EXHIBIT A

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Clark County Water Reclamation District

Service Rules

Updated July 1, 2023

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INTRODUCTION

The Clark County Water Reclamation District's (District) mission is to serve the community through its role in the water care cycle. The District collects and treats wastewater within unincorporated Clark County, producing reclaimed water that is safely returned to the environment. The District must comply with local, state and federal regulations in carrying out its mission every day, and in turn, works to ensure that all connections and discharges into the public sanitary sewer system are in compliance with all applicable regulations.

The purpose of these Service Rules is to define conditions governing customer terms, plan approval processes, use, service conditions, rates, fees, and charges, and to ensure uniform and equitable treatment of all District customers. In addition to these Service Rules, the District may adopt new resolutions to address additional aspects of connecting to, or discharging to the public sanitary sewer system. Local, state and federal agencies may have jurisdiction and authority over the District and their rules, regulations and/or statutes may supersede these Service Rules. In the event that conditions arise which are not specifically covered by these Service Rules, the Board of Trustees may take appropriate actions, including establishing rates and charges, which, in its discretion are warranted. These Service Rules have codified, and therefore supersede, the resolutions previously adopted to establish the terms and conditions for customers to connect to the District's public sanitary sewer system.

Created in 1954, the District began wastewater treatment operations in 1956. It is a general improvement district governed by the Clark County Commissioners in their capacity as the District's Board of Trustees.

DEFINITIONS

Unless specifically indicated otherwise, the meaning of terms in these Service Rules shall be as follows.

1. **Accidental Discharge**

   "Accidental discharge" shall mean any spill discharge that may cause pass through or interference, harm the wastewater system, create a threat to public health, or violate any provision of the discharge permit or any other provision of these Service Rules.

2. **Annual Account Charge**

   "Annual account charge" shall mean the cost associated with the billing of each account.

3. **Annual Sewer Service Charge**

   "Annual sewer service charge" shall mean the annual amount charged for wastewater treatment for a customer classification proportionate to services for the cost of operation, maintenance, repair and replacement and debt service/capital reserve of publicly owned treatment works.

4. **Applicant**

   "Applicant" shall mean a person applying for new service to a particular parcel within the District service area or for a District issued permit.

5. **Authorized Agent**

   "Authorized Agent" shall mean a person who is not the property owner and is legally designated and authorized by the property owner to act on the property owner's behalf.

   a. The designated authorized agent shall have the authority to bind the property owner in the property owner's dealings with the District, including but not limited to, matters concerning user classifications, fixtures, bill payment, the development, construction, maintenance and operation of a building/facility from which the discharge originates, and the environmental matters of the building/facility. The designation of the authorized agent must specify the name of the designated individual and include the documentation containing the property owner's name, mailing address, property address, assessor's parcel number(s), and;
      i. A certification from the property owner stating that the authorized agent is operating with the full consent and knowledge of the property owner, or;
      ii. A certification from the authorized agent stating that he/she is operating with the full consent and knowledge of the property owner.

6. **Availability Charge**

   "Availability charge" shall mean an annual assessment for reserved capacity of the publicly owned treatment works which is thirty percent (30%) of the annual sewer service charge.

7. **Best Management Practices**

   "Best management practices" shall mean schedules of activities, prohibitions of practices, maintenance procedures and other management practices to prevent or reduce the pollution of waters entering the publicly owned treatment works. Best management practices include methods, measures, practices, or design and performance standards which facilitate regulatory compliance.

8. **Biochemical Oxygen Demand (BOD)**

   "Biochemical oxygen demand" shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5)

calendar days at twenty (20) degrees centigrade, usually expressed as a concentration (e.g., mg/L).

9. **Board of Trustees**
"Board of Trustees" shall mean the Board of Trustees of the Clark County Water Reclamation District.

10. **Bolstering**
"Bolstering" shall mean modifying the length and/or depth of a proposed main line extension beyond that required to serve a particular development, and may also include, if applicable, changes to the size or material of pipe to be used as part of the modification.

11. **Categorical Pretreatment Standard**
"Categorical pretreatment standard" shall mean any regulation containing pollutant discharge limits promulgated by EPA pursuant to Sections 307(b) and (c) of the Act (33 U.S.C. Section 1317) that apply to a specific category of industrial users and that appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

12. **Certificate of Occupancy**
"Certificate of occupancy" shall mean the document issued by the appropriate local government building official, upon completion of a structure designed and permitted for immediate occupancy, after completion and approval of all permitted work.

13. **Chemical Toilet Waste**
"Chemical toilet waste" shall mean any sanitary waste from a portable toilet or one-door movable sanitary facility.

14. **Chemical Oxygen Demand (COD)**
"Chemical oxygen demand" shall mean a measure of the oxygen required to oxidize all compounds, both organic and inorganic, in water.

15. **Clean Water Act (CWA)**
The "Clean Water Act" shall mean the U.S. federal law, 33 United States Code Section 1251 et seg. that regulates the discharge of pollutants into the nation's surface waters, including lakes, rivers, streams, wetlands, and coastal areas. The Clean Water Act is administered by the U.S. Environmental Protection Agency (EPA), which sets water quality standards and the Nevada Division of Environmental Protection which oversees Nevada's water quality permit program.

16. **Compliance Schedule**
"Compliance schedule" shall mean the time period that is allowed by the District in which a customer or industrial user must come into compliance with District issued permit conditions or other District requirements.

17. **Composite Sample**
"Composite sample" shall mean the sample resulting from the combination of individual wastewater samples taken at intervals based on either an increment of flow or time.

18. **Contractor**
"Contractor" shall mean a construction company licensed by the Nevada State Contractors Board which has been hired by the developer to install the developer's project sanitary sewer improvements depicted in the construction documents prepared by the engineer.

19. **Connection Fee**
"Connection fee" shall mean a one-time fee for the privilege to utilize capacity in the District's publicly owned treatment works (POTW).

20. **Connection Fee Value**

"Connection fee value" shall mean, per equivalent residential unit, the total value of existing and planned POTW facilities, reserves available for capital improvement projects, outstanding debt principal used to fund POTW facilities, and the total number of projected ERUs on the system.

21. **Customer**

"Customer" shall mean a person who is a recipient of sanitary sewer service from the District through a lateral, and may contribute to, cause, or allow wastewater, treated or untreated, into the publicly owned treatment works.

The Customer may be one of the following:

a. The owner of each parcel of land, or;
b. An authorized agent, or;
c. For the purpose of tenant improvements and determining customer classification, the commercial property owner's commercial tenant, or;
d. A person who receives reclaimed water from the District.
e. A septage and chemical toilet waste hauler who disposes of waste at District facilities.

22. **Daily Maximum**

"Daily maximum" shall mean the arithmetic average of all effluent samples for a pollutant collected during a calendar day.

23. **Daily Maximum Limit**

"Daily maximum limit" shall mean the maximum allowable discharge limit of a pollutant during a calendar day. Where daily maximum limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where daily maximum limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

24. **Design Criteria**

"Design criteria" shall mean the current version of the *Design and Construction Standards for Wastewater Collection Systems – Southern Nevada* and *Lift Station Design and Construction Standards* as adopted by the Board of Trustees, and any additional criteria required by the District.

25. **Developer**

"Developer" shall mean any property owner or authorized agent engaged in or proposing a development.

26. **Discharge**

"Discharge" shall mean the introduction from any source, directly or indirectly, of a pollutant or wastewater into the publicly owned treatment works.

27. **Discharge Permit**

"Discharge permit" shall mean the National Pollutant Discharge Elimination System (NPDES) permit or other permit issued to the District by the state of Nevada that allows the discharge of effluent to the environment.

28. **District**

"District" shall mean the Clark County Water Reclamation District.

29. **District Employee**
"District employee" shall mean any individual employed by the District excluding independent contractors, consultants, and their employees.

30. **Domestic Strength Wastewater**
"Domestic strength wastewater" shall mean wastes typically generated by a single-family residence and is not industrial strength wastewater..

31. **Effluent**
"Effluent" shall mean wastewater treated at a District facility in compliance with the discharge permit.

32. **Emergency Condition**
"Emergency condition" shall mean an occurrence or threatened occurrence that, in the determination of the General Manager, is threatening to life, health, District property, District critical infrastructure or the environment.

33. **Engineer**
"Engineer" shall mean a licensed professional engineer in the state of Nevada.

34. **Equivalent Residential Unit (ERU)**
"Equivalent residential unit" shall mean a unit of measurement equivalent to the wastewater loading which is a function of both wastewater flow (volume) and its constituent pollutant concentration (strength) typically generated by a single-family residence and is estimated to be an average of ninety thousand (90,000) gallons per year.

35. **Fat, Oil, Grease, and Grit (FOGG) Interceptor**
"Fat, oil, grease, and grit interceptor" shall mean a device for separating and retaining sediments, sand, grease, animal or vegetable fats and oils including petroleum derivatives and grit by gravity-differential separation, prior to being discharged.

36. **General Manager**
"General Manager" shall mean the person duly appointed by the Board of Trustees to be the General Manager of the District, or that person's duly appointed designee.

37. **Grab Sample**
"Grab sample" shall mean a sample that is taken from a wastestream without regard to the flow in the wastestream and over a period-of-time not to exceed fifteen (15) minutes.

38. **Hazardous Waste**
"Hazardous waste" shall mean any waste defined in 40 Code of Federal Regulations (CFR) 261.3.

39. **Industrial Strength Wastewater**
"Industrial strength wastewater" shall mean the liquid and water-carried wastes from any production, institutional, commercial, agricultural, or industrial operation and are higher strength than domestic strength wastewater.

40. **Industrial User Authorized Representative (IUAR)**
"Industrial User Authorized Representative" is an applicant for an industrial waste discharge permit or an industrial user who is:
    a. A responsible corporate officer, of the industrial user submitting the reports for a corporation. For the purpose of this definition, a responsible corporate officer shall mean:

i. A president, secretary, treasurer, or 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

ii. 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.

b. A general partner or proprietor if the industrial user submitting the reports is a partnership, or sole proprietorship respectively.

c. A duly authorized representative of the individual designated in Subsections a and b of this definition Provided that:

i. The authorization is made in writing by the individual described in Subsections a and b of this definition; and

ii. Specifies either an individual or a position having responsibility for the overall operation of the facility from which the discharge originates, such as the position of plant manager, operator of a well, or well field superintendent, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company; and

iii. is submitted to the District.

iv. If an authorization under Subsection c of this definition is no longer current, a new authorization satisfying the requirements of Subsection c must be submitted to the District prior to or together with any reports to be signed by an Industrial user authorized representative.

41. **Industrial User**

"Industrial user" shall mean a customer discharging industrial strength wastewater and is subject to an industrial wastewater discharge permit.

42. **Industrial Wastewater Pretreatment Enforcement Response Plan (PERP)**

"Industrial Wastewater Pretreatment Enforcement Response Plan" shall mean that enforcement plan developed and implemented by the District in accordance with 40 CFR 403.8(f)(S) and containing detailed procedures for investigating and responding to instances of industrial users' noncompliance.

43. **Industrial Wastewater Discharge Permit (IWDP)**

"Industrial Wastewater Discharge Permit" shall mean a District permit issued to an industrial user.

44. **Infiltration**

"Infiltration" shall mean water, other than wastewater, that enters the publicly owned treatment works (including laterals and foundation drains) through such means as defective pipes, pipe joints, connections, or manholes. Infiltration does not include and is distinguished from inflow.

45. **Inflow**

"Inflow" shall mean a prohibited discharge of water other than wastewater that enters a publicly owned treatment works from sources such as, but not limited to, roof leaders, cellar/foundation drains, yard drains, area drains, drains from springs and swampy areas, cross connections between storm drains and sanitary sewers, catch basins, storm waters, surface runoff, street wash waters or drainage.

46. **Instantaneous Limit**

"Instantaneous limit" shall mean the maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any grab or sample collected.

47. **Interference**

"Interference" shall mean a discharge which causes or contributes to the inhibition or disruption of the publicly owned treatment works, the processes or operations of the publicly owned treatment works, or the use or disposal of wastewater sludge.

48. **Lateral**

"Lateral" shall mean that part of the horizontal piping of a building drainage system which is privately owned and extends from the end of the building drain and conveys wastewater to the publicly owned treatment works or a private wastewater collection system.

49. **Local Limits**

"Local limits" shall mean any of the specific discharge limits developed by the District upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b) to prevent pass through or interference. The General Manager is authorized to establish local limits pursuant to 40 CFR 403.5(c).

50. **Main Line**

"Main line" shall mean a District-owned sanitary sewer line located within dedicated rights-of-way or within public sewer easements granted to the District.

51. **Main Line Extension**

a. "Main line extension" shall mean a public sanitary sewer line, including lift stations with appurtenances, that is constructed by a developer within a public right-of-way or within a public sewer easement granted to the District.
b. "Main Line Extension Refund Maximum Calculation" shall mean the maximum main line extension frontage fee refund amount a developer would be refunded for all eligible main line extensions.
c. "Main Line Extension frontage fee" (MLE frontage fee) shall mean the fee to be paid by a developer to connect to an eligible main line extension that is constructed, or to be constructed, by another developer.
d. "Eligible main line extension" shall mean a main line extension that a developer seeks to connect to, but that has been constructed, or is to be constructed, by another developer.

52. **Medical Waste**

"Medical waste" shall mean non-domestic pollutants generated by medical procedures including, but not limited to isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

53. **Military Relief**

"Military relief" shall mean a decrease in the assessment of the annual sewer service charge provided to active-duty military members whose military service reassignment orders consequently leaves their primary residence, which they own, unoccupied.

54. **Monthly Average**

"Monthly average" shall mean the sum of all daily maximums measured during a calendar month divided by the number of daily maximums measured during that month.

55. **New Source**

"New Source" shall mean:

a. Any building, dwelling, 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 pursuant to Section 307(c) of the CWA that will be applicable to such source if such pretreatment standards are thereafter promulgated, in compliance with that Section, provided that:
   i. The building, structure, facility or installation is constructed at a site at which no other source is located; or
   ii. The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
   iii. The production or wastewater generating process of 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.

b. 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 Subsections a. ii. and a. iii. of this definition, but otherwise alters, replaces, or adds to an existing process or production equipment.

c. Construction of a new source as defined under this Subsection has commenced if the customer has begun, or caused to begin, as part of a continuous on-site construction program, any placement, assembly, or installation of facilities or equipment; or 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 entered into a binding contractual obligation for the purchase of facilities or equipment which is intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this Subsection.

56. **Notice of Violation**

"Notice of violation" shall mean a document which informs a person that a Service Rule, federal or state law, or permit condition has been violated.

57. **Oversize**

"Oversize" shall mean modifying the size of a proposed main line extension or the capacity of a lift station beyond that required to serve a particular development to be of a size or capacity capable of meeting additional demands and the orderly development of the publicly owned treatment works.

58. **Package Wastewater Treatment Plant**

"Package wastewater treatment plant" shall mean a facility or structure for wastewater treatment as defined in Nevada Revised Statutes (NRS) Chapter 445A.

59. **Pass Through**

"Pass through" shall mean a discharge which exits the publicly owned treatment works in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a violation of any requirement of the discharge permit (including an increase in the magnitude or duration of a violation).

60. **Person**

"Person" shall mean any individual, firm, association, organization, partnership, trust, company, consortium, corporation or entity, and any municipal, political subdivision, or governmental corporation, body or agency other than the District.

61. **pH**

"pH" shall mean a measure of the acidity or alkalinity of a solution, expressed in standard units.

62. **Plan(s)**

"Plan(s)" shall mean civil improvement plans, architectural plans, plumbing plans, odor control plans or any other type of plan required by the District.

