked topographic feature, or a diverting trench drain which only allows direct rainfall to enter the feature and all other surface or subsurface waters to be directed away from said feature and not be able to reach the sanitary sewer.</u>	Codify procedures for designing storm/surface water run-off, in and around sanitary drain inlets.	WSSC RSD Staff
31	<u>110.2.2.2</u>	<u>Entrances and exits to parking and service garages, vehicle washing facilities, loading docks, and any other similar openings shall protect inside sanitary drains from receiving storm waters by incorporating an overhang equal to or exceeding one (1) foot horizontal per five (5) feet of vertical opening and where applicable, a diverting trench drain for downward sloping ramps/entrances/exits.</u>	Codify procedures for designing storm/surface water run-off, in and around sanitary drain inlets.	WSSC RSD Staff
32	<u>111.5.9.1</u>	<u>111.5.9.1 Piping arrangement.</u> In cases where a Commission Submeter or secondary meter is the same size as the corresponding WSSC inside main meter, the piping shall be designed and installed to accommodate each meter in parallel to the other; each shall be right-sized per Table 602.1. Where practical, Commission submeters shall be installed on the upstream, potable side of an isolation type backflow preventer.	Clarify that a WSSC submeter should not be the same size as the main meter	WSSC RSD Staff

33	<u>111.5.9.2</u>	111.5.9.2 Established Credits. The following represents established credit values for various submeter applications where all or a portion of the registered water consumption does not discharge to the WSSC sanitary sewer system:	Codifies specific submeter credits	WSSC RSD Staff
34	<u>111.5.9.2.1</u>	100% - Irrigation, Outdoor Hose Bibbs, Wall Hydrants, Yard Hydrants and similar outdoor only water uses.	Codifies specific submeter credits	WSSC RSD Staff
35	<u>111.5.9.2.2</u>	100% - Cooling Towers with an approved MDE environmental discharge permit = 100%. No provisions for any portion of the submetered water to be discharged to the sanitary sewer system including auto-mechanical "blow-off" for the introduction of fresh water and chemical/disinfection treatments.	Codifies specific submeter credits	WSSC RSD Staff
36	<u>111.5.9.2.3</u>	73% - Cooling Towers with drain or any mechanical loop piping routed to sanitary sewer including auto-mechanical "blow-off" for the introduction of fresh water and chemical/disinfection treatments.	Codifies specific submeter credits	WSSC RSD Staff
37	<u>111.5.9.2.4</u>	25% - Commercial/Industrial Laundries	Codifies specific submeter credits	WSSC RSD Staff
38	<u>111.5.9.2.5</u>	Any industry seeking a new credit or re-consideration of an established credit, shall provide an engineering analysis to the WSSC Customer Relations Department for approval, to determine the ratio of registered water consumption that discharges to sewer versus the quantity that does not discharge to the Commission's sanitary sewer collection system unless approved by the Commission.	Codifies specific submeter credits	WSSC RSD Staff

Proposed Code Changes to Facilitate Creation of the
2018 WSSC Plumbing and Fuel Gas Code

Chapter 2 - Definitions

Count	Code Section No.	Delete/Strikethrough -Add/ <u>Underline</u>	Comments	Proposed By
1	202	<u>BUILDING SEWER. For purposes of this Code and inspection limits, a <i>Building Sewer</i> begins at the end of the <i>Building Drain</i> and continues to the point of connection at the WSSC Service Connection, Right-of-Way Connection or inlet to a private sewage disposal system (septic tank) and does include appurtenances such as a Grease or Sand/Oil Interceptor or sewage lift/pump station. However, for a standard Site Utility System (SUS), the plumber's responsibility will end at and include the final connection to the SUS as shown on the approved SUS plan. Standard SUS sewer piping shall be installed and inspected under provisions set forth on the approved SUS plan and within the <i>Development Services Code</i>. A Minor Site Utility Systems sewer shall be recognized as a <i>Building Sewer</i> and shall be installed under a plumbing permit and this Code. County and State Health and Environmental Officials regulate private sewage disposal systems.</u>	Adding clarity and Code and Permitting language	WSSC RSD Staff
2	202	<u>BUILDING WATER SERVICE. For purposes of this Code and inspection limits, a <i>Building Water Service</i> begins at the point of connection to the WSSC Service Connection at the property line or edge of Right-of-Way and continues to the main Water Service Valve. However, for a standard Site Utility System (SUS), the plumber's responsibility will begin at end of the SUS as shown on the approved SUS plan. Standard SUS water service piping shall be installed and inspected under provisions set forth on the approved SUS plan and within the <i>Development Services Code</i>. A Minor Site Utility Systems water service shall be recognized as a <i>Building Water Service</i> and shall be installed under a plumbing permit and this Code. A Maryland licensed well driller may install a well service line from a well casing to the main water service valve, including pressure tank and controls without a WSSC plumbing permit or inspection; where the same scope of work is installed by a registered plumber, it shall be considered a <i>Building Water Service</i> and shall be installed and inspected under a WSSC plumbing permit. County and State Health and Environmental Officials regulate private wells and well drilling.</u>	Adding clarity and Code and Permitting language	WSSC RSD Staff

3	202	<p><u>METER. A device used to measure water or wastewater for determining billing or other accountable purpose.</u></p> <p><u>Detector Check. Measures a portion of water used in a fire protection system (aka tattle tale meter). Typically, current DC meters are installed within the by-pass arrangement of a privately owned and maintained ASSE 1048 or 1047 backflow prevention assembly.</u></p> <p><u>Domestic. Measures all water use/consumption, other than fire protection.</u></p> <p><u>Effluent. Measures actual wastewater flow; attached to or located within the wastewater flow stream; very rarely employed due to accuracy concerns; special permission required (aka totalizer meter).</u></p> <p><u>FM. An acronym meaning Factory Mutual, which indicates approved for fire protection systems; typically installed on commercial/industrial uses at or near the property line; meters all domestic and fire protection flows (aka Master Meter).</u></p> <p><u>Private. Measures increments of overall flow; typically owned, maintained and read by the property owner or manager (aka landlord meter)</u></p> <p><u>Sewer Only. Measures domestic water consumption, originating from a source other than a WSSC water service line, for purposes of establishing sewer billing charges (e.g. well water, other municipal source, or a water re-use system such as rainwater harvesting)</u></p> <p><u>Submeter. A secondary meter installed in series and downstream of a main domestic or FM meter to determine water consumption by various systems. Typically purposed as a sewer deduct meter (e.g. irrigation, cooling tower, etc.) or a proportional metering device to determine a portion of overall domestic use (e.g. mixed use or a process such as laundering).</u></p> <p><u>Water Only. Sometimes referred to as a "Hose Bibb Only" meter; measures flows in multi-unit buildings with a dedicated branch to an outdoor only water only use (e.g. hose bibb, irrigation). Also, may serve an entire property that is not connected to a WSSC sewer service line.</u></p>	Adding clarity and Code and Permitting language	WSSC RSD Staff
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Proposed Code Changes to Facilitate Creation of the
2018 WSSC Plumbing and Fuel Gas Code

Chapter 3 - Adoption of and Amendments to the International Plumbing Code

Count	Code Section No.	Delete/Strikethrough-Add/Underline	Comments	Proposed By
1	301.1	Adoption. The 2015 2018 edition of the International Plumbing Code (hereinafter “IPC”), published by the International Code Council, Inc., is hereby adopted and incorporated herein by reference, and has the same force and effect as though fully set forth in this Code, subject to the additions, deletions or other modifications set forth in this Chapter as amendments thereto.	Required change to adopt 2018 version of the International Plumbing Code	WSSC RSD Staff
2	<u>302.7.1</u>	<u>IPC 703, Building Sewer, is hereby AMENDED by ADDING Section 703.5.1, to allow certain private sewers to pass under or through another building on the same site and of the same ownership, all to read as follows:</u>	Allows for a site utility sewer to be routed under or through a building where detouring around is otherwise impractical or would result in a pressure sewer (pumped) application; Re-number all effected sections	WSSC RSD Staff
3	<u>302.7.1</u>	<u>703.5.1 Serviceability and Segregation. Where certain site conditions, elevations or obstructions exist, Building Sewers and Site Utility Sewers may pass under or through an adjacent or other building on the same site when both are under the same ownership. In order to establish serviceability and segregation the following parameters shall apply:</u>		
4	<u>302.7.1</u>	<u>703.5.1.1 Two Manholes Required. Manholes, meeting WSSC Standard Details, shall be provided on the exterior, prior to the subject sewer entering the building, and on the exterior, after the subject sewer exits the building. Additional manholes/cleanouts shall be required within the building where spacing requirements of IPC 708.1.1 dictate.</u>		
5	<u>302.7.1</u>	<u>703.5.1.2 Material. Piping material for the entire referenced run of piping shall comply with IPC Table 702.2.</u>		
6	<u>302.7.1</u>	<u>703.5.1.3 Segregation. The referenced sewer shall run through or under the subject building without any interconnections with the subject building's drain or sewer until reaching at least the most downstream manhole referenced in 703.5.1.1.</u>		

7	302.8.2	IPC 802.1, Indirect Waste , is hereby AMENDED by MODIFYING Sections 802.1.7 and 802.1.8 , to remove <i>air break</i> as an acceptable means of indirect connection, all to read as follows:	Remove conflict and align with Maryland State Health Department Regulations	WSSC RSD Staff
8	302.8.2	802.1.7 Commercial dishwashing machines. The discharge from a commercial dishwashing machine shall be through an air gap or air-break into a waste receptor in accordance with Section 802.2 802.1.8 Food utensils, dishes, pots and pans sinks. Sinks, in other than dwelling units, used for the washing, rinsing or sanitizing of utensils, dishes, pots, pans or service ware used in the preparation, serving or eating of food shall discharge indirectly through an air gap or an air-break to the drainage system.		
9	302.9.4	IPC 909.1, Distance of trap from vent , is hereby AMENDED by MODIFYING Section 909.1, to clarify that Table 909.1 does not represent "maximum" slopes as it pertains to the parameters contained in the slope column, all to read as follows:	Clarifies that slope values in Table 909.1 are not maximums; establish maximums and emphasis importance of related subsection	WSSC Plumbing Board Member
10	302.9.4	909.1 Distance of trap from vent. Each fixture trap shall have a protecting vent located so that the slope and the <i>developed length</i> in the <i>fixture drain</i> from the trap weir to the vent fitting are within the requirements set forth in Table 909.1. <u>The slope in a fixture drain from the trap weir to the vent fitting (trap arm) may exceed the values in Table 909.1, but shall not exceed 1/2" per foot (4%) and the provisions stated in Section 909.2 shall also be adhered to.</u>		WSSC Plumbing Board Member

11	<u>302.9.5</u>	<u>IPC 909.2, Venting of fixture drains, is hereby AMENDED by MODIFYING Section 909.2, to allow certain fittings to be used in venting applications, all to read as follows:</u>	Allows for long pattern fittings to connect trap arms to their vent source; Re-number all effected sections	WSSC RSD Staff
12	<u>302.9.5</u>	IPC 909.2 Venting of fixture drains. The total fall in a <i>fixture drain</i> due to pipe slope shall not exceed the diameter of the fixture drain, nor shall the <u>branch opening of</u> the vent connection <u>fitting serving</u> a <i>fixture drain</i> , except for water closets, be below the weir of the trap.		
13	<u>302.9.5</u>	IPC 909.2.1 Long Pattern Fittings. Long pattern fittings such as a tee-wye, combination wye and eighth bend, double tee-wye, or double combination wye and eighth bend shall be an acceptable vent connection fitting transitioning a horizontal trap arm to a vertical fixture drain or fixture branch drain.		
14	<u>302.9.5</u>	IPC 909.2.2 "Rolled Fittings". When connecting trap arms or wet vented fixture branches to a horizontal drain and vent system such as a <i>Wet Vent</i> , <i>Circuit Vent</i> or <i>Combination Waste and Vent</i> , Long pattern fittings, as referenced in 909.2.1, may have the branch "rolled-up" such that the branch is between 22-1/2 - 45 degrees above the horizontal plane. The corresponding 22-1/2 or 45-degree fitting used, to re-establish the horizontal plane for the trap arm, shall be considered the branch opening in reference to trap arm slope and connection provisions of this section. Excluding fittings and socketed fitting "make-ups", the maximum piping used to create the "rolled" connection shall not exceed two (2) pipe diameters in length.		

15	302.10.1	<p>1003.1.2.3 Flow-Based Grease Interceptor: Grease interceptor design based on flow rate with a specific requirement for upstream sink tail piece flow restriction (for indirectly connected fixtures) and a flow control device. Solids screens or strainers with a maximum screen size of 1/8” perforations must be provided to capture the solids discharge from <u>all sinks, such as pre-rinse stations or</u> dish/pot washing sinks and or located at floor sinks <u>and receptors</u> to avoid overloading the grease interceptor with solids. Sizing is based on the reasonable maximum flow anticipated from the fixtures connected to the grease interceptor based on the WSSC Tail Piece Flow Rate Table <u>1003.a</u> for indirect connections, and IPC Chapter 10/ASME A112.14.3 <u>Table 1003.c</u> for direct connections. Minimum size = 725 gallons per minute. Flow-based grease interceptors shall conform to ASME A112.14.3 or ASME A112.14.4 at the calculated flow rate; <u>however, flow-based interceptors of such design which causes either the inlet or outlet piping to remain "submerged" during normal static conditions shall be prohibited.</u> The following flow-based grease interceptors are differentiated based on whether or not there are mechanical grease removal features:</p>	Adding clarity to FOG related provisions	WSSC RSD Staff
16	302.10.1	<p>1003.2.1 A grease abatement system shall be required for the drainage from fixtures and equipment with potential grease-laden waste. Fixtures and equipment shall include, but not be limited to: 1, 2, 3, & 4 compartment sinks; pot sinks; pre-rinse sinks; soup kettles or similar devices; fresh meat cutting and prepping; wok stations; mop/service sinks; floor drains; <u>trough drains;</u> floor sinks; <u>open site drains;</u> <u>receptors;</u> dump sinks receiving waste products; automatic hood wash units; and dishwashers.</p>	Adding clarity fo FOG related provisions	WSSC RSD Staff
17	302.10.1	<p><u>1003.2.1.2 Where any kitchen drainage located within critical areas has been permitted to discharge to the sanitary drainage system, without being routed to a grease abatement system, receiving fixtures such as floor sinks, open site drains, receptors and similar drains, shall be installed with the receiving fixture's flood rim level located a minimum of one (1) inch above finished floor. Where approved, floor drains, trough drains and similar, within non-critical areas, may route directly to the sanitary drainage system as indicated on the approved plans.</u></p>	Requires/Allows non-FOG abated items to route directly to the sewer	WSSC RSD Staff
18	302.10.1	<p>1003.2.3 Volume Based Grease Interceptors shall receive the discharge of the entire kitchen and shall be sized accordingly. Exception: waste from sinks or fixtures with permitted <u>where</u> food waste disposers <u>are allowed by this Code, the discharge</u> shall <u>route</u> directly to the sanitary drainage system <u>and not pass through the required grease abatement system.</u></p>		
19	302.10.1	<p>1003.5.1.3.5 Where kitchen designs exceed one or more of the above parameters, the design shall incorporate a Volume-based Grease Interceptor. Deviation from this requirement may be considered on a case-by-case basis through a Code Modification (Waiver) Request form. Consideration will only be given based upon the site owner's available space.</p>	Un-necessary redundancy - Code Modifications/Waivers are allowed/addressed elsewhere in the Code.	WSSC RSD

20	302.10.1	<p>1003.5.1.3.1 <u>A maximum of</u> Only one (1) <u>two (2)</u> Flow-based Grease Interceptors shall be installed per FSE kitchen/food preparation location.</p> <p>1003.5.1.3.2 Any Flow-based Grease Interceptor <u>FSE kitchen</u> shall be limited to four (4) connected fixtures, equipment, or drains; <u>whether one or two Flow-based GI's are employed.</u></p>	Relax FOG provisions to help smaller operation meet code provisions	Staff
21	302.10.1	1003.5.1.5 Solids screens or strainers with a maximum of 1/8" perforations shall be provided to capture the solids discharge from <u>all sinks, such as pre-rinse stations or</u> dish/pot washing sinks and <u>or located at</u> floor sinks <u>and receptors</u> to minimize the solids loading on flow-based grease interceptors.	Adding clarity fo FOG related provisions	WSSC RSD Staff
22	302.10.1	<p>1003.5.3.2 Indirectly Connected Fixtures: For sinks, fixtures and drains indirectly connected to a flow-based grease interceptor (air gap required), a restricted flow tail piece is required and the flow-based grease interceptor shall be sized utilizing Table 1003.a and Table 1003.b. <u>The length of individual indirect waste lines shall be limited to the provisions of the International Plumbing Code, Section 802.3. An indirect manifold is an extension of the sum of all indirect waste lines served and therefore is limited to accumulative internal surface area allowed for all indirect waste lines served.</u></p>	Cummulative surface areas to be calculated by $3.14 \times L \times D$	
23	302.10.1	<p>1003.5.3.5 - Table 1003.a 1/2" Tailpiece = 7gpm Note: No offsets permitted in 1/2" and 3/4" tailpieces <u>Note: Maximum deflection, per fitting, in a 3/4" tailpiece, shall be 45 degrees</u></p>	Remove 1/2" tailpiece and alter footnote to reflect a solid real-world solution to an overly restrictive code requirement.	
24	302.10.1	1003.5.3.6 For a <u>The minimum size</u> Flow-based Grease Interceptor required to be retrofitted or replaced by an FSE, through Section 818 of this Code, the minimum size shall be 25gpm if serving at least a three-compartment sink.	Moves to consistency between to relative sections	WSSC RSD Staff
25	302.10.1	1003.6.2.3 Manholes and cleanouts shall be readily accessible for convenient inspection and maintenance. <u>The discharge/outlet piping of a VBGI shall be serviceable from a downstream manhole or a two-way clean-out shall be installed accordingly.</u>	Serviceability	WSSC RSD Staff
26	302.10.1	<p>1003.8.1 General <u>The provisions of 1003.8 shall only apply to drainage routed to the sanitary sewer. Portions of or entire systems where drainage is routed to a storm drainage system, or to grade, shall carry the appropriate storm water discharge permit issued by the jurisdiction having authority and shall not be bound by the provisions of this section.</u> All oil and sand interceptor details for concrete or similar fabricated interceptors shall be plan approved prior to installation and shall meet industrial waste discharge limitations per Section 804.</p>	Clarifying that WSSC does not regulate storm water discharges	

Proposed Code Changes to Facilitate Creation of the
2018 WSSC Plumbing and Fuel Gas Code

Chapter 4 - Adoption of and Amendments to the International Fuel Gas Code

Count	Code Section No.	Delete/ Strikethrough -Add/ <u>Underline</u>	Comments	Proposed By
1	401.1	Adoption. The 2015 <u>2018</u> edition of the International Fuel Gas Code (hereinafter “ IFGC ”), published by the International Code Council, Inc., is hereby adopted and incorporated herein by reference, and has the same force and effect as though fully set forth in this Code, subject to the additions, deletions or other modifications set forth in this Chapter as amendments thereto.	Required change to adopt 2018 version of the International Fuel Gas Code	WSSC RSD Staff

Proposed Code Changes to Facilitate Creation of the
2018 WSSC Plumbing and Fuel Gas Code

Chapter 5 - Cross Connection Control

Count	Code Section No.	Delete/Strikethrough-Add/Underline	Comments	Proposed By
1	502.3.1	502.3.1 New Facilities. New facilities, of all hazard levels, and existing facilities connecting to a new water service connection for the first time, shall require both containment and internal-protection assemblies or devices, as applicable. Containment backflow preventers shall be installed on the outlet side of the water meter <u>immediately downstream of the branch that serves the fire protection system. For buildings served by an outside meter, the branches to fire and domestic shall be installed within five (5) feet of where the main water service enters the building.</u> New facilities, regardless of hazard levels, shall not have separate service lines for fire and domestic use; building water services shall be sized for a combination of fire and domestic water usage. Fire sprinkler supply may branch off in parallel to the building containment assembly and each branch shall be outfitted with the appropriate level of backflow prevention.	Better clarifies the rule that will cover multiple acceptable piping arrangements.	WSSC RSD Staff
2	502.3.2	502.3.2 Existing Facilities. Containment and internal-protection assemblies in all facilities shall remain in service, be tested annually and repaired or replaced as otherwise needed to ensure compliance with this Code. Devices shall be replaced or rebuilt every five years. Where existing water service connections <u>any of the following conditions present</u> as part of a design-retrofit or upgrade, containment and internal protection assemblies or devices for these facilities shall meet the same requirements as cited under 502.3.1 above: Where a service connection is repaired or replace solely in response to a maintenance issue, containment backflow prevention shall not be required.	Expands the qualifiers of when a containment BFP will be required based on additional triggers that warrant updating the backflow protection in place.	WSSC RSD Staff
3	<u>502.3.2.1</u>	<u>502.3.2.1 Replacement or Upgraded Water Service Connection</u>		
4	<u>502.3.2.2</u>	<u>502.3.2.2 Replacement, Upgraded, or Re-Lined Water Service</u>		
5	<u>502.3.2.3</u>	<u>502.3.2.3 Replacement or re-lining of a minimum of 50 percent of the water distribution piping; or the remodeling or adding of 25 percent or more to an existing plumbing system</u>		
6	<u>502.3.2.4</u>	<u>502.3.2.4 Where a residential water service connection or water service is repaired or replaced solely in response to a maintenance issue, containment backflow prevention shall not be required</u>		

Proposed Code Changes to Facilitate Creation of the
2018 WSSC Plumbing and Fuel Gas Code

Chapter 5 - Cross Connection Control

7	505.3	Table 5.1; Row ASSE 1056; Use; <u>Emergency Drenching Hose</u>	Capture/recognizes emergency wash down features that incorporate hand held spray nozzles.	WSSC Plumbing Board Member
8	<u>506.1.1</u>	<u>Fixture Outlet Alteration. Other than a lab sink faucet spout, a water outlet such as a fixture faucet, shall not be altered beyond its original intent. The use of a wye-branch fitting or other manifold type assembly shall not be used to serve multiple systems, devices, equipment, appurtenances, etc. Each usage shall be provided with an individual water "rough-in", provided with a shut-off valve per IPC 606.2, and protected against backflow commensurate with the degree of hazard for that use.</u>	Corrects a long standing issue with various non-plumbers altering the intent of a fixture supply outlet/spout and creating significant cross connection hazards.	WSSC RSD Staff
9	506.2	506.2 Devices, appurtenances, appliances and apparatus. All devices, appurtenances, appliances and apparatus intended to provide some special function, such as sterilization, distillation, processing, cooling, or storage of ice or food, and that connect to the water supply system, shall be provided with protection against backflow and contamination of the water supply system. Water pumps, filters, softeners, tanks and all other appliances, <u>appurtenances</u> and devices that <u>convey</u> potable water shall be <u>constructed of certain materials and contain components that maintain the potability of the water and</u> protect against contamination.	Edit to clarify intent	WSSC RSD Staff
10	<u>507.6.2</u>	<u>507.6.2 Permanent Piping. Piping to the inlet side of a testable backflow assembly shall be permanent "hard" piping and shall not contain a means to later circumvent the required backflow protection assembly. Unions may only be used on outdoor assemblies, to facilitate winterization.</u>	Disallows easily defeated temp style connections; Renummer existing 507.6.2 and beyond	WSSC RSD Staff
11	<u>508.3.1.1.1</u>	<u>Tests shall be performed by a Certified Backflow Prevention Mechanic. A dated test tag indicating the corresponding test report number and the test results shall be attached to each testable backflow prevention assembly.</u>	Noting the tagging requirements (that already exist elsewhere in th Code), within the BFP Chapter for ease of reference	WSSC RSD Staff
12	<u>508.3.1.2.1</u>	<u>ASSE 1012, ASSE 1022, and ASSE 1024 devices shall be tagged and shall include: Installation date (and/or expiration date), and the words: "for optimal performance and safety this device is required by WSSC Code to be replaced or re-built every 5 years."</u>		

Proposed Code Changes to Facilitate Creation of the 2018 WSSC Plumbing and Fuel Gas Code				
Chapter 6 - WSSC Water Meters				
Count	Code Section No.	Delete/ Strikethrough -Add/ <u>Underline</u>	Comments	Proposed By
		No Changes Proposed		

Proposed Code Changes to Facilitate Creation of the 2018 WSSC Plumbing and Fuel Gas Code				
Chapter 7 - Site Utility Systems				
Count	Code Section No.	Delete/ Strikethrough -Add/ <u>Underline</u>	Comments	Proposed By
		No Changes Proposed		

Proposed Code Changes to Facilitate Creation of the
2018 WSSC Plumbing and Fuel Gas Code

Chapter 8 - Industrial and Special Waste

Count	Code Section No.	Delete/Strikethrough-Add/Underline	Comments	Proposed By
1				
2	818.2	<p>818.2 Permit Required. All <u>qualifying</u> Food Service Establishments (FSE) shall apply to the Commission for obtain or be issued a FSE Wastewater Discharge Permit. New and existing FSEs shall apply for a Discharge Permit within 30 days of receiving an application. Failure to return the completed application shall subject the FSE to enforcement action. New FSEs shall obtain a Discharge Permit prior to discharging. <u>may be required to complete a fully signed permit survey to document their Discharge Permit. Failure to return a completed permit survey can subject the FSE to enforcement actions. If the Commission deems the FSE qualifies for a Discharge Permit, the FSE survey may also be used as the permit application requiring the FSE's Commission account number and a responsible party signature.</u></p>	Alter Code to match procedures favorable to issuing FOG discharge permits sooner in the construction/occupancy timeline.	WSSC RSD-FOG Staff
3	818.2.1	<u>818.2.1 To ensure the FSE is aware of Code requirements or other federal, state or Commission deadlines, the Commission reserves the right to issue a FSE Discharge Permit prior to receiving an FSE's completed permit survey.</u>	Re-number existing 818.2.1 and beyond	WSSC RSD-FOG Staff
4	818.2.2	<p><u>818.2.2 The Commission shall make the determination that an FSE Discharge Permit is warranted under one or more of the following conditions:</u></p> <p><u>818.2.2.1 Prior to a new FSE opening with a valid Health Department Permit</u></p> <p><u>818.2.2.2 At the time of the Commission's full initial inspection of an open FSE</u></p> <p><u>818.2.2.3 Upon receipt of a fully completed permit survey or application</u></p> <p><u>The Commission shall issue a permit if it is determined that pretreatment facilities are adequate for efficient treatment of discharged waste and that the discharged waste complies with the discharge limitations of these regulations.</u></p>	Alter Code to match procedures favorable to issuing FOG discharge permits sooner in the construction/occupancy timeline.	WSSC RSD-FOG Staff

Proposed Code Changes to Facilitate Creation of the
2018 WSSC Plumbing and Fuel Gas Code

Chapter 8 - Industrial and Special Waste

Count	Code Section No.	Delete/Strikethrough-Add/Underline	Comments	Proposed By
5	818.2.3	818.2.13 Survey or Application Review. The Commission shall review the application <u>or survey</u> submitted by the FSE and may require additional information. Within 90-days of receiving a complete application, the Commission shall make the determination that a FSE Wastewater Discharge Permit may be warranted. The Commission shall issue a permit if it is determined that pretreatment facilities are adequate for efficient treatment of discharged waste and that the discharged waste complies with the discharge limitations of these regulations.	Last sentence moved up to 818.2.2	WSSC RSD-FOG Staff
6	818.4.3	818.4.3 Maintenance <u>and Inspection</u> Intervals. The minimum maintenance and cleaning frequency for Volume-Based Grease Interceptors shall be quarterly, <u>by the Code Official's directive</u> , or by the "25% rule", whichever is more stringent. <u>Volume-Based Grease Interceptors shall be internally inspected annually by a qualified inspection service to determine needs for additional cleaning or repair work.</u> The maintenance and cleaning for Flow-Based Grease Interceptors shall be conducted pursuant to manufacturers' recommendations, <u>by the Code Official's written directive</u> , or by the "25% rule," whichever is more stringent. <u>Flow-based Grease Interceptors shall be inspected weekly for operations. Requests for deviation from required maintenance intervals less frequent than minimums determined by the Commission shall be submitted to the</u> Commission in writing. Approval of such requests is subject to the Commission's discretion.	Adding clarity and matching existing procedures/expectations	WSSC RSD-FOG Staff
7	818.8	818.8.1 Violations of the Food Service Establishment shall include, but not be limited to, the following:		WSSC RSD-FOG Staff

Proposed Code Changes to Facilitate Creation of the
2018 WSSC Plumbing and Fuel Gas Code

Chapter 8 - Industrial and Special Waste

Count	Code Section No.	Delete/Strikethrough-Add/Underline	Comments	Proposed By
8	818.8	<u>818.8.1.1</u> Failure to properly maintain a grease abatement system <u>818.8.1.2</u> Failure to keep or to present records of maintenance <u>818.8.1.3</u> Unauthorized removal and/or tampering with the flow control device <u>818.8.1.4</u> Failure to present Food Service Establishment Discharge Permit <u>818.8.1.5</u> Failure to comply with any condition of a FSE Wastewater Discharge Permit <u>818.8.1.6</u> Failure to use a permitted Waste Hauler for interceptor maintenance <u>818.8.1.7</u> Failure to use a WSSC registered Master Plumber for correcting any and all enforcement actions that require plumbing work <u>818.8.1.8</u> Bypassing, tampering or otherwise preventing normal operation of a grease abatement device <u>818.8.1.9</u> Pass through of observable and measureable amounts of fats, oils or grease to the Commission's sewer service	Section is being broken down into sub sections and embellished	WSSC RSD-FOG Staff
9	818.8	<u>818.8.2</u> Violations shall subject the Food Service Establishment to penalties and other enforcement action as provided for in this Code and the Commission's FSE Enforcement Response Plan.	Re-number existing 818.8.2 and beyond	WSSC RSD-FOG Staff
10				
11				
12				
13				

Proposed Code Changes to Facilitate Creation of the
2018 WSSC Plumbing and Fuel Gas Code

Chapter 9 - Water Re-use Systems

Count	Code Section No.	Delete/ Strikethrough -Add/ <u>Underline</u>	Comments	Proposed By
		No Changes Proposed		

Table 106.1.2a Required Plumbing Permit ¹			
Description	Long Form (LFP)	Short Form ² (SFP)	No Permit Required
New or Replacement Structure; Complete Renovation	Required	No	
Modification, Addition, Alteration, Extension, Relocation	Required	No	
Demolition, Remove Fixtures or Equipment & Rough Piping (capping off at active inside mains or risers)	Likely ^{3, 14}	Likely ^{4, 14}	
Fixture Removal & Cap Exposed Rough-ins for future re-use	No	No	NR
Installation of plumbing fixture or plumbing appliance for first time on existing full rough, including water.	Allowed	Required ²	
Replace existing plumbing fixture or appliance, of same kind and location, no alteration of rough-ins ¹¹	Allowed	Allowed	NR
New or Replacement WSSC Inside Water Meter, Submeter, or Special Utilization Meter (e.g. Mixed-Use, Laundromat, etc.)	Required	No	
New, Replacement, or Relocation of a Private (Landlord) Water Meter	Allowed	Allowed	NR
Installation of new building water service or building sewer (Includes Minor Site Utility Systems, but <i>Not</i> Service Connections or Standard Site Utility Systems ⁵)	Required	No	
Replacement, relocation or repair of building water service or building sewer utilizing existing service connections	Allowed	Required ²	
Cap-off of building water service and/or building sewer at property line for building razing (demolition) ⁶	No	Required ²	
Installation, replacement or retrofit of non-SDC equipment or appurtance with water connections, but no fuel gas connection ¹²	Allowed	Required ²	
Replacement of water distribution or DWV piping for Group R-3 Occupancy (Residential)	Allowed	Required ²	
Replacement of commercial water distributuon or DWV piping if less than or equal to ten (10) percent of a system or sub-system ⁷	Allowed	Required ²	
Replacement of commercial water distribution or DWV piping if greater than ten (10) percent of a system or sub-system ⁷	Required	No	
Minor Localized Interior Plumbing Repairs (spot repairs); fixing leaks, obstructed, or damaged piping ¹¹	Allowed	Allowed	NR
Replace existing grinder pump or sewage ejector pump ¹³	Allowed	Required ²	
Installation or Relocation of Testable Backflow Assemblies or Non Testable Backflow Devices ⁸	Required	No	
Replacement of Testable Backflow Assemblies ⁸	Allowed	Required ²	
Testing of Testable Backflow Assemblies ⁸	No	No	NR
Replacement of Non-testable Backflow Devices ⁹	Allowed	Allowed	NR
General Re-Inspection Fee or to Repost Lost Tag (GW, Close-in, Gas, or Final) ¹⁰	No	Required ²	
Additional Inspection Fee where Ground Works, Close-In or Final was previously finalized, reopen category for more inspections ¹⁰	No	Required ²	

Required = the lowest level of permit required

Allowed = item may have permit optionally issued at this level where a lesser permit is required or where no permit is required, this will allow for numerous items to be consolidated under one permit and/or to facilitate an optional inspection where an inspection otherwise is not required by code.