63. **Point of Connection (POC)**

"Point of connection" shall mean a conditional approval, issued by the District at the developer's request for a proposed development to connect to the publicly owned treatment works at a specific location with the available capacity.

64. **Pollutant**

"Pollutant" shall mean dredged spoil, solid waste, incinerator residue, filter backwash wastewater, garbage, wastewater sludge, munitions, chemical wastes, biological materials, radioactive materials (except those regulated under the Atomic Energy Act of 1954, as amended [42 U.S.C. 2011 et seq.]), heat, wrecked or discarded equipment, rock, sand, cellar dirt or industrial, municipal and agricultural waste discharged into water or other entity, other than, or in addition to, domestic strength wastewater.

65. **Potable Water**

"Potable water" shall mean water that is treated pursuant to the Safe Drinking Water Act.

66. **Pretreatment**

"Pretreatment" shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater thereby rendering them less harmful to the publicly owned treatment works prior to introducing such pollutants into the publicly owned treatment works. This reduction or alteration can be obtained by physical, chemical, or biological processes, by process changes, or by other means, but not by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.

67. **Pretreatment Requirement**
"Pretreatment requirement" shall mean any substantive or procedural requirement related to pretreatment imposed on an industrial user, other than a pretreatment standard.

68. **Pretreatment Standard**
"Pretreatment standard" shall mean any categorical pretreatment standards, federal, state, or local substantive or procedural requirement containing pollutant discharge limits related to the pretreatment of industrial strength wastewater.

69. **Private Lift Station**
"Private lift station" shall mean a pumping facility not owned, operated, or maintained by the District.

70. **Producer**
"Producer" shall mean a source that produces septage, chemical toilet waste, and/or any other hauled liquid waste or sludge. This includes residential and/or commercial or industrial customers of the hauler.

71. **Prohibited Discharges**
"Prohibited discharges" shall mean prohibitions against the discharge of certain substances; these prohibitions appear in Appendix B.

72. **Publicly Owned Treatment Works (POTW)**
"Publicly owned treatment works" shall mean all District owned devices, systems, and appurtenances for the collection, transportation, storage, treatment, and reclamation of domestic strength wastewater, or liquid industrial wastes. Laterals, including those portions in the public right-of-way, and other appurtenances located on private property are not part of the publicly owned treatment works.

73. **Reclaimed Water**
"Reclaimed water" shall mean treated wastewater that is suitable for reuse or discharge in compliance with current state regulations.

74. **Sanitary Sewer Overflow (SSO)**
"Sanitary sewer overflow" shall mean a release of wastewater from the District's collection system at any point upstream of the treatment facilities.

75. **Septage**
"Septage" shall mean the mixture of domestic sludge and wastewater removed during the pumping of a septic tank used in the treatment of residential or commercial domestic strength wastewater.

76. **Shall**
"Shall" means mandatory and imposes a duty to act.

77. **Significant Industrial User (SIU)**
"Significant industrial user" shall mean:
    a. An Industrial user subject to categorical pretreatment standards; or
    b. Any other industrial user who:
        i. Discharges an average of twenty-five thousand (25,000) gallons per day (gpd) or more of process wastewater;
        ii. Contributes a process waste stream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the publicly owned treatment works;

iii. Is designated as significant by the District on the basis that the industrial user has a reasonable potential for causing pass through or interference.

78. **Slug Load**

"Slug load" shall mean 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 to the POTW, harm to or blockage of the collection system, or in any other way violate the District's Service Rules, local limits or discharge permit.

79. **Spill**

"Spill" shall mean the on-site release of a material from its container which could potentially flow to the POTW.

80. **State**

"State" shall mean the state of Nevada.

81. **Storm water**

"Storm water" shall mean rain water, snow melt, and surface drainage and runoff.

82. **System Development Approval (SDA)**

"System development approval" shall mean the approval issued by the District after the customer has met all requirements to utilize capacity in the POTW.

83. **Temporary Relief**

"Temporary relief" shall mean the suspension of the annual sewer service charge due to damage or demolition of the structure(s) on the customer's land such that property improvements are uninhabitable or unusable and cannot contribute flow to the publicly owned treatment works.

84. **Temporary Reserve Equivalent Residential Unit (TRERU)**

"Temporary Reserve Equivalent Residential Unit" shall mean an ERU for which the annual sewer service has been billed and subsequently temporarily taken out of service at the customer request and upon District verification, and the annual sewer service charge is suspended.

85. **Total Suspended Solids (TSS)**

"Total suspended solids" shall mean the total concentration as measured by the standard TSS laboratory test.

86. **Wastewater**

"Wastewater" shall mean used water and water-carried solids that flow to the publicly owned treatment works.

87. **Wastewater Collection System**

"Wastewater collection system" shall mean the pipes and appurtenances necessary to convey wastewater within the public right-of-way or in public sewer easements to the treatment facilities and is part of the publicly owned treatment works.

SECTION 1 – CONDITIONS OF SERVICE

1.1.1. These Service Rules are adopted by the Board of Trustees and enacted pursuant to NRS Chapter 318, and supersede all resolutions previously adopted establishing the terms and conditions for customers to connect to the District's public sanitary sewer system.

1.1.2. The District furnishes sanitary sewer service only in compliance with these Service Rules.

1.1.3. The District hereby reserves its authority under NRS Chapter 318, as necessary, to increase or decrease any rates, fees, and charges and to amend these Service Rules. Every application for sanitary sewer service shall be governed by the rates, fees, and charges in effect at the time such application is made.

1.1.4. Each customer shall pay all fees, and charges at the rate applicable to the customer's property as provided in these Service Rules for as long as the property is connected to the publicly owned treatment works (POTW).

1.1.5. The owner of each parcel of land is responsible for any wastewater flows originating on the parcel(s) which are generated by any person from any source.

1.1.6. A customer receives sanitary sewer service at all times following compliance with Subsection 1.3.2.

1.1.7. The customer shall notify the District prior to any changes in use, ownership, operation, authorized agent, billing address, or installation or removal of any billing units. The customer shall pay any applicable unpaid charges including connection fees, from the date of the change. Removal by the customer of any billing unit requires an inspection and approval by the District, prior to adjustment of the annual service charge.

1.1.8. Service Area: The District's service area is unincorporated Clark County (as shown in Appendix A) and to parcels located outside the service area if approved by the District.

1.1.9. The customer is responsible for any needed maintenance, repair or replacement of the lateral from the structure to the point of connection to the POTW.

1.1.10. Pursuant to NRS 318.170, the District may cause connection of an on-site individual sewage disposal system, provided capacity is available and any part of the District main line is within four hundred (400) feet of any occupied dwelling which is used for residential, commercial, or industrial use and the appropriate regulatory authority determines that the individual sewage disposal system serving the occupied dwelling:

a. exceeds its original permitted capacity; or,
b. is unhealthful; or,
c. negatively impacts return flow credits, associated with returning treated effluent to Lake Mead; or,
d. adversely impacts groundwater quality.

All costs associated with the connection are the responsibility of the customer.

1.1.11. Damage to Property: The District will not be liable for damage as a result of wastewater running from open or faulty laterals, lines or fixtures located on the customer's property.

1.1.12. Access to POTW

a. Landscaping, fencing, structures, overhead utilities, or other fixed or movable obstructions which blocks, prevents, hampers, or restricts free and easy access to District facilities for work of any nature are not allowed. The customer shall be liable for costs incurred in removing such items. When the obstruction is discovered, the District will issue a notice of violation to the customer directing correction of the condition within thirty (30) calendar days. If corrective action is not taken, the District may remove the obstruction, at the sole expense of the customer. In the event of a required immediate response, the District has the right to cause the obstruction to be removed without notice and all related costs are the customer's responsibility.
b. Subject to prior District approval, and at the customer's option, District facilities may be relocated by a contractor of the customer's choice at the sole expense of the customer and in compliance with the design criteria, and other applicable requirements.

1.1.13. Access to Private Property

a. When the customer fails to take prompt corrective action, the District shall have the right to access private property which is served by the District to contain or mitigate a leak, spill, or prohibited discharge, as referenced in Subsection B.1.2, or repair a lateral when the District determines any of the following exists:
    i. An emergency condition; or
    ii. A sanitary sewer blockage, sanitary sewer overflow (SSO), obstruction, interference, damage, or other impairment to the POTW will occur; or
    iii. Any discharge of a waste which may cause or contribute to violation of the discharge permit.
b. If the District exercises its option to take such action on private property, the District will report the incident to the Chief Health Officer of the Southern Nevada Health District. All expenses incurred by the District on the private property and the public right-of-way shall be recoverable from the customer.
c. District employees are prohibited from entering upon private property to engage in repair or alteration of the customer's piping and fixtures, unless specifically authorized by the General Manager.
d. Upon the presentation of District-issued identification, and pursuant to NRS 318.165, and 40 CFR 403.8(f) District employees have the right to immediate access to a public sewer easement, public right-of-way and private property served by the District, at all reasonable times for the purposes of meter reading, monitoring, inspection, independent sampling, records examination, and copying, or in the performance of any other duty related to these Service Rules. No person shall prevent access to any privately owned structure served by the District, or any District owned appurtenance, equipment, or other part of the POTW, and private property owners serviced by the District shall take reasonable precautions to ensure safe conditions exist for District employees to perform their on-site duties. Unreasonable delays in allowing District

employees access to the privately owned structures served by the District shall be considered a violation of these Service Rules.

1.1.14. Lateral Repairs:

a. District approval is required, in advance of a lateral repair, where the repair is located within the public sewer easement or public right-of-way. The repair must be inspected in the presence of a District employee. Should the public right-of-way holder not allow the customer to make repairs within that right-of-way, the District may do so. All expenses, if any, incurred by the District shall be recoverable from the customer.

b. The District may disconnect and reconnect an existing, authorized lateral located in a public sewer easement or the public right-of-way, when maintaining and/or repairing a main line to which the lateral is connected without incurring any liability to the customer. The customer will be notified in advance of any sewer service disruption. Reconnection of the lateral to the main line will be made in the presence of a District employee.

1.1.15. Any person who knowingly or negligently makes any false statements, representation or certification in any application, record, report, plan, manifest or other document made, filed or required to be maintained pursuant to these Service Rules, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under these Service Rules shall be punished by a fine or by imprisonment, or by both fine and imprisonment to the maximum allowed under the NRS and/or federal regulations and revocation or suspension of a District issued permit, if applicable.

1.1.16. Manhole Cover Removal Prohibition: It is unlawful at any time for any person to remove a District manhole cover for any reason unless prior District approval is granted.

1.1.17. Prohibited Discharges:

a. It is expressly prohibited for any person to discharge or cause to be discharged, directly or indirectly, wastewater containing any waste or pollutant listed in Appendix B, including but not limited to construction dewatering, storm water, groundwater, and drainage, other than domestic strength wastewater.

b. The General Manager may develop best management practices through these Service Rules or in the industrial user's Industrial Wastewater Discharge Permit (IWDP), to implement local limits and eliminate prohibited discharges.

1.1.18. Any person or entity that causes damage to a lateral, mainline, or District facility must immediately report the damage to the District and shall be responsible for reimbursing the District for all expenses the District incurs to make repairs or to mitigate an associated wastewater leak or spill. All necessary repairs of the damage must be made in the presence of a District employee and in accordance with all applicable District design criteria and specifications. No statute of limitation applicable to the liability for the damage shall run until the date the District discovers the damage. The District may report the damage, along

with the identity of the person or entity that caused the damage, to the appropriate federal, state, and local officials.

1.1.19. Prohibited Storage of Hazardous Materials: The storage of any material deemed hazardous by the District adjacent to any access to the POTW (i.e. drains, sumps, interceptors, plumbing fixtures, etc.) in which such materials have the potential to enter the POTW through said access points, is prohibited. The District may require secondary containment to mitigate any potential accidental discharge into the POTW.

1.1.20. New Main Lines and Appurtenances to Point of Connection

a. A developer must, at their expense, extend the appropriate District sewer main line and upgrade needed appurtenances to serve the property.
b. A developer must, at their expense make improvements to the existing POTW, which are required to serve their project at the time of issuance of a system development approval.
c. All new main lines and appurtenances shall be designed and constructed pursuant to the design criteria, and ownership transferred to the District.
d. Private sanitary sewer collection systems, including private lift stations, are not allowed to serve two (2) or more single-family residential units.

1.1.21. Public Right-of-Way or Public Sewer Easement

a. The District will maintain its facilities within the public right-of-way or a public sewer easement granted to the District.
b. The property owner will retain ownership of, and will operate, maintain and repair at no expense to the District, all laterals originating on their property to the point of connection to the POTW in the right-of-way, or a public sewer easement granted to the District.

1.1.22. Illegal Connection

a. An illegal connection is:
    i. The connection to the POTW without prior District approval; or,
    ii. The connection to a lateral of a separately owned parcel without prior District approval.
b. When an illegal connection is identified, the District will serve a notice of violation on the customer, which may include but not be limited to, assessment of unpaid fees, charges, and penalties, and the unauthorized lateral connection is subject to immediate disconnection.

SECTION 2 – APPLICATION FOR SANITARY SEWER SERVICE

1.2.1 System Development Approval (SDA): A customer must be issued an SDA prior to the start of construction, reconstruction after demolition, remodel of any structure, tenant improvements or the generation of wastewater flows on a parcel.

a. To obtain an SDA the following requirements are met:
   i. Written District approval of submitted plans in accordance with Subsection 1.5.4.
   ii. Submission of a complete and accurate application for sanitary sewer service provided by the District, which must include, but is not limited to:
      1. An assessor's parcel number and/or legal description of the parcel to be serviced including the address; and,
      2. For commercial customers engineer certified plans, which show the number and type of billing units in accordance with Subsection 1.3.4, and the strength and volume of the wastewater to be generated; and
      3. An equipment list, if applicable, for food establishment customer classifications; and
      4. A recorded subdivision map and street listing, for residential development plans, if applicable; and,
   iii. The District determines the total number of equivalent residential units (ERU) requested by the applicant for this project based upon the customer classification, in accordance with Subsections 1.3.3 and 1.3.4, verification of the number and type of billing units provided in Subsection 1.2.1.a.ii.2., less TRERUs, if applicable, in accordance with Subsection 1.2.2.d; and
   iv. The District determines that capacity is available to serve ERUs calculated in accordance with Subsection 1.2.1.a.iii.; and,
   v. Payment of connection fees for the total number of ERUs calculated in Subsection 1.2.1.a.iii, at the rate in effect at the time of issuance of an SDA; and,
   vi. Payment of all delinquent charges related to the parcel;
   vii. Approval by the District of the completed application for sanitary sewer service.

b. After the issuance of an SDA, an additional SDA must be obtained prior to adding billing units and/or changing customer classification.

c. Alternate Sanitary Sewer Service Application: An SDA may be granted if one of the following agreements is approved in advance by the General Manager and the applicable administrative fee is paid in compliance with Subsection 1.3.11.
   i. A commercial shell-only development agreement, or;
   ii. An affordable housing development agreement pursuant to a Clark County designated affordable housing development in accordance with Clark County Code, or;
   iii. A temporary capacity agreement.

1.2.2 Temporary Reserve Equivalent Residential Unit (TRERU):

a. The District maintains records of the type and location of the total number of approved billing units and/or equivalent residential units (ERUs).

b. TRERUs are not transferable to any other parcel and shall remain with the property originally serviced, in accordance with Subsection 1.2.1.a.ii.1. except:
    i. Parcels which are merged into one contiguous parcel which includes the parcel legally described in Subsection 1.2.1.a.ii.1.; and,
    ii. The parcel legally described in Subsection 1.2.1.a.ii.1 is subdivided and will be serviced by the main line with capacity fronting the parcel and in compliance with Subsection 1.5.1.
c. Accounts with TRERUs must comply with Subsection 1.2.1 prior to reconstruction, remodel or tenant improvement.
d. TRERUs , if any, will be applied to any new SDA prior to issuance of additional ERUs for that parcel, applying the oldest TRERUs first.