No = cannot use this type of permit for the scope of work described

NR = No Permit Required for the scope of work described

Likely = See corresponding footnotes below

1 - See Section 106 for details and conditions for all required permits and *Exempt Work*.

2 - See 106.9.1 for limitations - Generally, a SFP shall only be used for one (and only one), inspection type and limited to three inspectable items. Also see footnote 10.

3 - A Long Form Fixture Credit Permit may be needed to account for existing plumbing fixtures prior to removal and demolition where existing water or sewer services were installed after the commencement of System Development Charges (SDC - circa 1993) or where the scope of future construction, including fire protection, will trigger an upgrade of the *Water* or *Sewer Service Connections*; or the WSSC water meter.

4 - Where SDC fixture credit is not needed per footnote 3, a SFP may be used to facilitate inspection of inside demolition and cap-offs, especially needed in cases of partial demolition in an occupied building.

5 - Service Connection Permits (for connection to WSSC mains in public Rights of Ways) and Standard Site Utility System Permits (for large diameter on-site mains) shall follow permit requirements set forth in the Development Services (DS)Code.

6 - Cap-off is a temporary action used to facilitate the razing (demolition) of a structure. An abandonment is a permanent condition where *Water* or *Sewer Service Connections* are disconnected at their respective mainline. Abandonments are required to be executed under a Service Connection Permit in accordance with the DS Code.

7 - See Section 106.2.2

8 - See Sections 106.2.3.1 and 508

9 - A Replacement/Rebuild Tag is required per Section 508.3.1.2.1

10 - The assessment of a SFP for re-inspection fee or other purpose is at the sole discretion of the Plumbing Inspector, see 106.7.6; 106.9.2; 107.2.1.8; and 107.3.4

11 - See 106.2.3

12 - New installations are limited to residential appurtenances (such a solar pre-heaters); New commercial installations shall require a long form permit

13 - Where a grinder pump system discharges to a WSSC pressure sewer system, the pump shall be an exact replacement, manufacture and model unless an alternate is approved by WSSC Engineering.

14 - Where systems or equipment and the corresponding BFP(s) are removed, a SFP is required for the inspector to verify the complete divorcement. The actual BFPs shall be present or their pertinent information (make, size, serical number, hazard served, etc.), must be provided to the inspector so the active BFP tracking record can be updated in WSSC's BFP tracking system.

Table 106.1.2b
Required Fuel Gas Permit¹

Description ^{3, 13}	Long Form (LFP)	Short Form ² (SFP)	No Permit Required
New or Replacement Structure; Complete Renovation	Required	No	
Modification, Addition, Alteration, Extension, Relocation; for Group R-3 Occupancy (One or Two Family Dwelling, SFH or TH)	Allowed	Required ²	
Modification, Addition, Alteration, Extension, Relocation; for other than R-3 (Multi-Unit Buildings, Commercial, Industrial)	Required	No	
Demolition, Remove Appliances & Rough Piping (capping off at active mains or risers) ¹²	Allowed	Required ²	
Appliance Removal & Cap Exposed Rough-ins for future re-use ⁴	No	No	NR ⁴
Installation of gas appliance or equipment for first time on existing full rough ⁵	Allowed	Required ²	
Replace existing gas appliance of same kind, load, and location; less than or equal to 450,000 Btuh; no pipeline alteration.	Allowed	Required ²	
Replace existing gas appliance of same kind, load, and location; greater than 450,000 Btuh; no pipeline alteration.	Required	No	
Minor Localized Gas or Venting Repairs (spot repairs); fixing leaks, obstructed, or damaged piping	Allowed	Required ²	
Gas Appliance Maintenance; Replacement, repair or adjustment of gas controls, burners, pilot assemblies ⁴	No	No	NR ⁴
Temporary Piping (typically for construction heaters) with three or fewer outlets	Allowed	Required ²	
Temporary Piping (typically for construction heaters) with four or more outlets; plans review required ⁶	Required	No	
Move and reconnect temporary/construction heaters to other outlets on previously approved temporary piping system ⁴	No	No	NR ⁴
Chimney or Vent Lining; Common Vent or Vent Connector Replacement ⁷	Allowed	Required ²	
Gas Utility Meter Relocation, initiated by the gas company for system enhancement, bound by the limits of the Twelve Joint Rule ⁸	No	No	NR ⁴
Gas Utility Meter Relocation, initiated by the property owner (typically due to construction conflict) ⁹	Allowed	Required ²	
Pressure Testing after service interruption; meter pulled due to fire, structural damage, leak(s), etc. (i.e. emergency Inspection)	Allowed	Required ²	
Reconnection of Appliances after service interruption; new appliance shut-off valves and/or appliance connectors ¹⁰	Allowed	Required ²	
General Re-Inspection Fee; Repost Lost Tag (GW, Close-in, Gas, or Final) ¹¹	No	Required ²	
Additional Inspection Fee where Ground Works, Close-In or Final was previously finalized, reopen category for more inspections ¹¹	No	Required ²	

Required = the lowest level of permit required

Allowed = item may have permit optionally issued at this level where a lesser permit is required or where no permit is required; this will allow for numerous items to be consolidated under one permit and/or to facilitate an optional inspection where an inspection otherwise is not required by code.

No = cannot use this type of permit for the scope of work described

NR = No Permit Required for the scope of work described

Likely = See corresponding footnotes below

1 - See Section 106 for details and conditions for all required permits and *Exempt Work*.

2 - See 106.9.1 for limitations - Generally, a SFP shall only be used one (and only one), inspection type and limited to three inspectable items. Also see footnote 11.

3 - All descriptions include Underground (after the *Point of Delivery*), where applicable, unless noted otherwise.

4 - Although this work described does not require a permit, it shall **Only** be performed by a registered *Journeyman or Master Gasfitter*. Or in the case of appliance maintenance, a factory certified technician may perform these minor troubleshooting tasks.

5 - Original rough-in was sized to accommodate specific appliance and load; at discretion of the WSSC Plumbing Inspector - original supporting documentation or new Plans Review may be required.

6 - Initial/First time connection for each heater shall be inspected and approved; this inspection is covered under the long form permit

7 - Re-lining or replacing venting components is covered under appliance permit where applicable. Stand alone permit needed when performed by different contractor under separate contract.

8 - See 106.2.5 - Where the gas company, or their contractor, goes outside the scope of 106.2.5 or 402.4.2, an applicable permit and inspection is required.

9 - Plans Review is required for commercial work with 4 or more appliances; PR also required for large scale residential systems at the WSSC Plumbing Inspectors discretion

10 - Within 10 business days of restoring a system (after interruption and subsequent testing), a permit and inspection is required for re-connected appliances utilizing replacement appliance shut-off valves and/or replacement appliance connectors

11 - The assessment of a SFP for re-inspection fee or other purpose is at the sole discretion of the Plumbing Inspector, see 106.7.6; 106.9.2; 107.2.1.8; and 107.3.4

12 - Cap-off is a temporary action used to facilitate the razing, demolition, or remodeling of a structure. Applies to gas distribution piping after the Point of Delivery; typically onsite to isolate an area; or one or more buildings from the remaining system.

13 - Gas Appliances with potable water connections or requiring Backflow Prevention shall require a combination plumbing/gas permit; alternately, the work may be represented by two permits -one plumbing & one gas.

CHAPTER 8

INDUSTRIAL AND SPECIAL WASTE

SECTION 801

APPLICABILITY

801.1 Scope. This chapter shall authorize the regulation of Industrial Users discharging to the Commission wastewater system through the issuance of permits to certain non-domestic users and through enforcement of general requirements for other users; shall authorize monitoring and enforcement activities; shall detail user reporting requirements; and shall provide for the setting of fees for the equitable distribution of costs resulting from the program established herein. These requirements shall apply to all *persons* (see definition) within the WSSD and to persons outside the WSSD who are, users of the Commission sewer and wastewater treatment systems by agreement, permit or other means. Persons who apply for or receive service from the Commission shall be deemed to have consented to inspections and shall comply with Commission regulations. Water re-use systems are subject to chapter 9.

801.2 Definitions. In addition to the definitions generally applicable to the provisions of this Code [See Chapter 2], the following definitions are specifically applicable to the provisions of this Chapter 8, Industrial and Special Waste.

801.2.1 Administrator. The Administrator of the U.S. Environmental Protection Agency.

801.2.2 Authorized Representative

801.2.2.1 Corporation. If the Industrial User is a corporation, authorized representative shall mean:

- The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
- The manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations, can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

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801.2.2.2 Partnership or Proprietorship. If the Industrial User is a partnership, or sole proprietorship, an authorized representative shall mean a general partner or proprietor, respectively.

801.2.2.3 Government. If the Industrial User is a Federal, State or local governmental facility, an authorized representative shall mean a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or his/her designee.

801.2.2.4 Designee. The individuals described in paragraph 801.2.2 may designate another authorized representative if the authorization is in writing; the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company; and the written authorization is submitted to the Commission.

801.2.2.5 New Authorization. If authorization in paragraph 801.2.2.4 is no longer accurate because a different individual or position has responsibility, a new authorization satisfying the requirements of paragraphs 801.2.2.1 and 801.2.2.4 of this section must be submitted to the Commission prior to or together with any reports to be signed by an authorized representative.

801.2.3 Best Management Practices (BMPs). Methods, activities, prohibitions of practices, maintenance procedures, and other management practices designed to reduce the quantity of pollutants discharged to a pretreatment system or to the POTW. BMP's also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

801.2.4 Biochemical Oxygen Demand (BOD). The measure of oxygen utilized in the biochemical oxidation of organic matter in 5 days at 20 degrees Celsius expressed in milligrams per liter (mg/l).

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

801.2.6 Categorical Industrial User. Any industrial user who is subject to categorical pretreatment standards.

801.2.67 Categorical Pretreatment Standard (Categorical Standard). Any regulation containing pollutant discharge limits promulgated by EPA in accordance with Sections 307(b) and (c) of the Clean Water Act which apply to a specific category of users and which appear in 40 CFR Chapter I, Sub-Chapter N, Parts 405-471.

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801.2.7 8 Code of Federal Regulations (CFR). A codification of the general and permanent rules published in the Federal Register by the Executive Department and agencies of the Federal government.

801.2.8 9 Chronic Violation. Violations of wastewater discharge limits in which 66 percent or more of all of the measurements taken for the same pollutant parameter during a 6-month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including instantaneous limits, as defined by 40 CFR 403.3(l).

801.2.9 10 Composite Sample. A sample formed by mixing discrete, individual samples taken at a continuous proportion to the discharge flow or at periodic points in time.

801.2.10 11 Discharge Authorization. A permit issued by the Commission authorizing the discharge of industrial wastes into the wastewater treatment system subject to specific discharge standards, reporting requirements and other restrictions.

801.2.11 12 Domestic Wastes. The waterborne wastes derived from ordinary living processes.

801.2.12 13 Effluent. The flow of liquid out of a fixture, pipe, process, or system.

801.2.13 14 Environmental Protection Agency (EPA). The U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, or other duly authorized official of said agency.

801.2.14 15 Existing Source. Any source of discharge, the construction of which commenced prior to the publication by EPA of proposed categorical pretreatment standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Clean Water Act.

801.2.16 Food Service Establishments (FSEs). Establishments where food is served to or provided for the public, with or without charge, including but not limited to restaurants, cafeterias, hotel kitchens, church kitchens, school kitchens, hospital cafeterias, bars, or any other commercial operation that has the potential to discharge grease laden wastewater.

801.2.15 801.2.17 Garbage. The solid animal and vegetable waste resulting domestic or commercial handling, storage, dispensing, preparation, cooking and serving of foods.

801.2.16 801.2.18 Grab Sample. A sample taken from a wastestream without regard to the flow in the wastestream and over a time not to exceed 15 minutes.

801.2.17 801.2.19 Ground Water. Subsurface water occupying the zone of saturation, either confined or free.

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~~801.2.17.1~~ 801.2.19.1 **Confined Ground Water.** A body of ground water covered with a material impervious enough to sever free hydraulic connection with overlying ground water.

~~801.2.17.2~~ 801.2.19.2 **Free Ground Water.** Ground water in the zone of saturation extending down to the first impervious barrier.

~~801.2.18~~ 201.2.20 **Indirect Discharge.** The introduction of pollutants into a POTW from any non-domestic source regulated under section 307(b), (c) or (d) of the Clean Water Act.

~~801.2.19.21~~ 801.2.19.21 **Industrial User.** Any place of business, endeavor, arts, trade or commerce, whether public or private, commercial or charitable, that uses water in a product, process, or any manner that generates wastewater which is a source of indirect discharge. For the purposes of Chapter 8 the terms Industrial User and User will be used interchangeably.

~~801.2.20.22~~ 801.2.20.22 **Industrial Wastes.** Liquid or liquid borne wastes resulting from the processes employed in industrial and commercial establishments.

~~801.2.21.23~~ 801.2.21.23 **Influent.** The flow of a liquid into a fixture, pipe, process, or system.

~~801.2.22.24~~ 801.2.22.24 **Interference.** A discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

- Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use, or disposal; and
- Is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

~~801.2.23.25~~ 801.2.23.25 **Lower Explosive Limit (LEL).** The minimum concentration of a particular combustible gas that can be ignited in air.

~~801.2.24.26~~ 801.2.24.26 **Industrial Waste Monitoring Point.** A Commission approved access opening to the building drainage system for the purpose of obtaining samples of the industrial user's waste discharges. Limits imposed on permitted industries apply at this point.

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801.2.2527 Misconduct. Use of abusive language, threats, mischievous or criminal acts, directed toward the public while providing services, or toward a code official while performing official duties.

801.2.2628 New Source. A New Source shall be defined as:

801.2.26.1 801.2.28.1 Any Premises. Any building, structure, facility, or installation from which there is, or may be, a discharge of pollutants; the construction of which commenced after the publication of proposed pretreatment standards under Section 307(c) of the Clean Water Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:

- (1) The building, structure, facility or installation is constructed at a site at which no other source is located; or
- (2) The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
- (3) The production or wastewater generating processes if the building, structure, facility or installation is substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source should be considered.

801.2.26.2 801.2.28.2 Construction Site. Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility or installation meeting the criteria of paragraphs 801.2.26.1.(2.) and 801.2.26.1.(3.) of this Section but otherwise alters, replaces, or adds to existing process or production equipment.

801.2.26.3 801.2.28.3 New Source. Construction of a new source as defined under this paragraph has commenced if the owner or operator has:

- (1) Begun, or caused to begin as part of a continuous on-site construction program as follows:
 - (a) Any placement, assembly, or installation of facilities or equipment; or
 - (b) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
- (2) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time.

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Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

801.2.~~27~~29 Non-Contact Cooling Water. Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

801.2.~~28~~30 Non-Domestic Waste. The liquid wastes from industrial or commercial processes, trade or business; distinct from domestic wastes.

801.2.~~29~~31 NPDES Permit. A National Pollutant Discharge Elimination System Permit. NPDES Permits authorize the operation of WSSC wastewater treatment plants. NPDES Permits for WSSC plants shall be issued by the State of Maryland.

801.2.~~30~~32 Owner. A proprietor, person, or entity who owns or has exclusive rights of possession.

801.2.~~31~~33 Person. Any individual; partnership; co-partnership; firm; company; corporation; association; joint stock company; trust; estate; Federal, State, and local governmental entity; society; group or any other legal entity; or their legal representatives, agents, or assigns or governmental entities.

801.2.~~32~~34 Pass Through. A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).

801.2.~~33~~35 pH. A measure of acidity, or alkalinity of a liquid. It is represented on a scale of 0 to 14 with 7 representing a neutral state; 0 representing the most acidic; and 14 representing the most alkaline.

801.2.~~34~~36 Pollutant. Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, chemical wastes, biological wastes, radioactive wastes, heat, rocks, sand and other industrial, municipal, commercial and agricultural waste or any other contaminant.

801.2.~~35~~37 Pollution. The addition of sewage, industrial wastes, or other harmful or objectionable material to water. Sources of pollution can be privies, septic tanks, subsurface irrigation fields, seepage pits, sink drains, barnyard wastes, etc.

801.2.~~36~~38 POTW. A Publicly-Owned Treatment Works of the Commission, which includes any device and system used in storage, treatment, recycling, and reclamation of municipal sewage or industrial waste of a liquid nature. Also included are sewers, pipes, and other conveyances only if they convey wastewater to a POTW Treatment Plant. The term also means the municipality as defined in section 502(4) of the Clean Water Act,

which has jurisdiction over the indirect discharges to and the discharges from such a treatment works.

801.2.~~37~~³⁹ POTW Treatment Plant. That portion of the POTW which is designed to provide treatment (including recycling and reclamation) of municipal sewage.

801.2.~~38~~⁴⁰ Pretreatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration may be obtained by physical, chemical, or biological processes, process changes, or by other means, except as prohibited by 40 CFR 403.6(d) of the General Pretreatment Regulations. Appropriate pretreatment technology includes control equipment, such as equalization tanks or facilities for protection against surges or slug loadings that might interfere with or otherwise be incompatible with the POTW. However, where wastewater from a regulated process is mixed in equalization facility with unregulated wastewater, wastewater from another regulated process, or a dilution flow, the effluent from the equalization facility must meet an adjusted pretreatment limit calculated in accordance with 40 CFR 403.6(e).

801.2.~~39~~⁴¹ Pretreatment Requirements. Any substantive or procedural requirement related to Pretreatment, other than a National Pretreatment Standard, imposed on an Industrial User.

801.2.~~40~~⁴² Pretreatment Standards or Standards. Prohibited discharge standards, categorical Pretreatment Standards, state pretreatment standards, and local limits.

801.2.~~41~~⁴³ Prohibited Discharges. Absolute ban against the discharge of certain substance; these prohibitions appear in Section 804 of this code.

801.2.~~42~~⁴⁴ Properly Shredded Garbage. Garbage that has been shredded such that all particles will be freely carried under flow conditions normally occurring in the wastewater sewers with no particles greater than ½-inch in any dimension.

801.2.~~43~~⁴⁵ RCRA. Resource Conservation Recovery Act.

801.2.~~44~~⁴⁶ Severe Property Damage. Substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

801.2.~~45~~⁴⁷ Significant Industrial User. An Industrial User meeting one or all of the criteria as defined in 40 CFR 403.3, the criteria being:

- (1) All Industrial Users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N; and

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- (2) Any other Industrial User that discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, non-contact cooling and boiler blow-down wastewater); or
- (3) Any Industrial User which contributes process wastes stream which makes up 5 - percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
- (4) Any Industrial User designated by the Commission on the basis that the Industrial User has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(f)(6)).

NOTE: Upon a finding that an Industrial User, meeting the above criteria of this definition, has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the Commission may at any time, on its own initiative or in response to a petition received from an Industrial User, and in accordance with 40 CFR 403.8(f)(6), determine that such Industrial User is not a Significant Industrial User.

801.2.46 48 Slug Discharge. A slug discharge is any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the Commission's regulations, local limits or Permit conditions.

801.2.47 49 Special Wastes. Wastes that require special treatment before entry into the normal plumbing system.

801.2.48 50 Storm Water. Any flow of water occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

801.2.49 51 Technical Review Criteria (TRC). Violations of wastewater discharge limits in which 33 -percent or more of all the measurements taken for the same pollutant parameter taken during a 6-month period equal or exceed the product of the numeric Pretreatment Standard or Requirement including instantaneous limits, as defined by 40 CFR 403.3(l) multiplied by the applicable TRC (TRC=1.4 for BOD, TSS, fats, oil and grease; and TRC=1.2 for all other pollutants except pH).

801.2.50 52 Toxic Substances. Substances that, when inhaled or ingested, can cause death or disease.

~~**801.2.51 Total Toxic Organic (TTO).** A list of organic compounds specifically developed for regulation by the Commission.~~

801.2.53 TOTAL PCBs. Total PCBs shall consist of the summation of all concentrations for Arochlor 1016, 1221, 1232, 1242, 1248, 1254, and 1260 that are

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above the reporting detection limit (RDL) or reporting limit (RL) of 0.001 mg/L. EPA analytical method 608 shall be used for all PCB analysis.

801.2.52 54 Upset. An exceptional incident in which there is unintentional and temporary noncompliance with categorical pretreatment standards because of factors beyond the reasonable control of the Industrial User. An Upset does not include non-compliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.

801.2.53 55 Wastewater. Liquid and water-carried industrial waste and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated which are discharged to the POTW.

801.2.56 Zero Discharge Categorical Industrial User. A user which may be identified by the Commission as a Categorical Industrial User, as defined herein, which has voluntarily elected not to discharge any of its categorically regulated process wastewater to the POTW, but to dispose of the wastewater by other legal means.

SECTION 802 GENERAL PROVISIONS

802.1 Objectives. This Industrial and Special Waste chapter shall detail uniform requirements for Industrial Users discharging into the wastewater collection and treatment systems of the Commission and shall enable the Commission to comply with all applicable state and Federal laws required by the Clean Water Act of 1977 and the General Pretreatment Regulations of 1981, as amended. The objectives of this Chapter shall be:

802.1.1 Prevent Interference with Operations. To prevent the introduction of pollutants into the Commission wastewater system that will interfere with the operation of the system or contaminate the resulting sludge.

802.1.2 Prevent Inadequate Treatment. To prevent the introduction of pollutants into the Commission wastewater system that will pass through the system, inadequately treated, into receiving waters or otherwise be incompatible with the system.

802.1.3 Reclaim Wastes. To improve the opportunity to recycle and reclaim municipal and industrial wastewater and sludge.

802.1.4 Endangerment. To prevent the introduction of pollutants into the collection system which endanger workers or interfere with the operation of the collection system or treatment plants.

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802.1.5 Fees. To provide for the levying and collection of fees for the equitable distribution of the cost of the operation, maintenance and improvement of the Commission's Industrial Discharge Control Program.

SECTION 803 GENERAL DISCHARGE REQUIREMENTS

803.1 All Industrial Users. All Industrial Users discharging non-domestic wastes into the Commission's sanitary sewers from a building drain or sewer or any other method shall meet the standards and requirements of this chapter. The Commission shall reserve the right, as it may deem proper, to require pretreatment of industrial wastes, or any other special kinds of wastes, before such wastes are discharged to the sanitary sewer.

803.2 Federal and Other Standards. All Industrial Users shall comply with the Federal general pretreatment regulations in 40 CFR Part 403 and the applicable national categorical pretreatment standards set out in 40 CFR Chapter I, Subchapter N Parts 405 through 471 as amended, and all other applicable Federal, State, or local discharge limitations, requirements or standards. Limitations imposed on users at the point of application shall be the most stringent limitations applicable. These may be Federal, State, or local requirements or standards. In the event that an Industrial User discharges to any outside jurisdiction, the Commission shall enforce discharge limitations, requirements, or standards at least as stringent as those established in the outside jurisdiction.

803.3 Discharge Limits. The Commission may impose mass discharge limits in lieu of, or in conjunction with, concentration discharge limits.

803.4 Categorical Standards. The national categorical pretreatment standards found in 40 CFR Chapter I, Subchapter N, Parts 405-471 shall hereby be incorporated.

803.5 State Standards. The State pretreatment standards found in COMAR Title 26 shall hereby be incorporated.

803.6 Special Agreements. No provision contained in these Regulations shall be deemed to prevent any special agreement or arrangement between the Commission and any person, whereby wastewater of unusual strength or characteristic may be accepted by the Commission for treatment, that will not violate or cause the Commission and/or the user to violate, Federal or State pretreatment requirements or standards; and which shall not be harmful to the system. Under no circumstances shall Federal or State pretreatment standards or requirements be waived.

SECTION 804 PROHIBITED DISCHARGES

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804.1 Prohibited Discharge to Sanitary Sewer. No person shall discharge the following, or cause the following to be discharged, directly or indirectly, into the Commission's sanitary sewer:

804.1.1 Temperature. Any liquids or vapors having a temperature greater than 140 degrees Fahrenheit (60°C). In no case shall discharged waste raise the temperature at the treatment works influent greater than 104 degrees Fahrenheit (40°C).

804.1.2 Fire or Explosion Hazard. Any liquids, solids or gases that by reason of their nature or quantity are, or may be, either alone or by interaction with other substances sufficient to cause a fire or explosion hazard in the POTW or its processes, including, but not limited to, waste streams with a closed cup flash point of less than 140 -degrees Fahrenheit (60°C) using the test methods specified in 40 CFR 261.21. At no time shall an Industrial User discharge any substance which results in a reading of greater than 5 - percent of the Lower Explosive Limit (LEL) for that substance using a methane calibrated combustible meter, at the point of discharge to a fixture or at any point in the system. Prohibited materials include but shall not be limited to; gasoline, kerosene, naphtha, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances determined to be a fire and/or explosion hazard.

804.1.3 Public Nuisance or Hazard. Any malodorous or toxic gases, vapors, fumes, or other substances that, either singly or by interaction with other wastes, shall be capable of creating a public nuisance, a hazard to human health or the environment, or the prevention of entry by Commission personnel into sewers for maintenance and repair.

804.1.4 Interference and Pass Through. Any liquids, solids, or gases not amenable to treatment or reduction by the sewage treatment processes employed, or amenable to treatment only to such a degree that the wastewater treatment plant violates its NPDES permit; or any substance which may interfere with or pass-through the POTW into the receiving waters untreated or without adequate treatment.

804.1.5 Excess Coloration. Any liquids, solids, or gases that, singly or by interaction with other material, cause excessive coloration which may pass through the POTW to the receiving waters or any substance with excessive color such that the color is not removed in the wastewater treatment plant, including but not limited to, dye wastes.

804.1.6 Obstruction to Flow. Any lint, ashes, cinders, sand, mud, straw, shavings, metals, glass, bones, wood, plastics, stone dusts, rags, paunch manure, butcher's offal, or any solids, liquids or other substances capable of causing obstruction to the flow in sewers or other interference with the proper operation of the wastewater system.

804.1.7 Concentrated Releases. Any slug load, release rate of pollutants, concentration of pollutants, including oxygen demanding pollutants either singly or by interaction with other pollutants or waste streams, which shall cause interference with any wastewater treatment process, constitute a hazard to humans or animals, contaminate sludge, pass-

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through the POTW to receiving waters, or could result in a violation of the POTW's NPDES permit.

804.1.8 Excess Daily Flow. An average daily flow greater than 2 -percent of the average daily sewage flow at the wastewater treatment plant receiving the industrial waste unless otherwise permitted in writing.

804.1.9 Discharge Limitations. Any water or wastewater containing substances in excess of the limitations contained in Table 804.1.9. These limits shall be subject to revision and may be modified to represent concentration or mass based standards.

804.1.10 Radioactive Wastes. Any radioactive wastes or isotopes of such half-life or concentration as to exceed limits established by applicable local, State, or Federal regulations. Reports of discharges to the Commission's system shall reflect actual discharge concentrations rather than any time or dilution adjustments.

804.1.11 Pathogenic Wastes. Any, substance containing viable pathogenic or parasitic organisms that could pose a health hazard to the public or interfere with the proper operation of the wastewater collection or treatment systems

804.1.12 Storm or Ground Water. Any storm water, surface water, ground water, roof runoff, subsurface drainage.

804.1.13 Viscous Substances. Any substances that could solidify or become viscous at temperatures between 40 -degrees Fahrenheit (4°C) and 140 -degrees Fahrenheit (60°C); or at any other temperature that could cause obstruction and/or interference with the conveyance system or the POTW processes.

804.1.14 Dilution Prohibition. Any water added to a discharge as a partial or complete substitute for proper treatment to achieve compliance with applicable discharge limitations for any wastewater constituent.

804.1.15 Hauled Pollutants. Any trucked or hauled pollutants, except at ~~discharge points~~-disposal sites designated by the Commission in conformance with the provisions cited in Section 814.

804.1.16 Oils. Any wastes containing petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that could cause Interference or Pass Through.

804.1.17 Glycol. Any glycol compound or derivative added to or contained in internal combustion engine cooling systems or liquid conveyance systems for the purposes of altering liquid freezing and/or boiling points.

804.1.18 Pretreatment Residue. Sludges, screenings or other residues from pretreatment systems or industrial processes.

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804.1.19 Corrosive Substances. Substances causing corrosive damage, harm or endangerment to the collection system, pumps, personnel.

804.1.20 Mercury. Except as otherwise provided in this section, any substance containing mercury in amounts greater than ~~1-ug/l~~ ~~0.05~~ 0.03 mg/L. Dental practices may follow Commission approved Best Management Practices (BMPs) for dental waste dischargers, in lieu of monitoring for the numerical discharge limitation for substances containing mercury.

804.1.21 Perchloroethylene. Any discharge of perchloroethylene or perchloroethylene-containing products from a water separator (used for the purpose of recovering perchloroethylene) or from any dry cleaning process.

Table 804.1.9

Discharge Limitations ^{1,2}	
Pollutant	Limit ³
<i>Inorganics (Total)</i>	<i>Concentration (mg/l)</i>
Arsenic	0.28
Cadmium	0.17 0.10
Chromium	7.0
Copper	2.0
Cyanide	1.0 0.40
Lead	0.4 0.35
Molybdenum	0.35
Nickel	3.4
Selenium	0.40
Silver	1.2 0.50
Zinc	4.2
<i>Organics (Total)</i>	
Total Toxic Organics⁴	2.13
Tetrachloroethylene (Tetrachloroethene)	0.0945
Trichloroethylene (Trichloroethene)	0.026
Total PCBs ⁴	<0.001
<i>Conventionals</i>	<i>Concentration (mg/l)</i>
	<i>(except as indicated)</i>
Ammonia	190
Dissolved Solids	1,500 5,000
Suspended Solids	400 3,000
Total Solids	1,900 8,000
BOD (5-day, 20°C)	300 3,000
COD	500
Total Phosphorous	8
Total Petroleum Hydrocarbons	250
Fats, Oil and Grease ⁵	100 200
pH ⁶	6.0 - 10.0 units
Temperature	140°F

1. Limits expressed in this table represent absolute maximum limitations and shall not be exceeded at any time. This list shall not be construed as a complete list of restricted materials. Restrictions may also be placed on other materials when the concentration of these materials is sufficient to adversely affect any portion of the collection or treatment system.

2. To determine compliance with numerical permit limitations, unless otherwise specified in the permit, the analytical methods shall include: a) any approved method with a Method Detection Level (MDL) adequate to detect concentrations of at least one-tenth the level of the permit limitation, or b) if there is no approved method sensitive to at least one-tenth of the permit limitation, then the most sensitive method approved in 40 CFR Part 136 or other method approved by EPA for wastewater is required.

3. Maximum for any sample obtained during a calendar day.

4. ~~Total Toxic Organics shall consist of the summation of toxic organics with values greater than ten (10) micrograms per liter. Toxic organics shall consist of the Commission designated list of organic compounds.~~ Total PCBs shall consist of the summation of all concentrations for Arochlor 1016, 1221, 1232, 1242, 1248, 1254, and 1260 that are above the reporting detection limit (RDL) or reporting limit (RL) of 0.001 mg/L. EPA analytical method 608 with a RDL or RL of 0.001 mg/L shall be used for all PCB analysis.