1.2.3 The customer is not allowed to retain ERUs which have never been billable in accordance with Subsection 1.3.2. ERUs approved in accordance with Subsection 1.2.1.a.iv. and remain unused at completion of the project shall be refunded at the District's sole discretion to the current property owner, without interest.

1.2.4 The District may at any time, but is not obligated to, inspect the parcel served for the purpose of tracking the location, number and type of billing units, and ERUs, pursuant to NRS 318.165.

1.2.5 Unauthorized Use of Sanitary Sewer Capacity:
a. Adding billing units and/or changing use without first complying with Subsections 1.1.7 and 1.2.1, shall be deemed a violation of these Service Rules, and:
    i. Billing units may be subject to removal/disconnection or wastewater flow reduction based upon capacity limitations, and/or;
    ii. The District may pursue any available remedy, including but not limited to, those set forth in Subsections 4.1.5 and 4.1.6.
b. Connection fees and related annual sewer service charges associated with the unauthorized use are due and payable on the date of discovery at the rate in effect and subject to a 10 percent penalty.
c. The property owner must comply with Subsection 1.2.1 when the unauthorized use of capacity is caused by a tenant.
d. An account will become delinquent and subject to lien if the connection fees are not paid within thirty (30) calendar days.

1.2.6 For projects which will be connected to the POTW:
a. An "active project" is one where construction is commenced on the property, within two (2) years from the date of the issuance of an SDA.
b. An "abandoned project" is one where no construction has commenced on the property within two (2) years from the date of issuance of an SDA and connection fees will be refunded in accordance with Subsection 1.2.3.
c. A "suspended project" is one where construction has begun but stopped for one (1) year or more.
d. If construction on a suspended project resumes at a later date, with or without refund of previously paid connection fees, the applicant or developer shall apply for a new

SDA, subject to capacity constraints. Connection fees, if not previously refunded, will be applied to the new application, and additional connection fees, if required, will be based on the rate in effect at the time the project resumes.

e. For the purpose of this Section, construction is deemed to have commenced when construction of any structure has begun.
f. Effective July 1, 2017, active, abandoned, and suspended projects with existing ERUs, are subject to an availability charge two (2) years from the date of the most recent issuance of an SDA.

1.2.7 Projects which have obtained SDAs pursuant to Subsection 3.1.2 shall be governed by that resolution and applicable provisions of the Service Rules.

1.2.8 Main line extension frontage fee refunds will not be used in place of or in conjunction with a special improvement district which exists for the same purpose.

SECTION 3 – RATES AND CHARGES

1.3.1 Billing Units and Customer Classification Schedule: The number of equivalent residential unit (ERU)s from which residential and commercial charges and fees are assessed shall be determined in compliance with this Section. The schedule is based on the type and number of billing units and an assigned customer classification.

1.3.2 Billing Units:

ERUs will be billable when: the appropriate local government building official issues a certificate of occupancy or an approved final inspection; or through physical inspection and District employees can verify use or occupancy; or from the moment of any discharge to the POTW.

a. Bay shall mean a location on a business' premises which is used to wash vehicles.
b. Bed shall mean the occupancy value licensed for a medical care facility.
c. Dwelling shall mean a structure designed for residential occupancy by one or more persons for living and sleeping purposes, consisting of one or more rooms, including a bathroom and kitchen. The term does not include a hotel or a motel pursuant to NRS 318.203.
d. Fixture shall mean a receptacle, device, or appliance that is supplied by a water source and discharges wastewater to the sanitary sewer system and/or otherwise receives wastewater and discharges wastewater to the sanitary sewer system.
e. Individual shall mean one person registered, enrolled, or otherwise charged per capita, for receiving services at a care facility.
f. Site shall mean the location where a manufactured home or vehicular-type unit may be placed.
g. Space shall mean a rental location set aside for the temporary placement of a recreational vehicle.
h. Student shall mean a person enrolled in courses offered in a school.
i. Unit shall mean a room or space at an establishment that provides for paid lodging on a short-term basis.
j. Water feature (residential and commercial) shall mean swimming pools, spas, hot tubs, decorative fountains, waterscapes and lagoons. ERUs shall be based upon total gallons, regardless of the number of pools: Twenty-thousand (20,000) gallons and less equals 0.10 ERU. Each thousand (1,000) gallons over twenty-thousand (20,000) is multiplied by 0.45 then divided by ninety thousand (90,000) gallons and rounded to the nearest one hundredth (0.01) to calculate the total ERUs.

1.3.3 Customer Classification Schedule:

The customer classification schedule is a method of categorizing customers who have comparable contribution estimates of discharge to the publicly owned treatment works (POTW).

a. All other commercial uses shall mean establishments not specifically listed. This may include, but is not limited to community amenities, general retail business, manufacturing, or warehouse sales.
b. All other residential uses shall mean residential dwellings not specifically listed. This may include, but is not limited to an accessory apartment, casita or guest house.

c. Bars/Taverns with cooking facilities shall mean an establishment that serves alcoholic beverages with cooking facilities and is required to have a fat, oil, grease and grit (FOGG) interceptor.
d. Bars/Taverns without cooking facilities shall mean an establishment that serves alcoholic beverages with no cooking facilities.
e. Beauty/barber/nails/tanning shop shall mean an establishment dealing with cosmetic treatments.
f. Care center: Child/adult shall mean a facility where an individual stays for a limited period, less than twenty-four (24) hours.
g. Casino shall mean a place where the main function is to provide games of chance and/or gaming devices.
h. Common area: shall mean billing units which are external to dwelling/unit/site/space and are billed and charged separately to the owner of the common area parcel and are based on a customer classification.
i. Condominium/townhouse shall mean an individually owned dwelling in a structure containing two or more dwellings.
j. Convalescent and assisted care facility shall mean an establishment used or designed to provide personal and health care supervision for periods longer than one (1) calendar day.
k. Dry cleaner shall mean an establishment where articles are cleaned for compensation.
l. Financial institution shall mean an establishment that provides banking, lending, investment, and other financial services.
m. Food establishment shall mean an establishment with cooking facilities and whose primary business is serving food to the public, is required to have a fat, oil, grease and grit (FOGG) interceptor, and is not a part of a hotel or casino.
n. Food establishment: Takeout/fast food shall mean an establishment with cooking facilities and whose primary business is serving food to the public, is not a part of a hotel or casino, sells food in disposable containers and is required to have a fat, oil, grease, and grit (FOGG) interceptor.
o. Hospital shall mean an establishment staffed and equipped to provide diagnosis, care and treatment of human illness or injury and which provides twenty-four (24) hour professional nursing services under the direction of physicians.
p. Hotel/motel/timeshare shall mean a service type structure containing rental units including, but not limited to full/select/limited service, extended stay, timeshare, or other business configurations in order to provide lodging to transient clientele. Fixtures outside the rental units are charged separately.
q. Large commercial/industrial shall mean an establishment of single ownership or operation which uses more than five million (5,000,000) gallons of water per year for commercial purposes and does not otherwise fall under any of the other customer classifications. Annual sewer service charges shall be based on the ERUs determined by water use from each year's metering records of the local water purveyor for the twelve (12) month period (May 1- April 30) with one (1) ERU assessed for every ninety thousand (90,000) gallons of water used, and rounded to the nearest one hundredth (0.01). The initial annual sewer service charge and connection fees shall be based

upon the submitted flow projection by the engineer or owner, converted to ERUs. If the metered flows exceed the projected flow in the 12 month period as noted in this Subsection, the connection fee will be adjusted and payable within 30 days of notice.

r. Laundromat: Retail shall mean an establishment that allows patrons through self-service, to use machines designed for cleaning and drying cloth items or that charges patrons for on-site article washing services.

s. Laundry: Commercial shall mean an establishment where articles are washed for compensation. Annual sewer service charges shall be based on the ERUs determined by water use from each year's metering records of the local water purveyor for the twelve-month (12) period (May 1- April 30) with one (1) ERU assessed for every ninety thousand (90,000) gallons of water used, then reduced by a fifteen percent (15%) evaporation rate, and rounded to the nearest one hundredth (0.01). The initial annual sewer service charge and connection fees shall be based upon the submitted flow projection by the engineer or owner, converted to ERUs. If the metered flows exceed the projected flow in the 12 month period as noted in this Subsection, the connection fee will be adjusted and payable within 30 days of notice.

t. Limited events center shall mean any permanent location designed and used primarily for entertainment, exhibitions, or trade shows and other such similar activities under the following conditions:
   i. Conducts no more than fifteen (15) events per calendar year; and
   ii. Events total no more than twenty-five (25) calendar days per calendar year; and
   iii. The occupancy rating is more than forty thousand (40,000) persons; and
   iv. The customer shall have the one-time option, at the commencement of sewer service, to decide whether or not the annual sewer service charge shall be based on either the number of installed billing units or water records for the twelve (12) months prior, from all metered water sources.

u. Maintenance/repair shop shall mean an establishment which provides services for the restoring, fixing, repairing, replacing or other upkeep of equipment or property.

v. Manufactured home park shall mean a location with sites on which a manufactured home or vehicular-type structure may be placed.

w. Medical (clinic)/dental/veterinarian shall mean an office or clinic where practitioners provide patients with limited treatment services.

x. Movie theater (cinema) shall mean an establishment where movies are shown for public entertainment.

y. Multiple residential shall mean a structure containing two or more contiguous dwellings, under one ownership and situated upon the same parcel. This includes dwellings with or without a shared kitchen.

z. Office shall mean an establishment which provides public and private services.

aa. Office/warehouse shall mean an establishment which provides public and private services with a warehouse attached.

bb. Pet grooming shall mean an establishment that provides grooming services for pets.

cc. Recreational splash pad shall mean an aquatic play area that may have a combination of fountains, sprays, jets and other special play features which are discharged into a sewer drain. Annual sewer service charges shall be based on the ERUs determined by

water use from each year's metering records of the local water purveyor for the twelve-month (12) period (May 1- April 30) multiplied by a ninety [90] calendar day season with one (1) ERU assessed for every ninety thousand (90,000) gallons of water used, and reduced by a thirty percent (30%) evaporation rate, and rounded to the nearest one hundredth (0.01). The initial annual sewer service charge and the connection fees shall be based upon the submitted flow projection by the engineer or owner, converted to ERUs. If the metered flows exceed the projected flow in the 12- month period, as noted in this Subsection, the connection fee will be adjusted and payable within 30 days of notice. The peak flow rate shall be used to reserve capacity for peak flow from the recreational splash pad in the receiving main line. Determination of peak flow rate shall be pursuant to the District's *Addendum for Recreational Splash Pad Sewer Connections*, as adopted June 21, 2011.

dd. Recreational vehicle park shall mean a location that provides space rental for temporary recreational vehicle occupancy.

ee. Religious facility shall mean a structure primarily used for religious services by a religious organization.

ff. Retail shall mean a facility that sells a variety of goods or services to the public.

gg. School shall mean a structure primarily used for academic, vocational, or technical courses of study or other educational services.

hh. Senior apartment shall mean a rental dwelling within a multiple residential property, which:

  i. Consists solely of rental dwellings, averaging eight-hundred twenty-five (825) interior square feet or less; and
  ii. Which is intended and operated for occupancy exclusively for persons fifty-five (55) years of age or older; and
  iii. Is limited to one or two occupants per dwelling; and
  iv. ERUs for any fixtures outside the residential dwellings are calculated at the applicable commercial rate.

ii. Service station shall mean an establishment that sells gasoline and other retail items.

jj. Service/alteration; dry cleaner pickup station shall mean an establishment where the primary function is to provide clothing repair and is a location for the public to drop off and pick up clothing for repair and cleaning.

kk. Single-family residence shall mean a structure containing one dwelling.

ll. Special events center shall mean any permanent location designed and used primarily for entertainment, exhibitions, trade shows and other such similar activities, excluding those defined as limited events centers.

mm. Theme park/sports complex shall mean any permanent location which is open to use or attendance by the public at which is exclusively offered activities for entertainment, amusement, pleasure, or relaxation.

nn. Vehicle sales (with automated vehicle wash) shall mean an establishment where vehicles are sold and has an automated vehicle wash.

oo. Vehicle wash shall mean a facility used to clean motor vehicles. Customers in this classification are assessed:

  i. Connection fees based upon the ERUs determined from Subsection 1.3.4; and

ii. Annual sewer service charges shall be based on the ERUs determined by the vehicle wash's water use from metering records of the local water purveyor for the twelve-month (12) period (May 1- April 30), with one (1) ERU assessed for every ninety thousand (90,000) gallons of water used, then reduced by a thirty percent (30%) evaporation rate, and rounded to the nearest one hundredth (0.01). With District approval of a sub-metering plan, the customer may request an adjustment to the annual water use for irrigation and other consumptive uses not discharging to the POTW.

1.3.4 Schedule of Equivalent Residential Units (ERU) Factors:

Customer Classification	ERU Factor	Billing Unit
All other commercial uses	0.65	Each fixture
All other residential uses	1.00	Each dwelling
Bars/taverns with cooking facilities	1.00	Each fixture
Bars/taverns without cooking facilities	0.65	Each fixture
Beauty/barber/nails/tanning shop	0.25	Each fixture
Care center: Child/adult	0.10	Each individual
Casino	1.50	Each fixture
Condominium/townhouse **Common area: Non dwelling fixtures**	0.50 0.65	Each dwelling Each fixture
Convalescent/assisted care facility	0.75	Each bed
Dry cleaner	1.00	Each fixture
Financial institution	0.45	Each fixture
Food establishment	1.33	Each fixture
Food establishment: Take out/fast food	0.65	Each fixture
Hospital	1.20	Each bed
Hotel/motel/timeshare **Common area: Non unit fixtures**	0.60 1.50	Each unit Each fixture
Large commercial industrial (5,000,000 gallons per year)	Calculated	Estimated
Laundromat: Retail	0.45	Each fixture
Laundry: Commercial	Calculated	Estimated
Limited event center	0.45	Each fixture
Maintenance/repair shop	0.45	Each fixture
Manufactured home park **Common area: Non site fixture**	1.00 0.65	Each site Per fixture
Medical (clinic)/dental/veterinarian	0.25	Each fixture
Multiple residential	0.70	Each dwelling
Movie theater (cinema)	0.45	Each fixture
Office/warehouse	0.45	Each fixture
Office	0.45	Each fixture

Pet grooming	0.25	Each fixture
Recreational splash pads	Calculated	Estimated
Recreational vehicle park **Common area: Non space fixture**	0.10 0.45	Each space Each fixture
Religious facility	0.50	Each fixture
Retail	0.65	Each fixture
School	0.10	Each student
Senior apartments **Common area: Non dwelling fixture**	0.50 0.65	Each dwelling Each fixture
Service/alterations; dry cleaner pickup	0.45	Each fixture
Service station	0.65	Each fixture
Single family residence	1.00	Each dwelling
Special events center	0.65	Each fixture
Theme parks/sports complex	1.00	Each fixture
Vehicle sales (with automated vehicle wash)	1.00	Each fixture
Vehicle wash: Vehicle conveyor	15.05	Each bay
Vehicle wash: In bay	6.56	Each bay
Vehicle wash: Self-serve bay	0.54	Each bay
Vehicle wash: Truck wash	15.18	Each bay
Vehicle wash: On-site fixture	0.65	Each bay

1.3.5 All commercial classifications shall be based on the primary use of the structure which is located on a single parcel and as determined by the District. The District may use the category of the business license issued by the Clark County Department of Business License in determining the primary use.

1.3.6 The General Manager shall have the authority to change the customer classification, change the number of ERUs, change the number or type of billing units applicable to any customer classification, adjust charges, or establish credit against future charges, if that the customer classification, the number of ERUs, evaporation rates, the number or type of billing unit or the charges are not suitable. In the event there is no suitable customer classification listed in Subsection 1.3.3 for a particular parcel to be served, charges and fees shall be based on the classification deemed most similar by the General Manager, subject to the right of appeal to the Board of Trustees.

1.3.7 Connection Fees: Connection fees shall be calculated based on the number of billing units for a customer classification multiplied by the applicable ERU factor(s) listed in Subsection 1.3.4 multiplied by the amount per ERU listed under this Subsection.

a. Beginning July 1, 2022, and for each year thereafter, the connection fee shall be the lessor of:

i. An increase by a percentage equal to the annual percentage increase in the *Engineering News-Record (ENR), Construction Cost Index (CCI), twenty (20)*

year city average at the rate in accordance with the annual increase as of September of the previous year, as may be amended; or,

ii. The then applicable connection fee value, Definition 20.

b. The connection fee shall not decrease from the prior year.

c. Effective 07/01/20232 the connection fee shall be $3020 per ERU, and connection fee revisions, if any, shall be published on Cleanwaterteam.com prior to the effective date of the following July 1.

d. The connection fee for customers converting from an individual sewage disposal system (ISDS) or septic tank is $1,600.

e. The connection fee for affordable housing developments will be assessed in accordance with Subsection 1.2.1.c.ii. and referenced within the affordable housing development agreement.

1.3.8 Annual sewer services charges shall be calculated based on the number of billing units for a customer classification multiplied by the applicable ERU factor listed in Subsection 1.3.4 multiplied by the amount per ERU which is listed below.

Inclusive Dates:	**Per ERU:**
07/01/2023 – 06/30/2024	$253.20
07/01/2024 – 06/30/2025	$260.16
07/01/2025 – 06/30/2026	$267.32
07/01/2026 – 06/30/2027	$274.68
07/01/2027 – 06/30/2028	$282.24
07/01/2028 – 06/30/2029	$290.00

1.3.9 In addition to the annual sewer service charge, a sixteen-dollar ($16.00) annual account charge is applied to each account.

1.3.10 Customer Convenience Fee:
The District shall recover all costs associated with payment transactions, including interchange transaction fees or any such fees, charged to the District by a financial institution for acceptance of customer payments.

1.3.11 Alternate Sanitary Sewer Service Application Administrative Fee: Commercial shell-only development agreements and temporary capacity agreements approved under Subsection 1.2.1.c. are subject to a non-refundable administrative fee of $1,000 per agreement payable at the time of application.

1.3.12 Annual Industrial Wastewater Discharge Permit (IWDP) Charge: The following annual charges will be assessed for those industrial users with an IWDP:

Classifications	Annual Charge (each)
Industrial User	$300.00
Categorical	$1,000.00
Significant Industrial User (SIU)	$1,000.00

1.3.13 Extra Strength Surcharge: In addition to the annual sewer service charge, customers who discharge wastewater having concentrations of certain pollutants exceeding typical domestic strength concentrations may be assessed an extra strength surcharge, based on the surcharge threshold concentrations listed below. The extra strength surcharge billing shall be calculated by multiplying the additional pounds of each pollutant that is discharged as a result of the exceedance of the surcharge threshold concentration times the extra strength surcharge, described as follows:

Pollutant	Surcharge Threshold Concentration, mg/L	Extra Strength Surcharge, $/lb.
Total Suspended Solids (TSS)	400	0.133
Biochemical Oxygen Demand (BOD)	400	0.107
Total Phosphorus (TP)	6.5	13.3
Ammonia-Nitrogen (NH3-N)	28	0.747

1.3.14 The District shall determine average extra strength concentrations of BOD, TSS, phosphorus and ammonia for each surcharged customer classification. The General Manager, upon written request of the surcharged customer, may adjust the surcharge based upon on-site monitoring of the customer's wastewater source(s). The customer must receive prior approval from the District of the on-site monitoring plan. Costs associated with monitoring are the responsibility of the customer.

1.3.15 Reclaimed Water Rates and Charges:
The reclaimed water delivery charge from the Flamingo Water Resource Center shall be $2.33 per 1,000 gallons or equal to the published Las Vegas Valley Water District's Non-Potable Irrigation Water Rate as revised, whichever is greater.

a. The charges for governmental agencies using reclaimed water treated at any designated reclamation sites or delivered to governmental agencies may be determined through interlocal agreement.

b. The rates for reclaimed water provided by the District to a public water purveyor may be determined by interlocal agreement.
c. Upon sale, assignment, or transfer of reclaimed water or any interest by the customer, the rate shall be that which is applicable at the time.
d. The Board of Trustees reserves the right to review and revise rates and charges to reflect the cost of water reclamation, delivery infrastructure costs, or any other factor(s) affecting the cost of reclaimed water.
e. Payment for each month's usage of reclaimed water shall be due in full within thirty (30) calendar days of invoice. Any exception to this shall be requested by the customer in writing and approved by the General Manager within the same thirty (30) day period.
f. Reclaimed Water Rate Surcharges: The District retains the right to, where deemed appropriate, construct, own, operate or otherwise provide reclaimed water delivery facilities and to recover costs through reclaimed water rate surcharges to the customers.

1.3.16 Septage and Chemical Toilet Waste Charges: The charge to dispose septage or chemical toilet waste to the District septage facility shall be $0.06 per gallon. An annual inspection, processing, and access charge of seventy-five dollars ($75.00) for each vehicle, which is not refundable, shall accompany each application and is due by January 1 each year.

1.3.17 Main Line Extension Frontage Fees

a. Main Line Extension Frontage Fees (MLE frontage fee) shall apply to all connections made to an eligible main line extension.
    i. The developer, who originally installed the refund eligible main line, is not required to pay a MLE frontage fee for subsequent connections to the original refund eligible main line extension.
b. When a project proposes to connect, with a lateral or private collection system to a main line extension that is eligible for a refund, the applicable MLE frontage fee will be calculated based on the length of the parcel's boundary facing the eligible main line extension multiplied by $20 per lineal foot.
c. The MLE frontage fee shall be paid prior to final acceptance by the District.
d. MLE frontage fees are non-refundable.

1.3.18 Package Wastewater Treatment Plant Fees: The following fees will be charged for the design review and inspection of package wastewater treatment plants:

Fee Schedule – Design Review and Inspections	
Service	**Fee**
Application Processing	$1000
Design Review of package wastewater treatment plant	$10,500
Revision of an Approved Plan	$150
On-site Inspection/'	$450
Additional Requirements: District related costs to provide additional services shall be paid prior to final acceptance of the work.	

1.3.19 Package Plant Design Review and Inspection Fees: The package wastewater treatment plant applicant, or the person in whose name the package plant discharge permit is to be issued, and who will be responsible for proper design and construction of the package wastewater treatment plant, shall pay the required fee for design review and inspections.

1.3.20 FOGG Interceptor Charge: The following annual charges will be assessed for those customers with a FOGG interceptor:

Per Interceptor	
FOGG Interceptor	$100.00
Each additional interceptor located at the same Assessor's Parcel Number (APN)	$50.00
Each non-compliance follow-up inspection (if necessary)	$100.00

1.3.21 Temporary Relief: Eligibility for temporary relief requires the structure(s) or portion thereof, to be damaged to such a point that it cannot reasonably contribute wastewater to the POTW.

a. A customer shall qualify for temporary relief when the following conditions have been met:
    i. Notify the District in writing, when the change in the billing unit status is a result of damage to the structure.
    ii. Provide documentation to the District which certifies the structure, or portion thereof as uninhabitable and cannot reasonably contribute wastewater to the POTW.
    iii. Agree to notify the District in writing within thirty (30) calendar days of the structure being rehabilitated and suitable for use.

iv. The District verifies that the structure(s) on the parcel are damaged to such a point that it cannot reasonably contribute wastewater to the POTW.

b. Upon the customer meeting the conditions stated above, the District will:
   i. Suspend the subject billing units from active billing service during the period the structure or portion thereof, is uninhabitable and cannot reasonably contribute wastewater to the POTW or up to two (2) years whichever comes first. Two (2) twelve (12) month extensions may be granted by the District upon written request by the customer by establishing good cause and approved by the District; and
   ii. Apply temporary relief, effective the last day of the month in which the structure was uninhabitable; and
   iii. Activate sewer billing at the established annual sewer service charge on the billing quarter following the date when the customer notifies the District as stated above or the appropriate local government department certifies the structure as habitable or suitable for use, or the District determines the customer is no longer eligible for temporary relief, whichever comes first.

1.3.22 Military Relief: Customers on active military duty may be eligible for military relief, provided their primary residence is unoccupied due to military service orders.

a. A customer shall provide all of the following to become eligible for the military relief rate:
   i. Proof of reassignment; and
   ii. Proof of relocation of the service member and his/her family including a written statement with the inclusive dates the primary residence will be unoccupied; and
   iii. An agreement to notify the District, within thirty (30) calendar days that customer has left the military and/or the primary residence is sold, rented or otherwise occupied. This notification may be made either by the customer or the customer's representative.

b. The District will:
   i. Reduce billing units from active billing service during the period the primary residence is unoccupied; and
   ii. Perform periodic inspections to verify the primary residence is unoccupied; and
   iii. Activate sewer billing at the established annual sewer service charge on the billing quarter following the date when occupancy can be verified.

1.3.23 The District may make revisions to the Service Rules for a billing unit, an ERU factor, and/or the customer classification, in which case there will be no collection of additional connection fees or refund of connection fees for existing billing units properly paid in accordance with Subsection 1.2.1. Should an adjustment to the annual sewer service charge become necessary, it will be effective the first billing cycle after the revision.

1.3.24 A user charge system is a categorization of customers based upon wastewater volume and strength factors. Charges are assessed on estimates of the proportionate share of

operations, maintenance, and replacement costs for wastewater collection and treatment and are managed through a user charge system pursuant to 40 CFR 35.2130 and 35.2140.

SECTION 4 – TIME AND MANNER OF PAYMENT

1.4.1 Customers will be billed pursuant to Subsection 1.3.2 and in advance for the entire fiscal year from July 1 through the following June 30. Customers are responsible for payment of the annual sewer service charge on the date the customer first receives sewer service. The first new customer billing will include retroactive charges, if applicable.

1.4.2 Customer Payment:

a. The customer has the following payment options:
   i. Annual: Payment of the full annual sewer service charge for the period July 1 through June 30. Accounts having the full annual sewer service charge payments posted on or before July 31 will receive a twelve-dollar ($12) discount.
   ii. Quarterly: Payment of the quarterly sewer service charge on July 1, October 1, January 1, and April 1.
   iii. Payment of the account balance, in full, any time during the fiscal year.
b. New customers who are not of record on July 1 will be billed on the first day of the quarter immediately following the commencement of services through the next succeeding June 30, with the option to pay the total balance due or to pay quarterly.
c. In addition to the payment options identified in Subsection 1.4.2.a, residential customers may qualify for a monthly payment plan if they demonstrate to the satisfaction of the District, that they or their family occupy the property and that their income did not exceed the current U.S. Federal Poverty Guidelines for the previous calendar year.
d. Charges will be considered paid on the date the payment is posted to the customer account.
e. All payments must be made in United States currency.

1.4.3 Payment does not constitute a contract for service for the entire fiscal year. The Board of Trustees retains the right to modify the rates and charges at any time in compliance with applicable law.

1.4.4 Effective July 1, 2021 the District will no longer bill a single, consolidated annual sewer service charge for customers who are represented by a homeowner association; each association member will be billed separately.

1.4.5 Bills are due and payable upon presentation and shall be conclusively deemed to have been received five (5) calendar days after mailing. The District cannot guarantee receipt of any bill, and failure to receive a bill does not relieve a customer of the obligation to pay.

1.4.6 The District may accept card and electronic check payments.

1.4.7 The District may charge the customer up to $15 for a nonsufficient funds payment and the account will be considered paid on the date the payment is posted to the customer account.

1.4.8 Delinquent Accounts:

a. An account will become delinquent when the minimum required payment is not posted to the customer account by the due date.
b. Delinquent accounts will also be assessed a basic penalty of not more than 10 percent of each outstanding charge for the first month delinquent and may also be assessed interest in the amount of 1.5 percent for nonpayment of any amounts that remain outstanding in accordance with NRS 318.197.
c. Delinquent accounts shall be subject to lien.
d. The General Manager has the authority to adjust delinquent charges in cases of a District error or omission in account payment processing.

1.4.9 The Board of Trustees has the authority pursuant to NRS 318.201 to elect to have delinquent charges, placed on the Clark County tax roll for collection. A written report, which contains the assessor's parcel number of each parcel of real property and the amount of the charges for each parcel shall be filed with the Board of Trustees Secretary. A public hearing which is properly noticed and conducted pursuant to NRS 318.201 will be held at least annually, to consider customer protests. The Board of Trustees may approve the collection of the delinquent charges through the tax roll.

1.4.10 The General Manager shall have the authority to correct billing errors and omissions which result in customer overpayment or undercharge. Refunds for overpayment or payments for undercharges shall be computed back to, but not beyond the date of the error or omission, subject to any applicable statute of limitations.

1.4.11 Subsequent to the adoption of these Service Rules, should a community treatment works located within the unincorporated area of Clark County and not previously serviced by the District, come under the jurisdiction of the District, the Board of Trustees shall, by passage of a resolution, formally add the treatment works into the District's service system.

SECTION 5 - PLAN REVIEW

1.5.1 A point of connection (POC) is required for all projects except for an individual single family residence, prior to submitting plans for District review.

1.5.2 The developer or customer shall obtain District approval of plans, prior to the start of construction that may impact, or is in close proximity to, the publicly owned treatment works (POTW).

1.5.3 In accordance with Appendix B- Prohibited Discharges, the District shall require proof from the developer or customer that no pollutant will, or could, enter the POTW during construction. The District may also require review of construction dewatering plans, if applicable.

1.5.4 Plans must be approved by the District pursuant to the design criteria and any additional District requirements, which may include main line extensions in accordance with Section 6 and improvements to the existing POTW determined to be immediately required for a project.

1.5.5 Plans for a project must have District approval before the District will approve any final maps.

1.5.6 To apply for District review, the developer's engineer shall provide a submittal application for plan review along with one (1) full-size twenty-four (24") inch by thirty-six (36") inch bond (plain paper), wet stamped or electronic plans, as determined by the District. Plans shall be submitted to and retrieved from the District.

1.5.7 The District will determine if a developer proposed main line or lift station will be oversized pursuant to Subsection 1.6.2.

1.5.8 A developer who is aggrieved by a denial of plans may appeal that decision in writing to the General Manager within thirty (30) calendar days. The General Manager shall conduct a review of the grounds for the denial and render a decision. The General Manager decision is final and not subject to appeal.

1.5.9 District approval of civil improvement plans is valid two (2) years from the date of final plan approval, in accordance with Subsection 1.5.4. Once plan approval has expired, any subsequent proposal for reactivation shall be treated as a new project, subject to capacity availability and the current design criteria. The same shall apply to suspended projects.

1.5.10 Where off-site main lines are suspended, other developers shall be allowed to utilize the suspended main lines and appurtenances in their work should they desire to do so, based on their own set of main line extension plans submitted to and approved by the District for finishing the suspended main line project. The subsequent developer shall provide adequate written documentation to the District stating they have permission from the original developer of record to complete the work. All developer-constructed main lines and appurtenances, including laterals, which are owned, operated and maintained by the

developer, shall be constructed pursuant to the design criteria and approved by the District. The developer must receive the District's approval that the main line plans are in compliance with the design criteria, before initiating construction.