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5. Fats, wax, grease, or oils of animal or vegetable origin, whether emulsified or not. Any discharge capable of causing an obstruction and/or interference with the plumbing system, conveyance system, or the POTW processes shall be prohibited regardless of limit.

6. In the event an Industrial User monitors their pH continuously, a pH violation shall be construed as any excursion less than 6 or greater than 10 for more than 15 minutes at any one time, or more than 30 minutes in aggregate, for any calendar day. In the event that an Industrial User monitors their pH by collecting grab samples, a pH violation shall exist if greater than 6.25% of the grabs taken that day are less than 6.0 or greater than 10.0. The pH shall not be less than 5 for any period of time.

SECTION 805 STORAGE OF PROHIBITED, TOXIC, OR HAZARDOUS SUBSTANCES

805.1 General. Storage of any materials that could enter the Commission's sanitary sewers via discharge, accidental spill, or leakage; or that could create a hazard or in any other way have a deleterious effect on the conveyance systems or treatment processes; or that could constitute a hazard to any individuals; shall be subject to review by the Commission. The Commission shall require reasonable safeguards to prevent the discharge, spill, or leakage of such materials into the sanitary sewage system. When deemed necessary, the owner shall install and maintain, at their expense, suitable control structures or devices that may include but shall not be limited to, dikes, dams, or sumps to prevent sudden or accidental waste discharges to the sanitary sewage system.

SECTION 806 DISCHARGE AUTHORIZATION PERMITS AND CATEGORICAL ZERO DISCHARGE PERMITS

806.1 Applicability. The Discharge Authorization Permit (DAP) grants permission to the Industrial User to discharge industrial waste into the sewer system. All Industrial Users, that are or that have the potential to be Significant, shall apply to the Commission for a Discharge Authorization Permit. The Commission may require other Industrial Users, as it deems necessary, to submit a Discharge Authorization Permit Application and obtain a permit. Discharge Authorization Permit Applications shall be signed by an authorized representative of the Industrial User. No Significant Industrial User or other Industrial User designated by the Commission, shall discharge to the Commission's sanitary sewer system without first obtaining a Discharge Authorization Permit.

The Commission may require Zero Discharge Categorical Industrial Users, as it deems necessary, to submit a Discharge Authorization Permit Application and obtain a Categorical Zero Discharge Permit. Discharge Authorization Permit Applications shall be signed by an authorized representative of the Industrial User.

806.1.1 Application Review. The Commission shall review the application submitted by the Industrial User and may require additional information. Within 90 -days of

receiving a complete application, the Commission shall make the determination that a Discharge Authorization Permit or a Categorical Zero Discharge Permit may be warranted. The Commission shall issue a permit if it is determined that pretreatment facilities are adequate for efficient treatment of discharged waste and that the discharged waste complies with the discharge limitations of these regulations or with the National Pretreatment Standards, whichever is applicable.

806.1.2 Duration. The Discharge Authorization Permit and Categorical Zero Discharge Permit shall be issued for a specified time period not to exceed 5 -years. This permission shall be conditional on compliance with Discharge Authorization Permit requirements and this code.

806.1.3 Terms and Conditions. Permitted Industrial Users and Zero Discharge Categorical Industrial Users shall comply with the terms, conditions and limitations of a Discharge Authorization Permit and Categorical Zero Discharge Permits, respectively. It shall be a violation of this code for any person to violate any term, condition or limitation set forth in any ~~Discharge Authorization Permit~~ Permit. Failure to comply may result in civil or criminal liability under applicable State or Federal law and may be grounds to impose penalties, as outlined in the Commission's Enforcement Response Plan.

806.2 Discharge Authorization Permit Requirements. The Discharge Authorization Permit contains requirements necessary for the Commission to assess and ensure compliance with these Regulations. Permitted Industrial Users shall take all reasonable steps to correct any adverse impact resulting from noncompliance with the Discharge Authorization Permit, including accelerated additional monitoring as necessary to determine the nature and impact of the non-compliant discharge. The Discharge Authorization Permit shall at a minimum contain the following:

- (1) Effective and expiration dates.
- (2) Statement of non-transferability as specified in Section 806.67.
- (3) Effluent limitations, including best management practices, based on applicable general pretreatment standards, categorical pretreatment standards, local limits, and/or State and local law.
- (4) Self-monitoring, sampling, reporting, notification, and record keeping requirements, including an identification of the pollutants to be monitored, sampling location, sampling frequency, and sample type, based on applicable general pretreatment standards, categorical pretreatment standards, local limits, and/or State and local law.
- (5) Statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule. Such schedules may not extend the compliance date beyond applicable federal deadlines.

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- (6) Requirement to control slug discharges, if determined by the Commission to be necessary.
- (7) The Discharge Authorization Permit may contain other conditions as deemed appropriate by the Commission to ensure compliance with all applicable pretreatment standards and requirements.

806.3 Categorical Zero Discharge Permit Requirements. The Categorical Zero Discharge permit contains requirements necessary for the Commission to assess and ensure compliance with these Regulations. Permitted Zero Discharge Categorical Industrial Users shall take all reasonable steps to correct any adverse impact resulting from noncompliance with the Categorical Zero Discharge Permit. The Categorical Zero Discharge Permit shall at a minimum contain the following:

- (1) Effective and expiration dates.
- (2) Statement of prohibited discharge of categorically regulated process wastewater.
- (3) Statement of non-transferability as specified in Section 806.7
- (4) Reporting, notification, and record keeping requirement.
- (5) Statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule. Such schedules may not extend the compliance date beyond applicable federal deadlines.
- (6) The Categorical Zero Discharge Permit may contain other conditions as deemed appropriate by the Commission to ensure compliance with all applicable pretreatment standards and requirements.

806.3 4 Discharge Authorization and Categorical Zero Discharge Permit Modifications. The Commission may modify the Discharge Authorization or the Categorical Zero Discharge Permit for good cause including, but not limited to, the following:

- (1) To incorporate any new or revised Federal, State, or local pretreatment standards or requirements.
- (2) To address significant alterations or additions to the user's operation, processes, or wastewater volume or character since the time of Discharge Authorization Permit or Categorical Zero Discharge Permit issuance.
- (3) A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge.

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- (4) Information indicating that the permitted discharge poses a threat to the Commission's treatment plants, collection system personnel, or the receiving waters.
- (5) Violation of any terms or conditions of the Discharge Authorization Permit or the **Categorical Zero Discharge Permit**.
- (6) Misrepresentations or failure to fully disclose all relevant facts in the Discharge Authorization Permit application or in any required reporting.
- (7) Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13.
- (8) To correct typographical or other errors in the Discharge Authorization Permit or the **Categorical Zero Discharge Permit**.
- (9) To reflect a transfer of the facility ownership or operation to a new owner or operator.

806.45 Discharge Authorization and Categorical Zero Discharge Permit Suspension/Termination. The Commission may terminate or suspend a Discharge Authorization Permit or a **Categorical Zero Discharge Permit** for good cause including, but not limited to, the following:

- (1) Failure to notify the Commission in advance of significant changes to industry processes, pretreatment modifications, or wastewater characteristics.
- (2) Misrepresentation or failure to fully disclose all relevant facts in the Discharge Authorization Permit application.
- (3) Falsifying self-monitoring reports or **certification statements**.
- (4) Tampering with monitoring equipment.
- (5) Refusing to allow Commission personnel timely access to the facility premises and records.
- (6) Failure to comply with Discharge Authorization conditions, requirements or effluent limitations.
- (7) Failure to pay fines, permit renewal fees, or annual discharge fee.
- (8) Failure to meet compliance schedules.
- (9) Failure to complete a wastewater survey or the Discharge Authorization Permit application.

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- (10) Failure to provide advance notice of the transfer of business ownership of a permitted facility.
- (11) Violation of any pretreatment standard or requirement, or any terms of the Discharge Authorization Permit, [the Categorical Zero Discharge Permit](#), or these regulations.

~~806.4.1~~—806.5.1**Suspension or Termination.** Upon notification of suspension or termination of a Discharge Authorization Permit [or a Categorical Zero Discharge Permit](#) by the Commission, the Industrial User shall cease all discharges of wastes regulated by the Discharge Authorization Permit.

~~806.4.2~~—806.5.2**Reinstatement.** The Commission shall not reinstate or reissue a suspended or terminated Discharge Authorization Permit [or Categorical Zero Discharge Permit](#) until the Industrial User:

- (1) Completes a new Discharge Authorization Permit application and pays the associated fees.
- (2) Requests in writing that the existing Discharge Authorization Permit [or Categorical Zero Discharge Permit](#) be reinstated or reissued.
- (3) Identifies the steps taken to correct the violation(s) which led to the suspension or termination of the existing Discharge Authorization Permit [or Categorical Zero Discharge Permit](#).
- (4) Upon reviewing all of the required information provided, WSSC shall decide whether the Industrial User's request shall be approved.

806.5 6 Requests for Reconsideration

~~806.5.1~~—806.6.1**Time Limit.** Requests for reconsideration of any limitation, condition, or other requirement contained in a Discharge Authorization Permit [or Categorical Zero Discharge Permit](#) shall be filed within ~~15-days~~ [15 days](#) from the issuance of the Discharge Authorization Permit [or Categorical Zero Discharge Permit](#), provided such request does not create a violation of any existing applicable requirements, standards, laws, or rules and regulations. The filing of a request by the Industrial User for a Discharge Authorization Permit [or Categorical Zero Discharge Permit](#) modification, suspension, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any Discharge Authorization Permit [or Categorical Zero Discharge Permit](#) condition.

~~806.5.2~~—806.6.2**Submission of Request.** Any person seeking reconsideration of a Discharge Authorization Permit [or Categorical Zero Discharge Permit](#) provision shall submit a request for reconsideration in writing. The request shall be addressed to the Regulatory Services Group and shall state in detail the provision(s) of the Discharge Authorization Permit [or Categorical Zero Discharge Permit](#) objected to, the reason(s) for the objection and the proposed alternative, if any.

~~806.5.3~~–~~806.6.3~~**Failure to File on Time.** Failure to file a request for reconsideration within the time specified in this section shall be deemed a waiver of the right to challenge or appeal a Discharge Authorization Permit or Categorical Zero Discharge Permit limitation, condition, or other requirement.

~~806.5.4~~–~~806.6.4~~**Final Decision.** The decision of the Commission on a request for reconsideration, permit modification or issuance of a Discharge Authorization Permit or Categorical Zero Discharge Permit shall be final and binding upon the parties.

~~806.5.5~~–~~806.6.5~~**Final Denial.** If the Commission fails to reach a decision on a request within 30 -days from the date the request is filed, the failure shall be deemed a final denial of the request.

~~806.6~~ ~~7~~**Transferability.** Discharge Authorization Permits and Categorical Zero Discharge Permits shall be issued to a specific user for a specific operation and shall not be reassigned, transferred, or sold to a new owner, new user, different premises, or a new or changed operation without the prior written approval of the Commission.

~~806.6.1~~–~~806.7.1~~**Advanced Notice.** Discharge Authorization Permits and Categorical Zero Discharge Permits may be transferred to a new owner or operator *only if* the permittee gives at least 30-days advance notice to the Commission, and the Commission approves the ~~Discharge Authorization~~ Permit transfer. The notice to the Commission shall include a written certification by the new owner or operator which:

- (1) States that the new owner and/or operator have no immediate intent to change the facility's operations and processes.
- (2) Identifies the specific date on which the transfer is to occur.
- (3) Acknowledges full responsibility for complying with the existing Discharge Authorization Permit or Categorical Zero Discharge Permit.

~~806.6.2~~–~~806.7.2~~**Failure to Provide Advanced Notice.** Failure to provide advance notice of a transfer shall render the Discharge Authorization Permit or the Categorical Zero Discharge Permit void as of the date of facility transfer.

~~806.7~~ ~~8~~**Discharge Authorization Permit and Categorical Zero Discharge Permit; Re-issuance.** An Industrial User with an expiring Discharge Authorization Permit or Categorical Zero Discharge Permit shall apply for a new permit by submitting a complete Discharge Authorization Permit application ~~within~~ at least 90 days ~~90 days~~ prior to the expiration of the Industrial User's existing Discharge Authorization Permit or Categorical Zero Discharge Permit. Renewal of the Discharge Authorization Permit or Categorical Zero Discharge Permit shall be contingent on payment of the permit renewal fee, and compliance with the terms, conditions and limitations of the existing Discharge Authorization Permit or Categorical Zero Discharge Permit.

806.8 9Discharge Authorization Permit or Categorical Zero Discharge Permit; New Industrial User. Any Industrial User required to obtain a Discharge Authorization Permit who proposes to begin discharging into the Commission's sewer system, shall submit the required Discharge Authorization Permit Application. A complete application for the Discharge Authorization Permit shall be submitted to the Commission at least 90 -days prior to the date the discharge is intended to start.

806.10 Categorical Zero Discharge Permit; New Zero Discharging Categorical Industrial User. Any Industrial User required to obtain a Categorical Zero Discharge Permit shall submit the required Discharge Authorization Permit Application. A complete application shall be submitted to the Commission at least 90 days prior to the date the user intends to connect to the Commission's sewer system.

SECTION 807 RIGHT OF ENTRY

807.1 Investigation Authority

807.1.1 Scope of Duties. Employees or agents of the Commission shall have the right to enter and inspect any properties, buildings and premises in the WSSD or in those portions of Montgomery and Prince George's Counties outside of the WSSD, while in the pursuit of their official duties cited in this code including but not limited to: Inspecting, monitoring, reviewing records, copying records, setting up monitoring or measuring equipment or any other actions necessary to determine compliance with this Code. Commission personnel shall have the right to document locations, processes, conditions or equipment, at an Industrial User's facility through the use of photographs or video cameras or at the discretion of the Commission, require the Industrial User to supply such documentation.

807.1.2 Inspections. Inspections of facilities shall be performed by the code official, employees of the Commission, or its agents as deemed necessary by the Commission. Inspections may be performed anytime the facility is in operation, discharging or has a potential to discharge.

807.1.3 Identification and Entry. Where an Industrial User has security measures or safety procedures in force that require proper identification and clearance or special protective equipment before entry can be gained into the premises, the Industrial User shall make necessary arrangements at its own expense, to enable Commission employees, their agents, the State or EPA entry without delay for the purposes of performing their official duties.

807.1.4 Termination of Services. Failure to permit inspections on demand shall be a violation of these regulations and may prompt the termination of water and/or sewer service.

807.1.5 Jurisdictional Coordination. Joint activities as indicated in Section 807.1.1 between Commission employees and employees of outside jurisdictions, State or Federal agencies may be conducted on any private premise and into any building that discharges ultimately to the outside jurisdiction or is subject to inspection by other State or Federal Regulatory agencies.

807.1.6 Intimidation or Obstruction. Industrial Users shall not initiate or permit any action which harasses, intimidates, obstructs or threatens Commission employees or their agents in the performance of their official duties.

SECTION 808

REPORTING REQUIREMENTS

808.1 Submission of Required Information

808.1.1 Documentation. Upon request of the Commission, any discharger or potential discharger of industrial wastes into the Commission's sewer system shall submit plans, reports, questionnaires, notices, analytical data, or any other information necessary to evaluate waste discharge characteristics and ensure compliance with these regulations, and Federal and State pretreatment requirements or standards. These documents, as outlined above or as specified in 40 CFR 403.12, shall be completed in a manner as approved by the Commission and returned in a time frame as specified in 40 CFR 403.12 or, in the absence of such specification, in a time frame as directed by the Commission. All information submitted in order to meet the above pretreatment requirements, shall be signed by an authorized representative, as well as include the certification statement contained in 40 CFR 403.6(a)(2)(ii) when applicable. Analytical results associated with the required reports shall be based upon data obtained through appropriate sampling and analysis performed during the period covered by the report, which data are representative of conditions occurring during the reporting period.

808.1.2 Process Changes. Industrial Users shall immediately report any process changes that alter the characteristics of any industrial discharge to the Commission. Failure to report process changes or modifications to the Commission shall be a violation of the Code.