1.5.11 Pretreatment Facilities Plan: Prior to the construction of a pretreatment facility, the industrial user shall submit detailed pretreatment facilities plans to the District, which have been prepared by an engineer. These plans shall show the proposed pretreatment facilities and an explanation of operating procedures, and provide a date of construction completion. The industrial user shall not begin construction of the pretreatment facilities without prior District approval of the plans.

1.5.12 Parcels located outside of the District's service area connected to the District's POTW require an interlocal agreement between the appropriate jurisdictions, with the customer making connection fee and annual sewer service payments directly to the District.

SECTION 6 – MAIN LINE EXTENSION

1.6.1 General

a. The District may require main line extensions, with or without oversize or bolstering agreements. The developer shall be responsible for the selection of a contractor. Any change order costs shall be borne solely by the developer. The District will not participate in any additional cost incurred due to rock or hard materials or groundwater encountered during construction. All additional costs involving rock or hard material or groundwater will be paid by the developer.

b. In addition to these Service Rules, a developer shall also comply with the design criteria including at the developer's sole expense, the installation of minimum size main lines in street rights-of-way.

   i. The minimum sewer main size shall be based on the existing or proposed street right-of-way width, which may include common areas and are as follows:

Street Width:	Minimum Diameter:
Up to 60'	8"
61' to 80'	10"
Greater than 80'	12"

   ii. The developer may satisfy system requirements with an alternate, equivalent design within the project to accomplish the same intent as the minimum sewer main size identified in Subsection 1.6.1.b.i., subject to District approval.

c. An oversize agreement in a form provided by the District shall be required for all oversized main line extensions and lift stations and shall comply with these Service Rules.

d. Where a main line extension is required by the District, the developer must submit plans for review and approval by the District. Construction of a main line extension shall not commence until the District has approved both the plans and the oversize agreement, if applicable.

e. In the event the developer does not commence the construction of the main line(s) covered by any approved main line extension plan within two (2) years from the date of District approval, the project is deemed abandoned. Any subsequent proposal for reactivation shall be treated as a new project, subject to capacity constraints and the current design criteria.

f. The developer shall be required to construct main line extensions along the project exterior boundaries provided the following conditions apply:

   i. The project boundary streets have right-of-way width of 60' or greater, and;

   ii. The District has determined that the main line extension is required to serve the sewer tributary upstream of the project.

g. For a main line extension, the developer shall be subject to the following provisions:

   i. The developer shall supervise the design utilizing the services of the developer-designated engineer. The District does not assume any financial responsibility or liability for any loss incurred by a developer due to delays in the construction of a main line extension or an oversize main line extension.

The developer shall comply with all federal, state and local laws or regulations.

ii. Other conditions which the District may require.

h. Main lines and appurtenances shall be located within dedicated rights-of-way or within public sewer easements granted to the District.

i. Main Line Construction by Developer

i. In cases when construction permits require a District signature as determined by the issuing agency, the developer shall prepare all construction permit applications and supporting documents for District review and approval. After the District signs the construction permit application, the developer shall deliver the construction permit application to the issuing agency and coordinate all activities related to the construction permit application process. It is the developer's responsibility to obtain and comply with all construction permit conditions, regardless of whether the District is the application signer and/or the named permittee.

ii. Materials and workmanship performed by the developer shall be guaranteed free of defects in accordance with the design criteria.

j. Performance Bond: Clark County Public Works (CCPW) may require a performance bond for off-site projects located in the Clark County right-of-way. These projects must pass District inspections prior to a bond release being issued by CCPW. Two (2) District inspections may be required, depending on the complexity of the project. A "Preliminary Letter of Acceptance" may be issued by the District, upon request of the CCPW when the project developer has requested an eighty percent (80%) bond release. This letter will state that the District has conducted a preliminary inspection of the main lines and reinspection will be required when the project is ready for completion. A copy of the Preliminary Letter of Acceptance will be sent by the District to CCPW, the developer, engineer, and contractor. In these instances, an approved District reinspection of the final project will be required by CCPW prior to the release of the remainder of the bond. In all cases, the District must inspect and approve any final project and sign-off that final project by use of the county-wide licensing, plans, and permit tracking system.

1.6.2 Oversize

a. The developer shall comply with the District's decision to oversize a main line extension or lift station.

b. Where oversize is required by the District, the District will participate in the cost as determined in the oversize agreement. The developer shall be responsible for all main line extension costs including, but not limited to the costs of design, acquisition of any public sewer easements, construction and materials, except for the cost of the oversize.

c. The District's cost participation for oversizing of a main line extension or lift station and appurtenances shall be based on the difference in cost between the oversized facilities installed and those facilities required for the developer's project, as specified by the oversize agreement.

d. The District must have available funds before approving the oversize agreement. Reimbursement to the developer for oversize costs shall not be made until installation of the main line extension or lift station is complete and the District has accepted the main line extension oversize or lift station oversize for operation and maintenance.
e. The plans and oversize agreement must be approved by the District before construction begins.

1.6.3 Bolstering may be required by the District as a condition of the development approval process. The District shall refund to the developer, without interest, the cost of bolstering the main line extension(s) as specified in the bolstering agreement(s) within forty-five (45) calendar days following the completion of the installation, and acceptance by and transfer of ownership to the District.

1.6.4 Main Line Extension Frontage Fee (MLE frontage fee) Refund Policy

a. The District may provide MLE frontage fee refunds to the eligible developer for costs associated with the construction of a main line extension when the conditions in Subsection 1.6.4.b. are met. Lift stations and appurtenances are not refund eligible. MLE frontage fee refunds shall be made up to the maximum eligible refund amount or for a maximum of five (5) years from the date of the final acceptance of the main line extension by the District. An additional five (5) year extension may be granted upon written request by the developer prior to the expiration of the original five (5) year period.
b. Refund Conditions: A developer may be eligible to receive MLE frontage fee(s) as a refund associated with the construction of a main line extension when the following conditions are met:
    i. District receipt of a complete MLE frontage fee refund application from the developer.
    ii. The developer constructed the main line extension pursuant to the design criteria, as determined by the District, including but not limited, to the size and/or depth specified.
    iii. The developer has complied with all provisions of these Service Rules related to main line extensions.
    iv. Ownership of the main line extension transferred to the District.
c. The MLE frontage fee refund conditions only apply when MLE frontage fees are paid for a qualified connection to an eligible main line extension. If applicable, MLE frontage fee refunds will be made to the developer of record, as indicated on the MLE frontage fee refund application, unless a duly executed assignment of ownership/assets or change of address has been filed with the District prior to the refund date.
d. Refunds will be paid on an annual basis during the first quarter of each year for the MLE frontage fees received the previous calendar year. The District will refund the qualifying developer MLE frontage fees received, without interest, less a $200 administrative fee for each MLE frontage fee processed and paid to developer.
e. Refunds will only apply to main line extensions approved on or after July 1, 2003.
f. District inspections shall be performed in accordance with the design criteria.

SECTION 1 – INDUSTRIAL WASTEWATER PRETREATMENT

GENERAL:

2.1.1. The requirements of these Service Rules for sources of industrial strength wastewater discharged into the publicly owned treatment works (POTW) enable the District to comply with all applicable state and federal laws including the CWA (33 U.S.C 1251 et. seq.), and the Code of Federal Regulations (CFR) - General Pretreatment Regulations (40 CFR Part 403), the District's discharge permit, and any related permit conditions or regulations set forth by the Nevada Division of Environmental Protection (NDEP). The requirements also enable to District to protect the wastewater collection system, safeguard the public and the POTW, prevent pass through or interference, and minimize odors and sludge contamination.

2.1.2. Industrial users subject to categorical pretreatment standards are required to comply with applicable pretreatment standards as set out in 40 CFR Chapter 1, Subchapter N, and Parts 405-471, which are incorporated herein by reference.

2.1.3. The District shall regulate industrial strength wastewater discharges into the POTW through the issuance of an industrial wastewater discharge permit (IWDP) to certain industrial users. The rules in this Section establish the general requirements, authorized monitoring, enforcement activities, administrative review procedures, required reporting, and charges and fees.

2.1.4. These Service Rules apply to industrial users within and outside the District's service area who discharge into the POTW.

2.1.5. Industrial Wastewater Pretreatment Application and Permit Requirements: The General Manager shall have the authority to change the application and related requirements of the industrial wastewater pretreatment regulatory program listed in Subsections 2.1.6 - 2.1.45, and Appendix B, Prohibited Discharges, in order to comply with these Service Rules or local, state, or federal laws and regulations.

2.1.6. Specific Pollutant Limitations: The following pollutant limits are established to protect against pass through, interference or sludge contamination. Discharge of wastewater containing in excess of the following instantaneous maximum allowable discharge limits is prohibited:

Pollutant	Limit
Arsenic	1.53 mg/L
Cadmium	0.189 mg/L
Chromium	3.09 mg/L
Copper	4.413 mg/L
Lead	1.10 mg/L
Fat, Oil and Grease	300 mg/L (animal or vegetable)
Oil and Grease	100 mg/l (petroleum)

Mercury	0.062 mg/L
Nickel	0.66 mg/L
Selenium	0.19 mg/L
Silver	2.11 mg/L
Zinc	8.80 mg/L

2.1.7. IWDP Classifications:

a. Class I: Significant Industrial Users (SIU).

b. Class II: Industrial users who:

i. Discharge less than twenty-five thousand (25,000) gallons per day; or

ii. Do not require a Class I permit; or

iii. Discharges or has the potential to discharge wastes, which may either alone or in combination with other wastes, cause potential adverse effects on the POTW, as identified by the District.

c. Categorical Industrial User, Temporary: This is an industrial user who plans to discharge less than twenty-five thousand (25,000) gallons per day on a temporary basis, as requested by the industrial user and approved by the District. The "Categorical Industrial User, Temporary" must comply with the Class II IWDP criteria prior to the issuance of a temporary IWDP.

2.1.8. Pretreatment Monitoring Facilities: When required by the District, an industrial user shall install and operate, at its own expense, applicable permanent monitoring facilities.

2.1.9. Best Management Practices: The District may require any industrial user to implement best management practices to eliminate odors, prevent spills, accidental discharges, slug loads, or otherwise to control or prevent any activity that may harm the system or interfere with the operations of the POTW. All baseline monitoring, ninety (90) day, and periodic compliance reports shall include any applicable compliance information.

2.1.10. Signatories and Certification: All reports submitted to the District must contain the following certification statement and be signed by an industrial user authorized representative (IUAR) of the applicant or industrial user: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

2.1.11. Confidential Information: In cases when the industrial user would like to keep information confidential, the industrial user must request, in writing, that their information or data be kept confidential, demonstrating to the satisfaction of the District that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable laws, including the Nevada Public Records Act

in NRS Chapter 239. All pages or documents deemed to be confidential shall be stamped "confidential" by the industrial user.

a. Wastewater constituents and characteristics and other "effluent data" as defined by 40 CFR 2.302 will not be recognized as confidential information.
b. When the District determines that information or data should be held confidential, the information and data shall not be made available for inspection by the public, but shall be made available to governmental agencies acting within their pretreatment authority.

APPLICATION:

2.1.12. A complete IWDP application must be submitted and approved prior to discharge. Only complete IWDP applications will be processed.

2.1.13. Industrial Users Required to Submit IWDP Application:

a. A potential SIU must submit an IWDP application at least ninety (90) calendar days prior to discharge.
b. The industrial user who changes processes must immediately notify the District in writing of process changes. If the District determines and application is necessary, the industrial user must submit a complete IWDP application within the time specified by the District or must cease discharging.
c. The District will evaluate the data furnished by the industrial user and may require additional information. Within sixty (60) calendar days of receipt of a complete application, the District will determine whether or not to issue an IWDP, including any special conditions.

2.1.14. Industrial Wastewater Discharge Permit Application Contents: All potential industrial users are required to submit a complete application on form provided by the District. The information may include the following:

a. Identification: The applicant shall submit the name and address of the facility including the name of the IUAR, if different from the industrial user.
b. Permits: The applicant shall submit a list of any environmental control permits held for the facility issued by any other agency.
c. Description of Operations: A brief description of the nature, average rate of production, and the standard industrial classifications of the operation(s) carried out by the industrial user. This description shall include a schematic process diagram which indicates points of discharge to the POTW from the regulated processes.
d. A wastewater characterization survey pursuant to Subsection 2.1.23.
e. A certified statement pursuant to Subsection 2.1.10.
f. Any other information as deemed necessary by the District.

PERMIT:

2.1.15. More Stringent Requirements: The District may impose limitations or requirements more stringent than those in this Section if deemed necessary.

2.1.16. Permit Requirements: IWDPs shall contain, but need not be limited to, the following conditions:

a. Permit duration shall not exceed five (5) years.
b. The permit is nontransferable without:
    i. Prior notification to, and approval from, the District; and
    ii. Making provisions for furnishing the new industrial user with a copy of the existing permit.
c. Limits required by federal, state and local law, including best management practices, based upon applicable pretreatment standards.
d. Self-monitoring, sampling, reporting, notification, and record keeping requirements, including an identification of pollutants to be monitored, sampling location, sampling frequency, and sample type.
e. The District's enforcement remedies in Subsections 4.1.5. and 4.1.6. and the Industrial Wastewater Pretreatment Enforcement Plan (PERP), Subsection 4.1.7.

IWDPs may contain, but need not be limited to, the following conditions:

f. Limits on the average and maximum rate of discharge (or other appropriate measure of the rate), restrictions on the time of discharge, and requirements for flow regulation and equalization.
g. Limits on the instantaneous daily average, monthly average, and maximum concentration and mass, and limits on other appropriate measures of the concentration, mass, or other appropriate measure of wastewater pollutants or properties.
h. Requirements for the installation of pretreatment equipment, appropriate containment structures, and other equipment and structures designed to reduce, eliminate, or prevent the introduction of pollutants into the POTW.
i. Development and implementation of a slug and spill control plan, salinity control plan, or other procedures and management practices to prevent spills, accidental discharges, and slug loads.
j. Development and implementation of a waste minimization plan to reduce the amount of pollutants discharged to the POTW.
k. The unit charge and fees for the management of the wastewater discharged to the POTW.
l. Requirements for installation and maintenance of inspection and sampling facilities and equipment.
m. Specifications for industrial user monitoring programs which may include sampling locations, frequency of sampling, number, types, and standards for tests and reporting schedules.
n. Requirements for reporting, within twenty-four (24) hours of any instance of noncompliance and for automatic resampling and reporting within thirty (30) calendar days of becoming aware of the violation where self-monitoring indicates a violation.
o. Compliance schedules for meeting pretreatment standards and pretreatment requirements.

p. Requirements for submission of periodic reports of self-monitoring or special notification reports.
q. Requirements for maintaining and retaining facility records relating to wastewater discharge and granting District employee access.
r. Requirements for prior notification and approval by the District of any new introduction of wastewater or any significant change in the volume, or character of the wastewater prior to introduction into the POTW.
s. Requirements for the prior notification and approval by the District of any change in the manufacturing or pretreatment process used by the industrial user that could significantly affect the wastewater discharged into the POTW.
t. Requirements for immediate notification of spills, accidental discharges, or slug loads, or any discharge which could cause any problems to the POTW.
u. A statement that compliance with the IWDP does not relieve the industrial user of responsibility for compliance with all applicable federal, state and local pretreatment standards, including those which become effective during the term of the IWDP.
v. Other conditions as deemed appropriate by the District to promote compliance with these Services Rules and local, state, and federal regulations.