808.1.3 Record Preservation. Industrial Users shall retain and preserve any records, books, documents, memoranda, reports, correspondence, computer files, and summaries of these materials relating to testing, internal or external monitoring, sampling, investigative and chemical analyses made by or on behalf of the Industrial User in connection with its discharge (including documentation associated with Best Management Practices) for a minimum of 3 -years from the date of drafting or

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preparation. All records that pertain to matters that are the subject of special orders, or any other enforcement or litigation activities brought by the Commission, shall be retained and preserved until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired. Such materials shall be made available to Commission personnel upon request.

808.1.4 Compliance Schedule. Industrial Users installing a pretreatment technology or taking any other series of activities necessary to obtain and maintain compliance with a pretreatment standard or requirement may be required to follow a compliance schedule developed by the Commission, or the Industrial User as approved by the Commission. Compliance schedules shall contain increments of progress in the form of activities to be performed and dates for the commencement and completion of these activities leading to the construction and operation of the pretreatment technology or completion

of other required activities to bring the Industrial User into compliance. Failure to initiate or complete the required activities to comply with the milestone and date elements of a compliance schedule shall be a violation of this Code.

808.1.5 Owner's Expense. All pretreatment technologies shall be installed, operated and maintained at the owner's expense.

808.1.6 Documentation Approval. Where pretreatment is necessary to conform to the requirements of the Commission, plans, procedures and complete specifications for the proposed work shall be submitted for review and approval by the Commission. Neither submission of plans nor issuance of a permit shall be construed to indicate that the Commission in any way vouches for, or warrants the capabilities of, any such pretreatment system or device, plans, specifications or data in any manner. The review and approval of plans, procedures or other information required by the Commission shall in no way relieve the Industrial User from the responsibility for modifying its pretreatment facilities to achieve compliance with the Commission's limitations. Industrial Users shall not make any alterations to pretreatment facilities without prior written notice to and approval of the Commission.

808.1.7 Public Information. Records concerning Industrial Users and the nature of their discharges shall be public information unless the Industrial User declares and is able to demonstrate to the satisfaction of the Commission, that the release of the information would divulge information, processes, or methods of operation entitled to protection as trade secrets pursuant to the requirements of the Maryland Public Information Act. Any such declaration shall be made at the time of the submission of the information or data. Effluent data shall not be treated as confidential information. When requested by the Industrial User furnishing a report, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public. Confidential portions of a report shall be available for use by the State or EPA in judicial review or enforcement proceedings involving the Industrial User furnishing the report.

808.1.8 Periodic Reports. All Significant Industrial Users and Zero Discharge Categorical Industrial Users shall submit to the Commission at least quarterly on dates specified by the Commission, reports indicating flows, and the nature and concentration of pollutants in the discharge in a format prescribed in the Discharge Authorization Permit or a Categorical Zero Discharge Permit. Specified standards or the Commission itself may require these reports to be filed more frequently. In addition, the Commission may require other users to submit periodic reports. In cases where the local limit or Pretreatment Standard requires compliance with a Best Management Practice (or pollution prevention alternative), the User shall submit documentation required by the Commission or the Pretreatment Standard necessary to determine the compliance status of the User.

808.1.8.1 Additional Sampling Results. If a Significant Industrial User conducts additional monitoring beyond permit requirements at the Industrial Waste Monitoring Point (IWMP) designated by the Commission, the user shall submit the results of the additional monitoring to the Commission by the due date of the next periodic report submission.

808.1.9 Slug Control Plan. The Commission may require any Industrial User to develop and implement a slug control plan. However, the Commission shall evaluate whether each Significant Industrial User needs a plan or other action to control slug discharges within 1 -year of the regulatory changes or within 1 -year of identifying an Industrial User as significant. Significant Industrial Users shall be required to notify the Commission immediately of any changes at their facility affecting potential for a slug discharge. Any Industrial User required to develop and implement a slug control plan shall submit a plan which addresses, at a minimum, the following:

- (1) Description of discharge practices, including non-routine batch discharges.
- (2) Description of stored chemicals.
- (3) Procedures for immediately notifying the Commission of any accidental or slug discharge. Such notification shall also be given for any discharge which would violate any of the prohibited discharges cited in Section 804 of this code.
- (4) Procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing pollutants (including inorganic, and organic chemicals) and/or measures and equipment for emergency response.
- (5) The Industrial User shall permanently post a notice in a prominent place advising all employees to notify the Commission in the event of a dangerous discharge for which a notification is required.

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- (6) Employers shall advise all appropriate employees who may cause or be adversely affected by such a discharge of the emergency notification procedure.

808.1.10 Hazardous Waste Discharge. Any User who commences the discharge of hazardous waste shall notify the Commission, the EPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this ordinance, a permit issued thereunder, or any applicable Federal or State law.

808.1.10.1 Notification. Notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the User discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the User: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty (180) days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted meeting the criteria of paragraph 808.1.2. The notification requirement in this paragraph does not apply to pollutants already reported under the reporting requirements of 40 CFR 403.12(b), (d), and (e).

808.1.10.2 Exemptions. Dischargers are exempt from the requirements of paragraph 808.1.9, above, during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the User discharges more than such quantities of any hazardous waste do not require additional notification.

808.1.10.3 New Substances. Pursuant to the adoption of new regulatory requirements under section 3001 of the U.S. Resource Conservation and Recovery Act identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the User must notify the Commission, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.

808.1.10.4 Certification. In the case of any notification made under paragraph 808.1.9.1, the User shall certify that it has a program in place to reduce the volume and

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toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

808.1.11 Violation Reporting Timeframe. In the event self-monitoring indicates a violation of one or more parameters, the Industrial User shall report the violation to the Commission within 24 -hours of becoming aware of the violation. This reporting requirement shall not be satisfied by means other than direct communication with Commission personnel (i.e., telephone recording system messages or electronic mail messages shall not satisfy this notification requirement). The violation data and the explanation for the violation shall be submitted within 7 -days of becoming aware of the violation.

808.1.11.1 Resampling Requirements. The Industrial User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Commission within 30 days after becoming aware of the violation. The Industrial User may not be required to perform repeat sampling if the Commission performs sampling at the Industrial User at a frequency of at least once per month for the pollutant(s) in violation or if the Commission performs sampling at the Industrial User between the time when the initial sampling was conducted and the time when the user or the Commission receives the results of the initial sampling.

SECTION 809 SAMPLING AND ANALYSES

809.1 Monitoring Point. Dischargers of industrial wastes into the Commission's sewerage system shall be required to construct and maintain at their expense a suitable monitoring structure downstream from any pretreatment technology, process, storage facility, or other approved works, to facilitate observation, measurement, and sampling of wastes. Monitoring structures shall be constructed in a manner and location approved by the Commission that are accessible at all times for sampling. Industrial Users shall install equipment, as specified by the Commission, for the purpose of measuring flow or wastewater characteristics or any other equipment necessary to determine compliance with these regulations. The Commission shall reserve the right to require restricted discharges during peak flows, designate certain wastewater to specific sewers; relocate and /or consolidate points of discharge; separate domestic and industrial waste streams.

809.2 Monitoring Point Alternative. In the event that no monitoring facility is required, the monitoring point shall be considered to be the nearest downstream manhole or the discharge point(s) inside the Industrial User's facility that are representative of the Industrial User's discharge, except as shall otherwise be stated in a Discharge Authorization Permit.

809.3 Sampling and Analysis Procedures. All analyses, including sampling techniques, submitted in support of any application, report, evidence or required by any permit or order

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shall be performed in accordance with 40 CFR Part 136 and amendments thereto. Where 40 CFR Part 136 does not include sampling or analytical techniques for the pollutant in question, or where the Administrator determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed using validated analytical methods or any other sampling and analytical procedures, including procedures suggested by the Commission or other parties, approved by the Administrator.

809.3.1 Grab Sample. A sample taken from a wastestream without regard to the flow in the wastestream and over a time not to exceed 15 minutes. Grab samples shall be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organic compounds. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: For cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil & grease the samples may be composited in the laboratory.

809.3.2 Composite Sample. A sample formed by mixing discrete, individual samples taken at a continuous proportion to the discharge flow or at periodic points in time. For pollutants other than those identified in paragraph 809.3.1, 24-hour composite samples must be obtained through flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the Commission. Where time-proportional composite sample or grab sampling is authorized by the Commission, the samples must be representative of the discharge. The collection of discrete, individual samples for a composite sample cannot exceed 24 hours in any given calendar day.

SECTION 810 PENALTIES

810.1 Prosecution. Any violator of these Regulations may be prosecuted by the Commission under the provisions of Section 21, Chapter 122 of the Acts of 1918 of the General Assembly of the State of Maryland and subsequent amendments thereto. Each day of a violation shall constitute a separate offense, and applicable penalties shall be applied to each offense.

810.2 Service Termination. The Commission may terminate water and sewer service to any premises in order to prevent any actual or threatened discharge of any wastes that present an endangerment to the POTW, the environment, or to the health and welfare of any person(s).

810.3 False Representation. Persons who make any false statements, representation, or certification in any application, record, plan, or other document filed or required to be maintained pursuant to these regulations; or who falsifies, tampers with, or knowingly

renders inaccurate any monitoring device or method required under these regulations; or who withholds, omits, or fails to report information requested or required; shall be prosecuted.

810.4 Suspension and Revocation. Industrial Users subject to the requirements of a Discharge Authorization Permit or a Categorical Zero Discharge Permit may have their ~~Discharge Authorization~~ Permit suspended or revoked for failure to comply with the requirements contained therein.

810.5 Notice of Violation. In the event an Industrial User violates established limits, reporting requirements, notification requirements, or other pretreatment requirements, a written documentation of the violation shall be issued to the user (e.g. Notice of Violation, letter, directive, etc.).

810.6 Monetary. The Commission may assess administrative penalties up to \$1,000 for each violation stated in an Administrative Order, not to exceed \$50,000. A civil citation with associated fines as well may be issued for violations of any provision of this code in accordance with the Commission's Enforcement Response Plan.

SECTION 811

PUBLIC NOTICE OF VIOLATIONS

811.1 General. The Commission shall publish annually in a newspaper(s) of general circulation that provides meaningful public notice within the jurisdiction(s) served by the Commission a list of Industrial Users who by definition are in significant noncompliance during the previous 12 months with applicable pretreatment requirements.

811.2 Conditions for Non-Compliance. For the purpose of this Section a Significant Industrial User (or any Industrial User which violates Sections 811.2.3, 811.2.4 and 811.2.8) shall be in significant noncompliance if its violation meets 1 or more of the following criteria:

811.2.1 Exceeding Discharge Limits. Chronic violations of wastewater discharge limits, defined here as those in which 66 -percent or more of all of the measurements taken during a 6-month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including instantaneous limits, as defined by 40 CFR 403.3(l).

811.2.2 Exceeding Technical Review Criteria. Technical Review Criteria (TRC) violations, defined here as those in which 33 -percent or more of all the measurements for each pollutant parameter taken during a 6-month period equal or exceed the product of the numeric Pretreatment Standard or Requirement including instantaneous limits, as defined by 40 CFR 403.3(l) multiplied by the applicable TRC (TRC=1.4 for BOD, TSS, fats, oil and grease, and TRC=1.2 for all other pollutants except pH).

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811.2.3 POTW Interference and Pass Through. Any other violation of a pretreatment effluent limit (daily maximum or longer-term average) that the Commission determines has caused, alone or in combination with other discharges, Interference or Pass Through (including endangering the health of POTW personnel or the general public).

811.2.4 Endangerment. Any discharge of a pollutant that has caused imminent endangerment to human health, welfare, or to the environment or has resulted in the Commission's exercise of its emergency authority under 40 CFR 403.8(f)(1)(vi)(B) to halt or prevent such a discharge.

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

811.2.6 Failure to Submit Documentation. Failure to provide within 30 -days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, certification statements, plans, representative data and reports on compliance with compliance schedules or other information requested by the Commission; or failure to notify the Commission of modifications to processes, wastewater constituents, and pretreatment systems.

811.2.7 Accurate Reporting. Failure to accurately report noncompliance.

811.2.8 Other Violations. Any other violation or group of violations, which may include a violation of Best Management Practices, which the Commission determines may adversely affect the operation or implementation of the local pretreatment program.

SECTION 812 LIABILITY FOR EXPENSES

812.1 Repair Reimbursement. The property owner, tenant, or Industrial User shall reimburse the Commission for the cost of any work or repair made necessary by the neglect or action of the property owner, tenant, or Industrial User resulting from the discharge of an industrial waste.

812.2 Activity Reimbursement. The property owner, tenant, or Industrial User shall reimburse the Commission for all costs associated with investigations, monitoring, analyses, or enforcement actions resulting from violation(s) of Commission requirements or standards.

SECTION 813 NOTICE

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813.1 Immediate Notification. In the event of any accident, negligence, slug loading, or other occurrence which may result in a violation of pretreatment standards, permit conditions, or could cause a problem with the collection systems or treatment processes, the Industrial User shall immediately notify the Commission and any applicable outside jurisdiction, of the incident. The notification shall include location of discharge(s), type, concentration and volume of waste, and corrective action being taken.

813.2 Written Notification. Within 5 -days following an accidental discharge, the User shall submit to the Commission (and any applicable outside jurisdiction) a detailed written report describing the cause of the discharge and the measures to be taken by the User to prevent similar future occurrences. Such notification shall *not* relieve the User of any expense, loss, damage, or other liability which may be incurred as a result of the discharge, nor shall such notification relieve the User of any fines, civil penalties, or other liability which may be imposed by this regulation or other applicable law.

SECTION 814 HAULED WASTES

814.1 Applicability. The regulations in this subsection shall pertain to companies, individuals or partnerships hereinafter referred to as Waste Haulers, engaged in the business of transportation and/or disposal of domestic wastes or grease from food service establishments. These regulations shall also apply to businesses as deemed appropriate by the Commission including, but not limited to, grease interceptor cleaning, buses, carpet cleaning and mobile food service companies.

The cleaning of grease interceptors within the WSSC service area without the appropriate permit shall be prohibited. (Food Service Establishments (FSEs) that self-clean flow-based grease interceptors *shall not* be required to obtain a permit).

814.2 Definitions. In addition to the definitions generally applicable to the provisions of this Code [See Chapter 2], the following definitions are specifically applicable to the provisions of this Section 814, Hauled Waste.

~~814.2.1~~ 814.1.3 Non-Domestic Wastes. Wastes from wastewater treatment plants or non-domestic sources shall not be discharged at the designated disposal sites unless specifically authorized in writing by the Commission. The contents of grease abatement systems at FSEs are considered domestic wastewater for the purposes of this section,

~~814.2.2~~ 814.1.4 Point of Discharge. Discharge of waste at any place in the sewer collection system other than those designated by the Commission shall be prohibited.

814.3 Prohibited Discharges. All hauled waste disposed at the waste disposal sites designated by the Commission must comply with Section 804 of WSSC's Plumbing and Fuel Gas Code.

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814.3.1 Prohibited Sanitizers. The discharge of portable toilet sanitizers containing formaldehyde or 1,4-dichlorobenzene is prohibited.

814.4 Application. Individuals, partnerships, or corporations engaging in the cleaning of grease interceptors within the WSSD shall apply to the Commission for either a Waste Hauler Discharge Permit or a Zero Discharge Permit for each truck engaged in the cleaning of grease interceptors.

Individuals, partnerships, or corporations engaging in the cleaning of septic tanks or holding tanks shall apply to the Commission for a Waste Hauler Discharge permit for each truck used in discharging wastes at the waste disposal sites designated by the Commission.

~~814.1.1~~ **814.5 Waste Hauler Permits.**

~~814.1.1.1~~ **814.5.1 Waste Hauler Discharge Permit.** Individuals, partnerships, or corporations engaged in the cleaning of septic tanks, holding tanks or grease interceptors shall apply for a **Waste Hauler Discharge Permit** for *each* truck used in *discharging* wastes at the waste disposal sites designated by the Commission.

Discharge of waste without a Waste Hauler Discharge Permit shall be prohibited. (Recreational vehicles shall be *exempt* from obtaining a Waste Hauler Discharge Permit.)