2.1.17. IWDP Modification: The filing of a request by the industrial user for permit modification does not relieve any permit condition. The District may modify the IWDP for good cause including, but not limited to, the following:
a. To incorporate any new or revised federal, state, or local pretreatment standards or pretreatment requirements.
b. To address significant alterations or additions to the industrial user's operation, processes, or wastewater volume or characterization since the time of permit issuance.
c. A change in the District's POTW which requires either a temporary or permanent reduction or elimination of the authorized discharge.
d. Information indicating that the permitted discharge poses or no longer poses a threat to the District's POTW.
e. Violation of any terms or conditions of the IWDP.
f. Misrepresentation or failure to disclose fully all relevant facts in the IWDP application or in any required reporting.
g. Revision of or a grant of variance from, categorical pretreatment standards pursuant to 40 CFR 403.13.
h. To correct typographical or other errors in the IWDP.
i. To reflect a transfer of the facility ownership or operation to a new owner or operator.

2.1.18. IWDP Transfer:
a. IWDPs may be reassigned or transferred to a new industrial user with prior approval of the District, provided the industrial user gives at least thirty (30) calendar days advance notice. The notice shall include a written certification by the new industrial user, which:

i. States that the new industrial user will maintain the current permitted operations.
ii. Identifies the specific date of the transfer.
iii. Acknowledges full responsibility for IWDP compliance.
iv. States information as required by the District, including, but not limited to: facilities contact, operator, if applicable, and the IUAR name and applicable information.

b. Failure to provide advance notice of a transfer is cause for IWDP revocation.

2.1.19. IWDP Renewal: An industrial user shall apply for IWDP renewal by submitting a completed IWDP application in compliance with these Service Rules a minimum of ninety (90) calendar days prior to expiration of the current IWDP.

COMPLIANCE:

2.1.20. Pretreatment Facilities: Industrial users shall provide pretreatment facilities as needed to comply with all categorical pretreatment standards, the specific pollutant limitations, and all other requirements of these Service Rules.

2.1.21. Existing industrial users shall install necessary pretreatment facilities within time limitations specified by the District. New industrial users shall have all necessary pretreatment facilities completed and operable prior to discharge to the POTW.

2.1.22. Pretreatment facilities shall be provided, operated, and maintained at the industrial user's expense.

2.1.23. Wastewater Characterization Survey: When requested by the District applicants and industrial users shall complete a wastewater characterization survey (survey) on a form provided by the District, detailing the nature and characteristics of their proposed or existing wastewater.

a. Industrial users shall not discharge prior to District approval of the survey.
b. Industrial users who do not complete the survey within fourteen (14) calendar days shall be issued a notice of violation or have their application rejected.
c. Any planned operational changes affecting the survey must be submitted in writing to the District by the time frame stated in the IWDP.
d. The survey shall be at the industrial user's expense.

2.1.24. Salinity Control Plan: Any industrial user who introduces wastewater into the POTW with a total dissolved solids concentration in excess of four hundred (400) mg/L over background is required to submit a salinity control plan to the District within sixty (60) calendar days of the date of discovery. This plan shall contain a description of chemicals and materials which contribute to the total dissolved solids concentration in the wastewater discharged from the industrial user's facility and source control practices which will be incorporated by the industrial user to reduce the total dissolved solids concentration to less than four hundred (400) mg/L over background or the lowest concentration that is reasonably practicable.

a. Any industrial user who has submitted a salinity control plan shall resample for this constituent, and submit the laboratory test results to the District within one hundred eighty (180) calendar days of the plan submittal. If the industrial user has again exceeded the four hundred (400) mg/L increase, an updated salinity control plan containing reasonably practicable source control practices which will be incorporated by the industrial user, shall be submitted to the District annually at the same time as the permit application is submitted. This re-sampling shall continue, semi-annually, until the industrial user can demonstrate to the District that it can remain at, or below the four hundred (400) mg/L over background. The cost of the laboratory services and any District related expense, which may be required to determine total dissolved solids (TDS) concentrations, shall be paid by the industrial user.

2.1.25. Dilution: No industrial user shall increase the use of process water, or in any way dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable pretreatment standard, or in advance by the District.

2.1.26. Pretreatment Facilities Plan: Detailed plans, designed, signed, and sealed by an engineer showing the pretreatment facilities, and operating procedures, and the date of construction completion shall be submitted to the District for review and shall be acceptable to the District before construction of the facility. The review of such plans and operating procedures will in no way relieve the industrial user from the responsibility of modifying the facility as necessary to produce an acceptable discharge.

a. Existing Industrial Users: The District may, at any time, notify any existing industrial user that additional pretreatment facilities are required to maintain compliance with this Section or other provision of these Service Rules. Once notified, an industrial user must complete and submit the required plan within sixty (60) calendar days.
b. Facilities Changes: If an industrial user intends to make any substantive changes in pretreatment facilities or methods of operation, the changes shall be submitted to the District for review and approval forty-five (45) calendar days before the changes are made. District approval is required prior to any requested changes being made.

2.1.27. Additional Pretreatment Measures: The District may require industrial users to restrict discharges during peak or low flow periods, discharge specific wastewater only into specific sanitary sewers, relocate or consolidate points of discharge, and separate domestic wastewater streams from industrial waste streams. The District may also impose other conditions as necessary to protect the POTW.

2.1.28. Slug and Spill Control Plan: This plan is meant to prevent and control slug loads, accidental discharges, and spills or releases of wastewater or substances that may enter the POTW or affect the environment. The District may require any industrial user to develop, submit for prior approval, and implement a plan. The District may require an updated plan every two years and shall address, at a minimum, the following:

a. Description of discharge practices, including non-routine discharges.
b. Accurate inventory of stored chemicals.

c. Procedures for immediately notifying the District of changes affecting the potential for a slug load, and for any spill, accidental discharge, or slug load.
d. Procedures to prevent adverse impact from any spill, accidental discharge, or slug load. Such procedures may include, but are not limited to, regular inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, worker training, area signage for spill reporting/procedures, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and measures and equipment for emergency response.
e. The District may send a notice of violation to any industrial user who has failed to submit a required plan. Any industrial user receiving a notice of violation with a cease and desist order shall comply immediately.
f. In the event of a spill which enters the POTW, the industrial user shall immediately notify the District. The notification shall include the location or locations of the spill, the type of material spilled, the concentration and volume, and the corrective actions, if any, that have been taken. Within five (5) calendar days following the spill, the industrial user shall submit to the District a detailed written report that describes the cause of the spill, the corrective action that was taken and the measures that the industrial user will take to prevent future occurrences. Such notification shall not relieve the industrial user of any potential liability.

2.1.29. Separation of Domestic and Industrial Waste Streams: All new industrial users shall install separate plumbing systems for domestic strength wastewaters and industrial strength wastewaters. The two systems may be combined after a point where the industrial wastewaters have passed through all required monitoring facilities and, if required, a pretreatment system, including any needed flow monitoring/sampling devices. When directed to do so by the District, existing industrial users must separate domestic from industrial waste streams.

2.1.30. Inspections:
a. Class I facilities shall be inspected and sampled by the District at the industrial user's expense at least once annually with additional sampling and inspections being conducted as deemed necessary.
b. Class II and temporary facilities shall be inspected and sampled as determined by the District.
c. The District reserves the right to inspect and collect independent samples at all areas of the facility at reasonable times.

2.1.31. IWDP Revocation: IWDPs may be revoked, or become void, for the following reasons:
a. Failure to notify the District of significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge.
b. Falsifying self-monitoring reports and/or failure to accurately report the wastewater constituents and characteristics of its discharge.
c. Tampering with monitoring equipment.

d. Refusing to allow the District timely access to the facility premises for the purposes of inspection, monitoring, sampling or records review.
e. Failure to comply with any IWDP requirement, including repeat violations.
f. Failure to pay fines.
g. Failure to pay any District fees and charges.
h. Failure to meet compliance schedules or submit compliance reports.
i. Failure to complete a wastewater characterization survey.
j. Failure to provide advance notice of the transfer of a permitted facility.
k. Violation of any pretreatment standard or any provision of these Service Rules.
l. Nonuse or cessation of operations.
m. Issuance of a new IWDP.

2.1.32. Baseline Monitoring Reports For Industrial Users Subject to Categorical Pretreatment Standards: Within one hundred eighty (180) calendar days after the effective date of a categorical pretreatment standard, or one hundred eighty (180) calendar days after the final administrative decision on a category determination pursuant to 40 CFR 403.6 (a) (4), as periodically amended, whichever is later, industrial users subject to such categorical pretreatment standards, and currently discharging to or scheduled to discharge to the POTW, shall submit to the District a report on a form required by the District. At least ninety (90) calendar days prior to commencement of discharge, new sources, including existing industrial users who have changed their operation or processes, so as to become new sources, shall submit a report to the District which contains the information listed below. At least ninety (90) calendar days prior to commencement of discharge, a new source shall also be required to report the method of pretreatment it intends to use to meet applicable pretreatment standards. A new source shall also give estimates of its anticipated flow and quantity of pollutants discharged. The information shall include:

a. Identification: The applicant shall submit the name and address of the facility including the name of the owner, operator and IUAR, if different from the industrial user.
b. Permits: The applicant shall submit a list of any environmental control permits held for the facility issued by any other agency.
c. Description of Operations: A brief description of the nature, average rate of production, and the standard industrial classifications of the operation(s) carried out by the industrial user. This description shall include a schematic process diagram which indicates points of discharge to the POTW from the regulated processes.
d. Flow Measurement: The industrial user shall submit information showing the average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams as necessary to allow use of the combined waste stream formula pursuant to 40 CFR 403.6 (e), as periodically amended.
e. Measurement of Pollutants:
    i. The industrial user shall identify the categorical pretreatment standards applicable to each regulated process.
    ii. The industrial user shall report the monitoring results of sampling and analysis identifying the nature and concentration (and/or mass, where required by the categorical pretreatment standards or the District) of regulated pollutants in

the discharge from each regulated process. Daily maximum and long-term average concentrations (or mass, where required) shall be reported. The sample shall be representative of daily operations and shall be performed in compliance with procedures pursuant to 40 CFR Part 136, as periodically amended. In the event the industrial user performs sampling at the appropriate sampling location more often than required by the District, sampling results shall be submitted as frequently as samples are taken.

iii. A minimum of four (4) grab samples must be used for pH, cyanide, oil, grease and volatile organics. All other pollutants will be measured by composite samples obtained through flow proportional sampling techniques. If flow proportional composite sampling is not feasible, as determined by the District, samples may be obtained through time proportional sampling techniques or through four (4) grab samples if the industrial user proves such a sample will be representative of the discharge.

f. Special Certification: A statement shall be provided by the industrial user to the District which is approved by an IUAR of the industrial user and certified by a qualified chemist or engineer, stating whether pretreatment standards are being met on a consistent basis, or what additional operation and maintenance and/or additional pretreatment measures are required in order the meet the IWDP and signed pursuant to Subsection 2.1.10.

g. Compliance Schedule: A District-approved schedule by which the industrial user will provide additional pretreatment measures and/or operations and maintenance, may be required to meet the IWDP. The time frame for the compliance schedule shall be set forth by the District. No later than seven (7) calendar days following each date in the schedule and the final date for compliance, the industrial user shall submit a written progress report to the District, including, as a minimum, proof of compliance progress, the reason for any delay in meeting compliance, if applicable, and the steps being taken by the industrial user to return to the established schedule. In no event shall more than one hundred eighty (180) calendar days elapse between such progress reports to the District.

h. Baseline Monitoring Reports: All baseline monitoring reports must include monitoring results and be signed and certified by the industrial user.

2.1.33. Compliance Reports for Industrial Users Subject to Categorical Pretreatment Standards:

a. Within ninety (90) calendar days following the date for final compliance with applicable categorical pretreatment standards, or in the case of a new source, following commencement of the introduction of wastewater into the POTW, any industrial user subject to such pretreatment standards and pretreatment requirements shall submit to the District a Sample Collection and Analysis report, pursuant to Subsection 2.1.39.

b. For industrial users' subject to equivalent mass or concentration limits established pursuant to 40 CFR 406 (c), as periodically amended, this report shall contain a reasonable measure of the industrial user's long-term production rate. For all other industrial users subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit production (or other measure of operation),

this report shall include the industrial user's actual production during the appropriate sampling period. All compliance reports must be signed and certified pursuant to Subsection 2.1.10.

c. Any industrial user subject to a categorical pretreatment standard (except a non-significant categorical user as defined in 40 CFR § 403.3(v)(2)), after the compliance date of such pretreatment standard, or, in the case of a new source, after commencement of the discharge into the POTW, shall submit to the District during the months of June and December, unless required more frequently in the pretreatment standard or by the District, a report indicating the nature and concentration of pollutants in the effluent which are limited by such categorical pretreatment standards. In addition, this report shall include a record of measured or estimated average and maximum daily flows for the reporting period for the discharge reported in paragraph 2.1.31(e) of this Subsection except that the District may require more detailed reporting of flows. In cases where the pretreatment standard requires compliance with a best management practice (or pollution prevention alternative), the industrial user shall submit documentation required by the District or the pretreatment standard necessary to determine the compliance status of the industrial user. At the discretion of the District and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the District may modify the months during which the above reports are to be submitted.

2.1.34. All wastewater samples must be representative of the industrial user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times.

2.1.35. The industrial user must notify the District within twenty-four (24) hours of becoming aware of a violation and must resample its discharge. The industrial user must report the results of the repeated sampling within thirty (30) calendar days of the discovery of the first violation.

2.1.36. Report of Changed Conditions: Each industrial user shall notify the District of any planned significant changes to the industrial user's operations or pretreatment systems, which potentially alters the nature, quality, or volume of its wastewater.

a. The District may require the industrial user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of an IWDP application.
b. The District may issue a new IWDP or modify an existing IWDP.
c. No industrial user shall implement the planned changes and continue discharging into POTW until approved by the District.
d. A significant change would include:
    i. Maximum or average flow increases of ten percent (10%) or greater; or
    ii. Any change in discharge that may result in a change in IWDP classification; or
    iii. Discharge of any previously unreported pollutant.

2.1.37. Notifications:

a. Industrial users shall immediately notify the District of slug loads, discharges of hazardous waste, and discharges that have or may cause pass through or interference, harm to the POTW, cause health hazards to District employees, or is non-compliant with the IWDP.
b. An SIU is required to notify the District immediately of any changes at its facility affecting the potential for a slug load.
c. This notification shall include the location of the discharge, type of waste, concentration, and volume, if known, and corrective actions taken by the industrial user.
d. Unless waived by the District, the industrial user shall submit a written report within five (5) calendar days describing the causes of the discharge and the measures to be taken by the industrial user to prevent similar future occurrences.
e. Such notification shall not relieve the industrial user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the industrial user of any fines, civil penalties, or other liability which may be imposed.
f. Failure to immediately notify the District shall be deemed a separate violation.
g. A notice shall be permanently posted on the industrial user's bulletin board or other prominent place advising employees when and how to provide immediate notice to the District. Industrial users shall ensure that their employees who could cause such a discharge are advised of the immediate notification procedure.

2.1.38. Reporting Requirements for Industrial Users Not Subject to Categorical Standards:

Industrial users must report all discharges that are not subject to categorical pretreatment standards. An SIU must submit to the District at least once every six months (on dates specified by the District) a description of the nature, concentration, and flow of the pollutants required to be reported by the District. In cases where a local limit requires compliance with a best management practice or pollution prevention alternative, the industrial user must submit documentation required by the District to determine compliance. These reports must be based on sampling and analysis performed in the period covered by the report. In the event the industrial user performs sampling at the appropriate sampling location more often than required by the District, sampling results shall be submitted as frequently as samples are taken. Independent sampling and analysis may be performed by the District. Sampling expenses incurred by the District are recoverable from the industrial user. All reports submitted in compliance with this Subsection must be submitted in hard-copy by the industrial user to the District or initial recipient.