~~814.1.1.2~~ **814.5.2 Zero Discharge Permit.** Individuals, partnerships, or corporations engaged in the cleaning of grease interceptors within the WSSC service area shall apply for a **Zero Discharge Permit** for *each* truck used in cleaning of grease interceptors within the WSSD, if they elect to dispose of this waste at a waste disposal site outside of the Commission's jurisdiction. Any waste collected by a vehicle with a Zero Discharge Permit shall be disposed of outside the Commission's jurisdiction. A Zero Discharge Permit is *not* an authorization to discharge at the Commission's disposal sites.

~~Discharge of waste without a Waste Hauler Discharge Permit shall be prohibited. (Recreational vehicles shall be *exempt* from obtaining a Waste Hauler Discharge Permit.)~~

~~The cleaning of grease interceptors within the WSSC service area without the appropriate permit shall be prohibited. (Food Service Establishments that self clean flow-based grease interceptors *shall not* be required to obtain a permit).~~

~~**814.1.3 Non-Domestic Wastes.** Wastes from wastewater treatment plants or non-domestic sources shall not be discharged at the designated disposal sites unless specifically authorized in writing by the Commission. The contents of grease abatement systems at FSEs are considered domestic wastewater for the purposes of this section;~~

~~**814.1.4 Point of Discharge.** Discharge of waste at any place in the sewer collection system other than those designated by the Commission shall be prohibited.~~

814.5.3 Duration. The Waste Hauler Discharger Permit and the Zero Discharge Permit shall be issued for a specified time period not to exceed the current fiscal year. This permission shall be conditional on compliance with Waste Hauler Discharge and Zero Discharge Permit requirements, and this code.

~~814.5.4.1~~ 814.5.4 Terms and Conditions. Waste Haulers shall comply with all conditions for issuance of a Waste Hauler Discharge Permit or a Zero Discharge Permit as established by the Commission. Upon receiving a permit, the Waste Hauler shall comply with all permit conditions.

814.6 Waste Hauler Discharge and Zero Discharge Hauler Permit Requirements. The Waste Hauler Discharge and Zero Discharge Hauler permits contain requirements necessary for the Commission to assess and ensure compliance with these Regulations. Permitted haulers shall take all reasonable steps to correct any adverse impact resulting from noncompliance with either the Waste Hauler or Zero Discharge Hauler permit.

~~814.5.4.2~~ 814.7 Requests for Information. The Commission, or its representative, may request information concerning the nature or origin of the contents of any permitted vehicle. This information may be in the form of a manifest. The permittee shall be required to comply with all such requests including information concerning the name, address, date of the waste pick-up, disposal points, volumes, and waste characteristics by completing and signing a WSSC-approved manifest. This information shall be in the possession of the driver at the time of discharge. The Commission may also request additional information related to the use of its designated waste disposal sites.

If the permittee disposes a load of hauled waste from a food service establishment's grease interceptor at a location other than at waste disposal sites designated by the Commission, then the permittee must mail in the WSSC-approved manifest within the time frame as specified in the permit conditions of the Waste Hauler Discharge Permit or Zero Discharge Permit.

~~814.5.4.3~~ 814.8 Permit Transferability. Permits shall *not* be transferable without approval from the Commission. The permittee shall notify the Commission immediately if their State license plate or registration has changed on any of their permitted vehicles.

~~814.5.4.4~~ 814.9 Mixed Wastes and Multi-Use Vehicles. The Commission shall reserve the right to refuse acceptance of any load. Dischargers may be required to cease unloading operations at any time. Permitted tank trucks may not be used to transport potable water and they shall not be allowed to make any connection to the Commission's water supply system. In the case of composite loads, any part of the load that is restricted or prohibited shall make the *entire* load unacceptable for discharge.

~~814.5.4.5~~ 814.10 Sampling. Upon request, any permitted vehicle shall provide Commission personnel with access to the wastewater contained in the vehicle. Commission personnel

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may characterize the waste through the collection of samples and/or readings in a manner and number as specified by the Commission.

~~814.5.4.6~~ **814.11 Notifications of Spills and Clean-up.** The waste haulers shall notify WSSC immediately, via phone, of all spill occurrences followed by filing, in-writing within 7 days, a report detailing the reason for the spill, the areas impacted, clean-up activities, and whether the spill reached any environmentally sensitive area such as parks, residential, commercial or institutional areas, streams, rivers, lakes, ponds or storm drain. Any corrective actions taken to avoid the occurrences of the spills in future should also be a part of this reporting. In the case where the spill occurs at a FSE, a copy of this report shall also be provided to the owner of the grease interceptor.

814.12 Acceptable Service Area. Only domestic or greasy wastewater originating from the following counties: Montgomery County, Prince George's County, Arlington County (VA), Fairfax County (VA), Loudoun County (VA), as well as the District of Columbia is allowed to be discharged at disposal sites designated by the Commission.

~~814.5.4.8 Additional Conditions.~~ ~~The Commission reserves the right to establish permit conditions in addition to those appearing in these regulations.~~

~~814.5.4.1~~ **814.13 Disposal Sites.** *Only* disposal sites designated by the Commission shall be used for the discharge of waste from a permitted vehicle into the Commission's sewer system.

~~814.3.2 Permit Conditions.~~ ~~Waste Haulers shall comply with *all* permit conditions.~~

~~814.2~~ **814.14 Permit Suspension, Termination, or Denial.** The Waste Hauler Discharge Permit or Zero Discharge Permit may be suspended, terminated, or denied for good cause including, but not limited to, the following:

~~814.6.1~~ **814.14.1 Non-Compatible Wastes.** Information indicating that the permitted discharge poses a threat to the collection system, treatment system, or Commission personnel

~~814.6.2~~ **814.14.2 Permit Violations.** Violation of any terms or conditions of the Waste Hauler Discharge Permit or Zero Discharge Permit.

~~814.6.3~~ **814.14.3 Misrepresentation.** Obtaining a Waste Hauler Discharge Permit or Zero Discharge Permit by misrepresentation or failure to disclose fully, all relevant facts.

~~814.6.4~~ **814.14.4 Failure to Obtain a Permit.** Cleaning a grease interceptor or discharging any waste to the collection system without first securing the appropriate permit.

~~814.6.5~~ **814.14.5 Discharge of Non-Domestic Wastes.** The unauthorized discharge of waste from non-domestic sources at a Commission disposal site.

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814.2.6 814.14.6 Denying Access by the Commission. Denying Commission personnel access to a vehicle or its contents for purposes of collecting a sample and/or obtaining instrument readings (i.e. % LEL, pH, H₂S, etc.).

814.6.7 814.14.7 Failure to Provide Records. Failure to provide paper records as described in section ~~814.3.3~~ 814.7.

814.6.8 814.14.8 Other Licenses and Permits. Failure to obtain or maintain appropriate current hauling licenses or permits from Federal, State, or local agencies.

814.6.9 814.14.9 Fats, Oils, and Grease Discharges. Discharge of greasy wastewater at non-designated disposal sites.

814.6.10 814.14.10 Misconduct. Use of abusive language, threats, mischievous or criminal acts directed toward a WSSC Code Official, or Commission personnel, while they are performing their official duties.

814.6.11 814.14.11 Outstanding Judgments. Failure to render monetary payment to WSSC for judgments obtained by WSSC against Waste Haulers.

~~814.3 Permit Conditions.~~

~~814.3.1 Disposal Sites. Only disposal sites designated by the Commission shall be used for the discharge of waste from a permitted vehicle into the Commission's sewer system.~~

~~814.3.2 Permit Conditions. Waste Haulers shall comply with *all* permit conditions.~~

~~814.3.3 Requests for Information. The Commission, or its representative, may request information concerning the nature or origin of the contents of any permitted vehicle. The permittee shall be required to comply with all such requests including information concerning the name, address, date of the waste pick-up, disposal points, volumes, and waste characteristics. This information shall be in the possession of the driver at the time of discharge. The Commission may also request additional information related to the use of its designated waste disposal sites.~~

~~814.3.4 Permit Transferability. Permits shall *not* be transferable without approval from the Commission. The permittee shall notify the Commission immediately if their State license plate or registration has changed on any of their permitted vehicles.~~

~~814.3.5 Mixed Wastes and Multi-Use Vehicles. The Commission shall reserve the right to refuse acceptance of any load. Dischargers may be required to cease unloading operations at any time. Permitted tank trucks may not be used to transport potable water and they shall not be allowed to make any connection to the Commission's water supply system. In the~~

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~~case of composite loads, any part of the load that is restricted or prohibited shall make the *entire* load unacceptable for discharge.~~

~~**814.3.6 Sampling.** Upon request, any permitted vehicle shall provide Commission personnel with access to the wastewater contained in the vehicle. Commission personnel may characterize the waste through the collection of samples and/or readings in a manner and number as specified by the Commission.~~

~~**814.3.7 Notifications of Spills and Clean-up.** The waste haulers shall notify WSSC immediately, via phone, of all spill occurrences followed by filing, in writing within 7 days, a report detailing the reason for the spill, the areas impacted, clean-up activities, and whether the spill reached any environmentally sensitive area such as parks, residential, commercial or institutional areas, streams, rivers, lakes, ponds or storm drain. Any corrective actions taken to avoid the occurrences of the spills in future should also be a part of this reporting. In the case where the spill occurs at a FSE, a copy of this report shall also be provided to the owner of the grease interceptor.~~

~~**814.3.8 Additional Conditions.** The Commission reserves the right to establish permit conditions in addition to those appearing in these regulations.~~

814.4-15 Penalties Failure to comply with any permit conditions may result in civil or criminal liability under applicable State or Federal law and may be grounds to impose penalties, as outlined in the Commission's Enforcement Response Plan.

814.715.1 Civil Citations. Any violation of the above conditions and those specified in this Code, shall be cause for issuance of a State of Maryland civil citation (\$250.00-\$1000.00) and/or suspension or revocation of all permits assigned to the permittee upon written notice of such violation. Such violations may be cause for legal prosecution by the Commission under provisions of this Code. The following violations shall be addressed with a civil citation, including but not limited to:

- (1) Discharging without a hose.
- (2) Discharging without a permit.
- (3) Unauthorized transfer of permit.
- (4) Creating unsanitary conditions through spillage of wastes.
- (5) Failure to comply with grease interceptor cleaning procedures.
- (6) Failure to comply with requests for information or incomplete manifests.

814.715.2 Permit Revocation. The discharge of any *unapproved* waste from a non-domestic source at a Commission disposal site shall result in the immediate revocation of *all* discharge permits held by the permittee.

SECTION 815

FEES

815.1 Scope. The Commission shall establish charges and fees that shall include but not be limited to:

815.1.1 Commission Pretreatment Program. Fees for reimbursement of costs of setting up and operating the Commission's Pretreatment Program.

815.1.2 Monitoring Activities. Fees for monitoring, inspection, and surveillance activities.

815.1.3 Permits. Fees for permit applications;

815.1.4 Legal. Legal fees; and

815.1.5 Other. Other fees as the Commission may deem necessary to carry out the requirements contained herein.

SECTION 816

UPSET PROVISION

(Categorical Industrial Users only)

816.1 Scope. An upset, as defined by the Federal general pretreatment regulations in 40 CFR Part 403, is an exceptional incident in which there is *unintentional and temporary* non-compliance with categorical pretreatment standards because of factors beyond the reasonable control of the Industrial User. An upset shall not include non-compliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.

816.2 Upset Defense. An upset may be used as an affirmative defense to an action brought for noncompliance with categorical pretreatment standards only if the Industrial User demonstrates, through properly signed contemporaneous logs, or other relevant evidence, that includes the following:

816.2.1 Specific Cause. An upset occurred and the Industrial User can identify the specific cause(s) of the upset.

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816.2.2 Prudent Operation. The permitted facility was, at the time, being operated in a prudent and workmanlike manner and in compliance with applicable operation and maintenance procedures.

816.2.3 Timely Reporting. The Industrial User has submitted the following information to the Commission within 24 -hours of becoming aware of the upset; if this information is provided orally, a written submission shall follow within 5 -days: A description of the indirect discharge and cause of noncompliance; the period of noncompliance, including exact dates and times, or if not corrected, the anticipated time that the noncompliance is expected to continue; steps being taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

816.2.4 Burden of Proof. In any enforcement proceeding, the Industrial User seeking to establish the occurrence of an upset shall have the burden of proof.

816.2.5 Legal Remedy. Industrial Users shall have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with categorical pretreatment standards.

816.2.6 Temporary Shutdown. The Industrial User shall control production or all discharges to the extent necessary to maintain compliance with categorical pretreatment standards upon reduction, loss, or failure of its treatment facility until the facility is restored, or an alternative method of treatment is provided. This requirement shall apply in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

SECTION 817 BYPASS PROVISION

817.1 Emergency Limits. Bypass of an Industrial User's treatment facility shall be *prohibited* unless it is unavoidable to prevent loss of life, personal injury, or severe property damage; or no feasible alternative exists, such as the use of auxiliary treatment facilities.

817.2 Essential Maintenance. The Industrial User may allow any bypass to occur which shall not cause pretreatment standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operations. If bypass is needed for maintenance, the Industrial User shall notify the Commission of necessary maintenance within 24 -hours. Industrial User shall submit data documenting that standards were being met and shall submit written a report within 30 -days of the event.

817.3 Notice

817.3.1 Written Notice. If an Industrial User knows in advance of the need for a bypass, the User shall submit prior written notice to the Commission, a minimum of 10 -days before the date of the bypass.

817.3.2 Verbal Notice. An Industrial User shall submit verbal notice of an unanticipated bypass that exceeds applicable pretreatment standards to the Commission within 24 - hours from the time the Industrial User becomes aware of the bypass. A written submission shall also be provided within 5 -days of the time the Industrial User becomes aware of the cause. The written submission shall include the duration of the bypass, including exact dates and times, and if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the bypass. The Commission may waive the written report on a case-by-case basis if the oral report has been received within 24 -hours.

817.4 Exceptions. The Commission shall take enforcement action against an Industrial User for a bypass unless:

817.4.1 Unavoidable. The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage.

817.4.2 No Alternatives. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition shall not be satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance.

817.4.3 Notices Submitted. The Industrial User submitted notices as required cited in Section 817.3.

817.5 Commission Authorization. The Commission may approve an anticipated bypass, after considering its adverse effects, if the Commission determines that it shall meet the 3 conditions cited in Section 817.4.

SECTION 818

FOOD SERVICE ESTABLISHMENT DISCHARGE REQUIREMENTS

818.1 Applicability. The regulations in this Section shall apply to establishments where food is served to or provided for the public, with or without charge, including, but not limited to restaurants, cafeterias, hotel kitchens, church kitchens, school kitchens, hospital cafeterias, bars, or any other commercial operation that has the potential to discharge grease laden wastewater; hereafter referred to as Food Service Establishments (FSE).

818.2 Permit Required. All Food Service Establishments (FSE) shall apply to the Commission for a FSE Wastewater Discharge Permit. Existing FSEs shall apply for a

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Discharge Permit within 30 days of receiving an application. Failure to return the completed application shall subject the FSE to enforcement action. New FSEs shall obtain a Discharge Permit prior to discharging.

818.2.1 Application Review. The Commission shall review the application submitted by the FSE and may require additional information. Within 90 -days of receiving a complete application, the Commission shall make the determination that a FSE Wastewater Discharge Permit may be warranted. The Commission shall issue a permit if it is determined that pretreatment facilities are adequate for efficient treatment of discharged waste and that the discharged waste complies with the discharge limitations of these regulations.

818.2.2 Duration. The FSE Wastewater Discharge Permit shall be issued for a specified time period determined by the Commission. This permission shall be conditional on compliance with FSE Discharge Permit requirements and this code.

818.2.3 FSE Wastewater Discharge Permit Requirements. The FSE Wastewater Discharge Permit contains requirements necessary for the Commission to assess and ensure compliance with these Regulations. The FSE Wastewater Discharge Permit shall, at a minimum, contain the following:

- (1) Best Management Practices (BMPs) for controlling FOG discharges
- (2) Grease abatement system operations and maintenance standards, when applicable
- (3) On-site record keeping requirements (see Section 808.1.3)
- (4) Statement of non-transferability.
- (5) The FSE Wastewater Discharge Permit may contain other conditions as deemed appropriate by the Commission to ensure compliance with all applicable regulations.

818.2.4 FSE Wastewater Discharge Permit Modifications. The Commission may modify the FSE Wastewater Discharge Permit for good cause including, but not limited to, the following:

- (1) To incorporate any new pretreatment standards or requirements.
- (2) To address significant alterations or additions to the FSE's operations since the time of FSE Wastewater Discharge Permit issuance.

818.2.5 Permit Transferability. The FSE Wastewater Discharge Permit shall not be reassigned or transferred without prior written approval by the Commission.

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818.2.6 Discharge Fee. Issuance and validity of the FSE Wastewater Discharge Permit shall be conditional on payment by the FSE of the annual Discharge Fee as determined by the Commission. Failure to pay the Discharge Fee shall render the FSE Wastewater Discharge permit invalid.

818.2.7 Other Permits. Food Service Establishments shall maintain the required County Health Department permits at all times. Failure to maintain health department permits may render the FSE Wastewater Discharge permit invalid.

818.3 Inspections. All Food Service Establishments are subject to routine inspections as determined by the Commission. (see also Section 807)

818.4 Grease Abatement System Installation and Maintenance Requirements, General. When directed by the Commission, FSEs shall install and maintain a WSSC approved grease abatement system that meets or exceeds minimum requirements cited in Section 302.10.

818.4.1 Wastewater Discharge Permittee/Property Owner's Responsibility. Grease Abatement Systems shall be maintained in efficient operation at all times by the owner/operator at the owner's/operator's expense.

818.4.2 25% Rule. It shall be the Permittee's/Property Owner's responsibility to ensure that the accumulation of FOG and solids does not exceed 25% of the liquid retention capacity of the Grease Abatement System. If a grease abatement system is specifically designed to function properly with FOG and solids accumulation greater than 25%, the allowable accumulation of FOG and solids may be adjusted by WSSC on a case-by-case basis.

818.4.3 Maintenance Interval. The minimum maintenance and cleaning frequency for Volume-Based Grease Interceptors shall be quarterly or by the "25% rule", whichever is more stringent. The maintenance and cleaning for Flow-Based Grease Interceptors shall be conducted pursuant to manufacturers' recommendations or by the "25% rule," whichever is more stringent. Deviation from required maintenance intervals less frequent than minimums determined by the Commission shall be approved by the Commission in writing.

818.4.3.1 FSEs who deviate from the frequency of pumping or maintenance requirements of their WSSC issued Maintenance Directive, without prior WSSC approval, will be in violation and are subject to a civil citation at the discretion of the code official.

818.5 Waste Hauler. A valid WSSC Waste Hauler Permit is required for all Waste Haulers performing pumping and cleaning services on Grease Abatement Systems located in the WSSC service area. Pumping and disposal of the contents shall be performed in accordance with conditions of the waste hauler discharge permit cited in Section 814.

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818.6 Use of Additives. The introduction into the plumbing system of any surfactant, solvent, emulsifier, free enzymes or material that allows the grease to pass from the grease abatement system into the collection system is prohibited.

818.6.1 Use of a biological additive may be conditionally allowed with WSSC's approval if the product manufacturer or distributor can demonstrate to the satisfaction of the WSSC that:

- (1) The additive will not interfere with the normal operation of the grease interceptor.
- (2) The additive will not interfere with operations of the receiving wastewater treatment plant.
- (3) The use of the additive does not increase the potential for FOG to be discharged to the sanitary sewer.
- (4) The only active ingredients are bacterial products.
- (5) The use of the additive will not cause foaming in the sanitary sewer.
- (6) The pH of the additive is between 6 and 10.

818.6.2 The use of an additive will not substitute for the need for proper cleaning or maintenance of the grease abatement device and cannot be used as justification for altering the cleaning frequency.

818.6.3 Additives that are added to drain lines that do not connect to a grease abatement device are not impacted by this restriction.

818.6.4 Normal kitchen and dish cleaning products are not considered additives for the purpose of this section.

818.7 On-Site Plumbing System Maintenance. The on-site plumbing system for commercial and multi-unit residential properties shall be maintained by, and at the expense of the property owner; including cleaning of the system due to grease related discharges. All jetted material must be removed at the nearest downstream manhole. Chemical cleaning of sewer lines is prohibited, except in conjunction with a jetting operation.

818.8 Violations.

818.8.1 Failure to properly maintain a grease abatement system or to present records of maintenance; removal and/or tampering with the flow control device; or failure to comply with any condition of a FSE Wastewater Discharge Permit shall be a violation of this Code, and shall subject the permittee to penalties and other

INDUSTRIAL AND SPECIAL WASTE

enforcement action as provided for in the Commission's FSE Enforcement Response Plan.

818.8.2 Repeated violations for failure to clean or maintain a flow-based grease interceptor shall result in a requirement to install a volume-based interceptor as provided for in the Commission's FSE Enforcement Response Plan.

818.8.3 Repeated violations for failure to clean or maintain a volume-based grease interceptor will subject the FSE to increased enforcement as provided for in the Commission's FSE Enforcement Response Plan.

INDUSTRIAL AND SPECIAL WASTE

WSSC Plumbing & Fuel Gas Board Meeting

February 28, 2018

Time: 10:20am

Room 6109

Meeting called by: Mike Harmer (Chair)

Note taker: Gabriela Sandoval

Present: Members: Andy Simpson, Jeff Wheat, Wendy Milne,
Brenda May, James Yang, Mike Harmer (Chair);
WSSC: Tom Buckley, Ed Iames, Renita Redmon
GCO: Rahal Kifle

Not Present: Carol W -previously resigned (Jim M is alternate)
Jim M - unable to attend (seat was vacant)
Joyce C - unable to attend (Alternate W Milne voted)
Jason C - unable to attend (Alternate J Yang voted)

Material: Proposed Code Change 2018

Minutes

Agenda item: Proposed Code Changes 2018

Presenter: Tom Buckley

Discussion: Review of proposed code changes 2018, included are your thoughts, input, and edits from our December meeting. As noted in recent email, there were no comments from the public or any stakeholder group. Therefore, your final endorsement should be fairly straight forward.

Notes:

Quorum has been reached, 6 out of 7

Mike Harmer- Introduction of overall meeting, explaining process.

Tom Buckley- reviewed/discussed chart for the code changes;

Chapter 1

102.1.1- idea was born because there were no supersede info on the body of the code, to show to public.

J. Wang- asked does the public have access to your internal policies? M. Harmer- explained we will add as many as we can over the next 3 years. T. Buckley – many of the items included today are codification of existing, longstanding practices and policies.

102.3.6.2.3 E. Iames - gave an explanation on Video Inspection.

106.5.2 J. Yang, wants to add, “qualified”, to “...registered Professional Engineer”. Unable to add specified word because we aren’t equipped/informed enough to state whether someone is, in fact, “qualified”. In terms of recognition, WSSC only recognizes plumbing/gas designs, but engineering community is not that detailed, T. Buckley is okay with leaving language as is.

106.11.5.2 T. Buckley discussed additional wording “Field fabricated shower liner”.

107.4.1.4 Nothing outside of what’s presented on the spreadsheet has been removed and/or changed re: “close-in inspection shall include all rough-in...” T. Buckley explained to J. Yang the code gives us the authority to peppermint/smoke test, but it is not required for all inspections. The code allows for discretion, based on visual quality of workmanship/cause.

R. Kifle- noted there is wording missing, should be added to note the change. Edits were finalized in a separate work session with the GCO.

111.5.9.2.6 M. Harmer has new language to add “unless approved by the commission” should be added at the end of the sentence everyone approved.

Chapter 3

302.9.4 E. Iames noticed an error 2% should be 4% - corrected

302.9.5 M. Harmer noticed an error “at” should be “an” - corrected

Vote:

5-0 in favor of all proposed changes; recommendation to the Commission for Approval

Note: 1 absent and chair only votes to break a tie.

Meeting adjournment at 1:20pm

McConnell, I-Hsin L

From: Mike Mayenschein -MDE- <mike.mayenschein@maryland.gov>
Sent: Friday, January 26, 2018 9:06 AM
To: McConnell, I-Hsin L
Subject: Local Limits

Dear Ms. McConnell,

MDE has completed their review of the WSSC Local Limits Re-Evaluation Report as submitted on January 12, 2018. We are please to announce that the all encompassing evaluation is hereby approved and may be initiated upon adoption with the contingency that due to special circumstances, the revised COD limit may be used immediately. If you have any questions or need clarification on either of these topics, please feel free to contact me. Please maintain a copy of this email as documentation in your files and for future reference.

Thanks,

MIke

Michael Mayenschein
Maryland Pretreatment Coordinator
Wastewater Permits Program
1800 Washington Blvd, Ste 455
Baltimore, Maryland 21230-1708

[Click here](#) to complete a three question customer experience survey.

“DEDICATED TO HEALTH AND SANITATION”

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March 8, 2018

WSSC Plumbing & Fuel Gas Board
c/o Tom Buckley
Code Planning & Cross Connection Coordinator
14501 Sweitzer Lane
Laurel, MD 20707

Subject: Washington Suburban Sanitary Commission (WSSC) 2018 Code

Dear Board Members,

On behalf of the Washington Suburban Master Plumbers Association (WSMPA), we would like to endorse the adoption of the 2018 International Plumbing Code and 2018 International Fuel Gas Code.

Over the past two months, our Code Committee has reviewed the changes and recommends WSSC proceed with the updated 2018 code.

Respectfully,

John L. Seymour

John L. Seymour.
WSMPA President - 2018

JLS:csh

SERVING MONTGOMERY AND PRINCE GEORGE'S COUNTIES, MARYLAND

Buckley, Thomas P.

From: Barry, David <dbarry@nvrinc.com>
Sent: Thursday, January 18, 2018 11:13 AM
To: James, Edward; Buckley, Thomas P.
Subject: FW: Proposed WSSC 2018 Code Changes

Please see feedback from one of my MEP designers below.

No issues.

Thanks!

Dave Barry

Senior Project Manager

Washington North

Hours: Mon.-Thur. 7:30 AM- 4:30 PM, Fri. 7:30 AM- 3:30 PM

P: 240-398-1538

F: 301-937-3308

E: dbarry@nvrinc.com



From: Tahir Riaz [<mailto:triaz@pegenv.com>]
Sent: Thursday, January 18, 2018 10:47 AM
To: Barry, David <dbarry@nvrinc.com>
Subject: [Ext] RE: Proposed WSSC 2018 Code Changes

Dave, we reviewed the changes. There are no significant design or code changes to the MEP disciplines.

Thanks,
Tahir Riaz, P.E.

From: Barry, David [<mailto:dbarry@nvrinc.com>]
Sent: Tuesday, January 16, 2018 6:55 PM
To: Tahir Riaz <triaz@pegenv.com>
Subject: FW: Proposed WSSC 2018 Code Changes

Any feedback/concerns?

Dave Barry

Senior Project Manager

Washington North
Hours: Mon.-Thur. 7:30 AM- 4:30 PM, Fri. 7:30 AM- 3:30 PM

P: 240-398-1538
F: 301-937-3308
E: dbarry@nvrinc.com



From: Barry, David
Sent: Thursday, January 04, 2018 11:56 AM
To: 'Tahir Riaz' <triaz@pegenv.com>
Subject: FW: Proposed WSSC 2018 Code Changes

Heads up

See below

Thoughts?

Dave Barry
Senior Project Manager

Washington North
Hours: Mon.-Thur. 7:30 AM- 4:30 PM, Fri. 7:30 AM- 3:30 PM

P: 240-398-1538
F: 301-937-3308
E: dbarry@nvrinc.com



From: Barry, David
Sent: Thursday, January 04, 2018 11:54 AM
To: Bryant Steve Blubaugh (steve.blubaugh@BRYANTGROUPINC.NET) <steve.blubaugh@BRYANTGROUPINC.NET>; 'mmccoy@breedenmechanical.com' <mmccoy@breedenmechanical.com>
Cc: Hays, Evan <EHays@nvrinc.com>; Paull, Randall <RPaull@nvrinc.com>; Grant, Roy <RGRANT@nvrinc.com>; Aberts, Jonathan <jaberts@nvrinc.com>; Arnold, Ryan <rarnold@nvrinc.com>; Wootten, Larry <LWootten@nvrinc.com>; Boffen, Mark <MBOFFEN@nvrinc.com>; Saula, Mitch <MSaula@nvrinc.com>
Subject: Proposed WSSC 2018 Code Changes

Plumbers,

When you have a minute, please review the attached code changes that WSSC is proposing for this year. You are likely aware of some of this already.

WSSC has asked that we look at these and provide any specific feedback or concerns as these are currently in the draft phase.

Please let me know what your thoughts are. This is a chance to get in front of any of this that may affect us in the coming months.

Thanks!

Dave Barry

Senior Project Manager

Washington North

Hours: Mon.-Thur. 7:30 AM- 4:30 PM, Fri. 7:30 AM- 3:30 PM

P: 240-398-1538

F: 301-937-3308

E: dbarry@nvrinc.com



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County of Montgomery }

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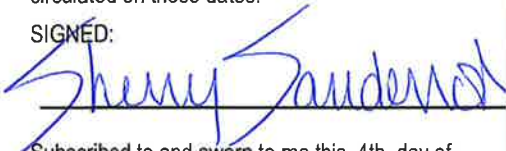
Sherry Sanderson, being duly sworn, says:

That she is Legal Advertising Representative of The Montgomery County Sentinel, a weekly newspaper of general circulation, published in Rockville, Montgomery County, Maryland; that the publication, a copy of which is attached hereto, was published in the said newspaper on

January 4, 2018

That said newspaper was regularly issued and circulated on those dates.

SIGNED:



Subscribed to and sworn to me this 4th day of January 2018,



NOTICE OF INTENT TO ADOPT REGULATIONS

WSSC is Seeking Public Comment on Proposed Changes to the Plumbing and Fuel Gas Code

WSSC is proposing amendments to adopt the 2018 International Plumbing and Fuel Gas Codes and also make some technical and administrative modifications to the 2015 WSSC Plumbing and Fuel Gas Code. The proposed changes have been preliminarily reviewed by the WSSC Plumbing and Fuel Gas Board and are being released for public comment.

In addition, the proposed changes are being coordinated with interested stakeholders; including the Maryland National Capital Building Industry Association, the Washington Suburban Master Plumbers Association, the Mechanical Contractors of America-Metro Washington chapter, the Air Conditioning Contractors Association, the American Society of Professional Engineers, the Apartment and Office Building Association, Washington Gas and governmental agencies; including Prince George's County Departments of Permitting, Inspections and Enforcement (DPIE) and Fire/EMS and Montgomery County Departments of Permitting Services, Department of Environmental Protection and Fire and Rescue Service.

To review proposed code language, you may visit the WSSC Website at: <https://www.wsscwater.com/codebooks>. A limited number of hard copies of the WSSC proposed code changes will be available at the WSSC Headquarters Permit's counter.

WSSC intends to adopt these new regulations following a public comment period. Written comments will be accepted until February 5, 2018 at WSSC Regulatory Services Division, 11th floor, 14501 Sweitzer Lane, Laurel, MD 20707.

For more information, please contact:

Thomas (Tom) Buckley, *Code Planning and Cross-Connection Section Manager:*
Tom.Buckley@wsscwater.com, 301-206-8606

Edward James, *Plumbing Inspections Section Manager:*
Edward.james@wsscwater.com, 301-206-8616

01108698 00031763

WSSC
14501 SWEITZER LANE
LAUREL, MD 20707

Certificate of Publication

State Of MARYLAND }
County of PRINCE GEORGE'S } SS

Sherry Sanderson, being duly sworn, says:

That she is Legal Advertising Representative of PRINCE GEORGE'S SENTINEL, a weekly newspaper of general circulation, published in SEABROOK, PRINCE GEORGE'S, MARYLAND; that the publication, a copy of which is attached hereto, was published in the said newspaper on

January 4, 2018

That said newspaper was regularly issued and circulated on those dates.

SIGNED:



Subscribed to and sworn to me this 4th day of January 2018,

04107482 00008043

WSSC
14501 SWEITZER LANE
LAUREL, MD 20707



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