2.1.39. Required Sample Collection and Analysis

a. The District may require any industrial user to collect and analyze samples of wastewater discharged to the POTW, using methods and devices approved by the District.
b. The industrial user shall, at its own expense, maintain its sampling and monitoring equipment so that the equipment will at all times operate in a safe and effective

manner, and shall calibrate the equipment in compliance with the manufacturer's guidelines.

c. The industrial user shall on request make records available to the District of its calibration methods and frequency.
d. Samples collected for purposes of determining compliance with these requirements shall be obtained using flow proportional composite collection techniques, except that samples for oil and grease, temperature, pH, cyanide and volatile organic compounds must be obtained using grab sample collection techniques. In the event flow proportional sampling is not feasible, the District may authorize the use of time proportional sampling.

2.1.40. The District may require any industrial user to measure the flow of wastewater discharged to the POTW using methods and devices as approved by the District. Flow measurement methods and devices shall be installed and maintained at the industrial user's expense.

2.1.41. Monitoring facilities may consist of, but need not be limited to, instrumentation, sampling manholes and flow monitoring devices. Industrial users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

a. A monitoring facility shall be situated on the industrial user's premises unless the District determines that such a location would be impractical. The District may allow the facility to be constructed in a public right-of-way, provided public safety is preserved.
b. Manholes and sampling facilities used for monitoring shall meet all standards and specifications as set forth by the District and shall be maintained at the industrial user's expense. Any temporary or permanent obstruction to safe and easy access to the sampling manholes and facilities shall be promptly removed by the industrial user as ordered by the District and shall not be replaced. The costs of removal shall be borne by the industrial user.
c. A monitoring facility shall be constructed and maintained, at all times, in a safe and proper operating condition at the expense of the industrial user.
d. Construction of a monitoring facility shall be completed within the time limit specified by the District. New industrial users shall have monitoring facilities in place prior to commencement of discharge.

2.1.42. Analytical Requirements: All pollutant analyses, including sampling techniques, submitted as part of a IWDP application or report, shall be performed in compliance with the techniques pursuant to 40 CFR Part 136 or as approved by the District.

2.1.43. Monitoring Charges: Expenses incurred by the District in collecting and analyzing samples of the industrial user's discharge for all compliance monitoring are recoverable by the District.

2.1.44. Record Keeping: Industrial users shall preserve, and make available for inspection and copying, all records and information including documentation associated with best management practices required to be retained pursuant to 40 CFR 403.12 (o). These records

shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning compliance with these Service Rules, or where the District requests a longer retention period.

2.1.45. Publication of Significant Violators: The District shall annually publish, in the largest daily newspaper circulated in the area where the POTW is located, a list of the industrial users which, during the previous twelve (12) months, were in significant noncompliance with applicable pretreatment standards and pretreatment requirements. Significant noncompliance shall mean any violation of these Service Rules or other applicable laws by an SIU, if the violation meets one (1) or more of the following criteria:

a. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all of the measurements taken for the same pollutant parameter during a six (6) month period exceed (by any magnitude) a numeric pretreatment standard or pretreatment requirement, including instantaneous limits, as defined by 40 CFR 403.3(l);
b. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of all of the measurements for each pollutant parameter taken during a six (6) month period equal or exceed the product of the pretreatment standard or pretreatment 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 1.2 for all other pollutants except pH);
c. Any other violation of a pretreatment effluent limit (daily maximum or long-term average) that, as determined by the General Manager, has endangered the health of District employees or the general public, either alone or in combination with other discharges, caused pass through or interference or damage to the POTW;
d. Any discharge of a pollutant that has caused immediate endangerment to human health, welfare or the environment;
e. Failure to meet, within ninety (90) calendar days after the scheduled date, a compliance schedule milestone contained in a permit or enforcement order for starting construction, completing construction, or attaining final compliance;
f. Failure to provide, within thirty (30) calendar days after the schedule date, require reports such as baseline monitoring reports, ninety (90) calendar day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;
g. Failure to accurately report noncompliance; or
h. Any violation or group of violations which the District determines will adversely affect the operation or implementation of the District's pretreatment program.

SECTION 2 - RECLAIMED WATER

2.2.1. General Conditions: No new reclaimed water customers will be approved beginning July 1, 2022, except for temporary use in accordance with Subsection 2.2.3, or under circumstances compelling use of reclaimed water at the sole discretion of the District. Continuation of services to existing reclaimed water customers will be determined on a case-by-case basis by the General Manager.

2.2.2. Compliance: Reclaimed water customers of the District are solely responsible and shall comply with the terms of the approved application, the terms of the District issued "Notice of Availability of Reclaimed Water" (Notice of Availability), the Secondary Use Permit, the reclaimed water discharge permit (if applicable), effluent management plan, these Service Rules, and all local, state and federal regulations pertaining to use of reclaimed water which are now in effect or which may come into effect any time that the reclaimed water is being used. The District may discontinue providing reclaimed water to any customer in non-compliance with any of the above.

2.2.3. Temporary Use of Reclaimed Water: Temporary use of reclaimed water by a customer may be authorized by the General Manager provided that use is less than five hundred thousand (500,000) gallons per day, and is for less than two (2) years from the first date of use.

2.2.4. Delivery of Reclaimed Water:

a. It shall be the sole responsibility of the customer, unless otherwise provided herein, to provide for the design, installation, ownership, and maintenance, at the customer's own expense, of all pumps, pipes, valves, test equipment and other such appurtenances as may be necessary for the conveyance of reclaimed water from the District's facility to the customer's point(s) of use, including applicable easements. The design of all facilities provided by the customer shall be subject to advance review and approval by the District. The construction of the facilities shall be in compliance with the plans and specifications approved by the District. Should the District determine that the size or location of any lines or equipment are to be oversized or changed to serve projected needs of the District, the District may require and pay for such oversize by agreement with the developer and pursuant to Subsection 1.6.2.
b. For existing customers prior to April 1, 2017, the District will, at its own expense, replace existing customer meters which shall be and remain the property of the District and the District shall be responsible for the future maintenance and repair.
c. For customers after April 1, 2017, meters will be purchased and installed at the customer's expense and ownership transferred to the District. Meters and related facilities must comply with District specifications and be easily accessible for reading, maintenance and repair by District employees.
d. Charges for reclaimed water use will be based upon meter readings taken on a monthly basis by a District employee.
e. The customer shall not assign or re-sell the reclaimed water to any other person or change the purpose or place of use without the prior written approval of the District.

Any request for reassignment, resale, or change of purpose or place of use shall be made through the filing of a new application.

2.2.5. The District reserves the right to reduce or curtail uses of reclaimed water after consideration of, among other things, changes in or conflicts with regulatory requirements or permits for reclaimed or reuse water, water shortages, emergency situations, or inability of the treatment or delivery systems to provide adequate volumes of reclaimed water, the maintenance of sufficient return flow credits to satisfy the demand for water supply from the Colorado River, and any applicable provisions under the Southern Nevada Water Authority Cooperative Agreement, all as determined by the District. The District may take into account, in making any such decision, the most prudent management of the water resource including impacts to rates and charges.

2.2.6. The District reserves the right to adopt reclaimed water user categories which give preference to those uses deemed most critical for the general public welfare. In making the decision to reduce or curtail uses, the District shall give due consideration to the relative order in which each customer began receiving reclaimed water. Absent the classification of customers into higher priorities, shortages shall be borne in each respective reclaimed water user category in reverse order of initial diversion. In addition to the foregoing, the District reserves the right, at its discretion, to reduce or curtail the amount of reclaimed water made available to a customer where the District finds non-compliance with these Service Rules and all applicable regulations, excess usage or improper usage. Where the District makes such a finding, the customer will be issued a notice of violation.

SECTION 3 - DISPOSAL OF SEPTAGE AND CHEMICAL TOILET WASTES

2.3.1. Only haulers permitted by the District may dispose septage and chemical toilet wastes at locations designated by the District and in compliance with these Service Rules.

2.3.2. Application for Disposal Permit: An application for a District Septage or Chemical Toilet Waste Disposal Permit (Disposal Permit) is required.

a. Only haulers holding both a valid Southern Nevada Health District permit and a Disposal Permit for hauled liquid waste may dispose of their wastes into the District facilities.
b. Only septage or chemical toilet waste will be disposed at District facilities. Sand, oil, grit, grease, industrial sludge, hazardous materials, rags, large debris, or other unacceptable waste are not allowed to be disposed of at the District facilities.
c. A Disposal Permit shall be obtained for each truck used in the disposal of septage or chemical toilet waste into the District's facilities. Each Disposal Permit shall be active for one (1) calendar year (January 1 through December 31) or upon expiration or revocation.
d. The District is an "authorized access" facility. Upon District approval of the hauler's application, the District shall issue a Disposal Permit and an access badge. Both the Disposal Permit and access badge are vehicle specific.
e. The hauler shall give written notification to District whenever a permitted vehicle is replaced, and be granted approval by the District prior to a tank being moved from one truck to another.
f. Any hauler's delinquent charges, if applicable, must be paid in full prior to the District issuing or reissuing a Disposal Permit.

2.3.3. Monthly billings will be issued by the District based upon the hauler's Trip Manifests or other methods as determined by the District.

2.3.4. Unpaid invoices which are sixty (60) calendar days or more in arrears will be cause for Disposal Permit revocation.

2.3.5. A Disposal Permit may be suspended or revoked for any hauler who violates the terms of the Disposal Permit, property access rules, including District safety and security guidelines or the Service Rules.

2.3.6. The District will notify the Southern Nevada Health District should a Disposal Permit be suspended or revoked.

2.3.7. When a disposal of wastes causes an obstruction, damage, interference, or any other impairment to the District facilities or to the operation of those facilities, including impairment of or damage to the biological treatment process, the District shall assess repair costs against the hauler for the work required to clean or repair the facility together with expenses incurred to resume normal operations, and shall be grounds for Disposal Permit revocation. The total amount of assessed charges shall be payable within sixty (60) calendar days of invoicing by the District.

2.3.8. If it can be shown that the hauler's disposal is the cause of the District violating its discharge permit thereby incurring additional expenses, suffering losses or damage to the publicly owned treatment works (POTW), then that hauler shall be responsible for any costs incurred by the District, including regulatory fines, penalties, and assessments.

2.3.9. Septage and Chemical Toilet Waste Disposal Application and Permit Requirements: The General Manager shall have the authority to change the application and related requirements of the septage and chemical toilet waste disposal regulatory program, Subsection 2.3.9, in order to comply with these Service Rules or local, state, or federal regulations.

a. Application for Septage or Chemical Waste Disposal Permit:
    i. Applicants must provide the District with a copy of a current business license from the appropriate local southern Nevada entity in which the business is located confirming southern Nevada as the physical business location.
    ii. A Disposal Permit application must be completed and approved by the District prior to the disposal of septage or chemical toilet waste at District treatment facilities. Failure to fully complete the application or supply other information as required shall be cause for rejection of the application.
b. Insurance and Indemnification: Septage or chemical toilet liquid waste haulers must maintain, at their own expense, statutorily required workers compensation insurance, automobile liability insurance with liability limits in amounts not less than one million dollars ($1,000,000) combined single limit of liability for bodily injury, including death and property damage in any one (1) occurrence for the term of the Disposal Permit. The hauler must furnish the District a certificate of insurance provided by an insurance company authorized to do business in Nevada upon application and renewal. The hauler shall provide to the District a certificate of insurance at the beginning of each policy year with an endorsement adding the District as a named insured, indicating that the policy was renewed, the policy premium was paid, and the type and amount of coverage. The policy must include coverage for all activity performed by the hauler, its employees, servants or agents while on District property and coverage for the use of all owned, non-owned, rented vehicles, and other equipment both on and off work.
c. Disposal Permits:
    i. Disposal Permits shall be subject to all provisions of these Service Rules and all other applicable regulations.
    ii. The Disposal Permit number decals shall be displayed on the tank on the right and left rear sides.
    iii. The Disposal Permit number must be clearly visible at all times and must not be covered with any obstruction.
    iv. Disposal Permits are nontransferable and may not be reassigned or sold.
d. Trip Manifest: Each waste load to be disposed of at the District septage facilities must be accompanied by a completed Trip Manifest form. The hauler shall be responsible for obtaining the Trip Manifest form from the District.
    i. The Trip Manifest form shall contain:

1. The Disposal Permit number for the vehicle discharging into the septage facility.
2. The date, time and type of waste (septage or chemical toilet) received from the residential or commercial waste producer.
3. The hauler's company information.
4. The signature of the hauler/driver.

e. Disposal Permit Conditions:
   i. Transferring vehicle access badges to other vehicles is prohibited.
   ii. Submitting falsified information is prohibited.
   iii. No hauler shall transfer blank or executed Trip Manifest forms to another hauler.
   iv. Upon request by the District, the hauler will provide copies of the producer billings and producer pumping receipts in order to comply with tank volume audits.
   v. The hauler must swipe the permitted vehicle access badge each time upon entering the District property and provide a Trip Manifest to a District employee for each disposed load.

f. Unacceptable Loads: All waste must be contained by the hauler while on District property. Loads may be sampled by District employees. It shall be the responsibility of the hauler to provide adequate access for samples to be taken. A load will be unacceptable if it contains:
   i. Substances which are listed as a prohibited discharge in Appendix B of these Service Rules, may disrupt the treatment process, may damage District equipment or may cause a violation of the District's discharge permit.
   ii. Waste such as industrial waste, radiological waste, hazardous waste, excessive grit, grease, sand, trash, rags, large debris or any other hauled waste other than septage and chemical toilet wastes.
   iii. Leaking tanks, hoses, and fittings.

g. If the load is deemed unacceptable by the District, the hauler will be given an Unacceptable Load form from the District. The hauler must then either return the load to:
   i. The producer and obtain the producer's signature on the Unacceptable Load form, or
   ii. Provide proof of legal disposal with the location and signature of the recipient of the Unacceptable Load.

h. The District will notify the Southern Nevada Health District of any unacceptable loads.

SECTION 4 - PACKAGE WASTEWATER TREATMENT PLANTS

2.4.1. Clark County Code Chapter 24.28 requires District approval of the design and construction of package wastewater treatment plants. District acceptance is required prior to the final permitting by the Nevada Division of Environmental Protection (NDEP).

2.4.2. Construction or installation of any structure or building to be served by a package wastewater treatment plant is prohibited without first obtaining District approval of the plans for the treatment plant and the wastewater collection system connecting to the treatment plant, and the approval by NDEP. The plans must be prepared, reviewed and approved pursuant to Clark County Code Title 24.28, the design criteria, and these Service Rules prior to being submitted to the NDEP for final approval and issuance of permits.

2.4.3. The applicant is responsible for obtaining all permits, easements, entitlements, and approvals associated with the siting, building, operation and use of the package wastewater treatment plant.

2.4.4. A pre-application is required prior to submitting an application. Once the District approves the pre-application, the applicant may move forward with the design of the package wastewater treatment plant and may obtain zoning permits pursuant to Clark County Code, Title 30. The pre-application shall include:

a. A description of overall development; and
b. Verification that the appropriate water quality management plan does not preclude package wastewater treatment plants in the area being proposed; and
c. The number and classifications of customers served by the plant; and
d. The estimated daily average and peak flows.

2.4.5. The minimum design criterion does not eliminate, nor replace any additional NDEP requirements.

a. The District reserves the right to require further site characterization and additional design requirements, taking into consideration the water quality standards in place for the area the package wastewater treatment plant is proposed, the hydrogeology and hydrology of the area.
b. Package wastewater treatment plant designs must comply with NAC Chapter 445A.284, design and construction of treatment works, as amended.
c. Wastewater collection systems that connect into a package wastewater treatment plant shall be designed and built pursuant to the design criteria in effect at the time of the application.
d. Complete engineering plans and specifications prepared by an engineer are required. If a discharge to the waters of the state is proposed, the design of the package wastewater treatment plant pursuant to the appropriate provisions of NAC Chapter 445A.228 to 445A.263, package wastewater treatment plant discharge permits, inclusive.
e. All package wastewater treatment plant designs must address corrosion, odor control and sludge disposal.

2.4.6. Odors from any package wastewater treatment plant system shall be controlled. A back-up generator shall be provided at the site to provide back-up electricity. This unit shall be sufficient to operate the critical components that are required to meet the package wastewater treatment plant discharge permit.

2.4.7. The District shall require the design plans of the package wastewater treatment plant to be reviewed to determine that the planned materials and specifications comply with the design criteria, these Service Rules, and that the package wastewater treatment plant design pursuant to Clark County Code Chapter 24.28.

2.4.8. The District will notify the state when the plans for the package wastewater treatment plant meet District criteria, as well as comply with Clark County Code Chapter 24.28.

2.4.9. Once the state issues final approval of the plans and a package wastewater treatment plant discharge permit is issued, the General Manager will notify the Clark County Board of County Commissioners that the package wastewater treatment plant can be considered for conditional approval, and construction may commence.

2.4.10. Before issuing the compliance approval, the General Manager shall require the package wastewater treatment plant and the wastewater collection system to be inspected to determine that the materials, workmanship, and specifications, used in its construction or installation, comply with the design criteria, and that the package wastewater treatment plant is installed pursuant to Clark County Code Chapter 24.28, and any conditions set by the NDEP.

2.4.11. Before issuing the compliance approval, the General Manager shall require the package wastewater treatment plant and all records related to its maintenance and repair, including replacement, to be inspected to determine that all necessary maintenance, repair and replacement has been performed.

2.4.12. The applicant or the person in whose name the package wastewater treatment plant discharge permit is to be issued and who will be responsible for proper design and construction of the package wastewater treatment plant must furnish to the District sufficient surety pursuant to Clark County Code Chapter 24.28.

2.4.13. To obtain certification of compliance approval of a package wastewater treatment plant from the District, after completion of construction of the package wastewater treatment plant, the applicant, or the person in whose name the package wastewater treatment plant discharge permit is to be issued and who will be responsible for proper design and construction of the package wastewater treatment plant, shall demonstrate compliance with Clark County Code Chapter 24.28.

2.4.14. The General Manager will notify the Clark County Board of Commissioners that the package wastewater treatment plant has been granted compliance approval and can be considered for certification.

2.4.15. Package Wastewater Treatment Plant Application and Permit Requirements: The General Manager shall have the authority to change the application and related requirements of the package wastewater treatment plant regulatory program Subsection 2.4.15, in order to comply with these Service Rules or local, state, or federal regulations.

a. Application for the Design and Operation of a Package Plant: An application must be submitted in which the District will advise the applicant which of the following must be addressed as part of the application.

i. The sludge disposal management plan;
ii. Effluent disposal plan;
iii. Odor control plan, including documentation that the property on which the package plant is located shall be appropriately landscaped and buffered from residential units and parks pursuant to Clark County Code, Title 30.
iv. Salinity control plan;
v. An emergency response plan;
vi. Operation, maintenance and performance;
vii. Plans meeting all requirements of these Service Rules, prepared and signed by an engineer, including estimated capital costs for construction of the package plant and five (5) year operations and maintenance costs, including funding sources for both, and easements granting permanent access to the District;
viii. Subdivision sanitary sewer plans, designed pursuant to the design criteria;
ix. A water reclamation and re-use plan for review and approval by the District, the state, and the local water purveyor;
x. A package water treatment plant management plan for the review and approval by the District, addressing the fiscal responsibilities of the owner or the entity that will own and operate the package wastewater treatment plant, as well as the operation and maintenance responsibilities of the owner for the lifetime of the package plant;
xi. The proposed declaration of covenants, conditions and restrictions, in a form approved by the General Manager, pursuant to Clark County Code Chapter 24.28;
xii. Payment of application fees for design review and inspection as established within these Service Rules.

SECTION 5 – FAT, OIL, GREASE and GRIT INTERCEPTORS

2.5.1 Fat, Oil, Grease and Grit (FOGG) Interceptors: A FOGG interceptor is required by the Southern Nevada Building Officials (SNBO) Plumbing Code Amendments, Gravity Grease Interceptors and for a food establishment, a marijuana establishment or any other commercial or industrial establishment which has the potential to discharge non-domestic strength of fat, oil, grease, and grit to the publicly owned treatment works (POTW).

2.5.2 Oil/Grit Interceptors: An oil/grit interceptor is required for a vehicle wash; storage yard for motor vehicles, boats, or airplanes; gasoline or diesel service station; repair garage; parking structure; recreational splash pads; or any other commercial or industrial establishment which has the potential to discharge non-domestic strength of sand or oil to the POTW.

2.5.3 A customer shall submit the required plans to the District describing the operation, expected volumes of fat, oil, grease, and grit, location and proposed interceptor size and design. The customer shall not install the interceptor before receiving approval from the District.

2.5.4 Any existing interceptor which is found to not be code compliant shall be replaced at the customer's expense. The customer must submit a compliance schedule and the required plans to the District for review and approval.

2.5.5 Alternative devices are not allowed.

2.5.6 Fixtures and Equipment:

a. Any non-domestic strength wastewater which may contain FOGG, shall be drained through an interceptor or interceptors which comply with these Service Rules.
b. The wastewater discharged from fixtures and equipment which may contain FOGG shall drain through an interceptor. Fixtures, as defined in the Uniform Plumbing Code (UPC) and SNBO, such as, but not limited to, the following: three compartment sinks; scullery sinks; pot and pan sinks; trash compactors; dishwashing machines; soup kettles; and similar cooking equipment. Floor drains in FOGG generating areas, trash can wash areas, floor sinks, special processing equipment, trench drains and area drains shall drain through an interceptor. Any private or public wash rack or slab used for cleaning machinery or machine parts shall drain to an interceptor, and shall be also adequately protected against storm or surface water intrusion.

2.5.7 Prohibited Fixtures: The wastes from toilets, urinals, lavatories and other fixtures discharging domestic strength wastewater shall not drain through a FOGG interceptor.

2.5.8 High-Heat Discharge: The interceptor shall be twice the size normally required if the temperature of any discharge is in excess of one hundred and forty (140) degrees Fahrenheit/sixty (60) degrees Celsius. The customer shall not be allowed to add cold water to the influent of the interceptor to avoid installation of a larger interceptor as required for that purpose.

2.5.9 FOGG Interceptors shall comply with the following:

a. Located outside of buildings unless the District specifically allows otherwise.
b. Placed as close as possible to the fixtures or area served.
c. Installed and connected to allow for inspection, cleaning and removal of the intercepted waste.
d. Located so that they can be serviced without the use of ladders or bulky equipment.

2.5.10 Sizing and Design Requirements:

a. All interceptors must be designed and installed in compliance with the current Clark County Building Department criteria and the UPC.
b. Each business for which an interceptor is required shall have an interceptor which will serve only that business, except for food establishments which meet the conditions set forth in Subsection 2.5.10.c.
c. An interceptor may serve multiple food establishments located on a single parcel subject to the following:
    i. Receipt by the District of a signed, written declaration from the property owner or authorized agent acknowledging that improper sizing may cause maintenance and odor problems, and certifying that they understand and accept responsibility for the proper installation, and ongoing operation and maintenance and replacement of the interceptor, including utilization of best management practices. The District will record the signed, written declaration with the Clark County Recorder's Office.
    ii. The property owner or authorized agent will provide the District with advance notice of:
        1. The sale of the parcel; or
        2. Subdivision or re-parceling; or
        3. Change of use.
    iii. Failure to follow these conditions shall be grounds for the District to require each food establishment to install and maintain an interceptor.

2.5.11 Maintenance:

a. Interceptor maintenance records shall be available on premise for District employee inspection for a period of at least three (3) years.
b. The use of enzymes and emulsifiers is specifically prohibited.

2.5.12 Abandoned Fat, Oil, Grease and Grit (FOGG) Interceptors: Abandoned interceptors shall be cleaned and backfilled as required by the UPC, Southern Nevada Building Officials Amendments, for abandoned sanitary sewers and wastewater disposal facilities. The customer shall contact the District to have the abandoned interceptor inspected to verify decommissioning.

2.5.13 Existing Structures:

a. If a person is operating a business requiring an interceptor at a location that does not have an existing interceptor, then that person shall install, at their expense, one or more interceptors at that location in compliance with these Service Rules.

b. Before any existing business, which has an interceptor, increases the size of its business or its load on the interceptor, the interceptor shall be brought into compliance with these Service Rules.

2.5.14 The owner of a parcel of land on which an interceptor is located or to be installed, is responsible for the proper installation, operation and maintenance and replacement of the interceptor(s) and the compliance with these Service Rules and any applicable local, state, and federal regulations.

3.1.1. Interpretation and Application: The General Manager shall have authority to interpret, apply, and enforce these Service Rules in order to maintain equity among customers, to accomplish the intent of these Service Rules, and to protect the public health, safety, and welfare.

3.1.2. Limited Capacity: Any allocation of limited capacity within the District's service area will be governed by a separate resolution adopted by the Board of Trustees.

3.1.3. Emergency Condition Expense Recovery: Unless otherwise covered by an interlocal agreement, the General Manager is authorized to recover District incurred expenses for District responses to emergency conditions.

3.1.3. Service and Computation of Time: Service of any notice, invoice or other paper contemplated by these Service Rules shall be made by hand delivery or by certified and regular U.S. mail and shall be deemed to have been received on the earlier of actual receipt or five (5) calendar days after mailing. The term "days" shall be construed to mean calendar days, and if the last day of any time period is a Saturday, Sunday, or District holiday, the last day of the time period shall be deemed to be the next day which is not a Saturday, Sunday, or District holiday.

3.1.4. Effective Date: These Service Rules shall become effective July 1, 2023.

3.1.5. No Waiver: Adoption of these Service Rules shall not be construed as a waiver of any District right under any prior agreement, resolution, contract, or commitment.

3.1.6. Severability: These Service Rules shall be construed to give effect to the purposes and objectives of NRS Chapter 318. If any portion of these Service Rules is ever invalidated by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of these Service Rules. The Board of Trustees hereby declares that it would have approved these Service Rules and each portion thereof, irrespective of the portion which may be deemed unconstitutional, unlawful, or otherwise invalid.

3.1.7. The General Manager has the authority to correct typographical and grammatical errors within these Service Rules without further action of the Board of Trustees.

3.1.8. These Service Rules are subject at all times to revision by the Board of Trustees.

4.1.1. Notice of Violation

a. If the District finds that any person has violated or is violating any Service Rule, federal or state law or regulation, design criteria, or permit condition, the District may serve upon the person a notice of violation containing a description of the violation and require the person to comply with one or more of the following:
    i. Enter into a consent agreement;
    ii. Cease and desist from any continuing violation;
    iii. Correct the violation and submit proof of the corrective action taken;
    iv. Submit a plan for corrective action;
    v. Appear at a specified time and place for a hearing before the General Manager to show cause why the District should not take enforcement action, which may include:
        1. Issuance of an emergency suspension,
        2. Issuance of a compliance order,
        3. Revocation of a District-issued permit, if applicable,
        4. Disconnection of the sanitary sewer service,
        5. Notification of regulatory agencies, and/or
        6. Assessment of an administrative penalty not to exceed one hundred dollars ($100) per day per violation.

b. If a show cause hearing is not scheduled by the District, the person must request a hearing within ten (10) calendar days of receipt of the notice of violation in order to contest the allegations or proposed enforcement action in the notice of violation.

c. The General Manager shall serve his or her decision on the person against whom the notice of violation was issued within ten (10) calendar days after any hearing.

d. If the person fails to appear at the show cause hearing, fails to request a hearing before the General Manager within ten (10) calendar days, or fails to appeal the General Manager's decision as provided in Subsection 4.1.2.a, the notice of violation shall be deemed to be final and enforceable by the District.

e. Nothing in these Service Rules shall be construed to prevent the District from taking immediate action if a discharge of wastewater causes or threatens to cause an imminent endangerment to the health or welfare of persons, or to the environment, or which threatens to interfere with the operation of the publicly owned treatment works (POTW).

4.1.2. Administrative Appeals

a. A person who is aggrieved by the General Manager's decision or a denial of sewer service by the District may appeal that decision or denial within thirty (30) calendar days of receipt of the decision or denial by serving written notice of appeal upon the General Manager containing the specific grounds alleged for the appeal.

b. The General Manager shall appoint a hearing officer from among the panel of hearing officers appointed by the Clark County Board of Commissioners to conduct a de novo hearing. The hearing officer shall schedule the hearing. The hearing officer shall serve his or her decision on the aggrieved person within thirty (30) calendar days after the hearing.

c. A person who is aggrieved by the hearing officer's decision may seek judicial review of the decision in a court of competent jurisdiction within thirty (30) calendar days of receipt of the decision.
d. If the aggrieved person fails to seek judicial review within thirty (30) calendar days, the hearing officer's decision shall be deemed to be final and enforceable by the District.

4.1.3. Additional Enforcement Remedies for Industrial Wastewater Pretreatment Users: Administrative Penalties: The following actions may result in the specified administrative penalty.

Violation	Administrative Penalty
Late semi-annual self-monitoring report, baseline monitoring report, 90-day monitoring report, or salinity control plan	$100/day
Failure to properly meet signatory requirements (i.e. unsigned report, no certification statement or unauthorized signature)	$50/event
Failure to report additional monitoring	$50/sampling event
Failure to attend Show Cause Hearing	$100/meeting
Failure to meet compliance milestone date	$100/day
Submission of invalid sampling results	$100/sampling event
Failure to properly document "chain of custody"* for sampling	$100/event
Failure to submit Industrial Waste Pretreatment Application and/or survey within 30 calendar days from date of request	$100/event
Failure to report a change in business operation which affects the wastewater constituents and characteristics of the discharge	$100/event
Unauthorized discharge	$100/day
Failure to maintain proper records	$100/event
Found to be in Significant Noncompliance	$100/event
Failure to meet 30-day resampling requirement for noncompliance or sampling required by the salinity control plan	$100/day
Failure to report spill, accidental discharge, slug load, upset or bypass of pretreatment unit**	$100/day
Failure to notify the District within 24 hrs. of a permit violation	$100/event
* "Chain of Custody" shall mean a record of each person involved in the possession and handling of a sample, from the collection of the sample to the final analysis of the sample.	
**"Bypass" shall mean the intentional diversion of waste streams from any portion of an industrial user's pretreatment facilities.	

4.1.4. Business Impact Statement Appeals: A petition authorized by NRS Chapter 237 shall be filed with the General Manager. The petition must meet the requirements pursuant to NRS Chapter 237 and will be reviewed by the General Manager within sixty (60) calendar days from receipt. The petition will be scheduled for Board of Trustees review at the first meeting following the review process.

4.1.5. Judicial Enforcement Remedies:

a. Injunctive Relief: Whenever a person has violated or continues to violate any of these Service Rules, any permit, or any order issued by the District, the District may petition a court of competent jurisdiction for the issuance of a temporary restraining order, preliminary injunction, and/or permanent injunction that restrains or compels the specific compliance with the permit requirements, order, or other requirement imposed by these Service Rules. The District may also seek any other available legal and equitable relief, including civil and criminal penalties.

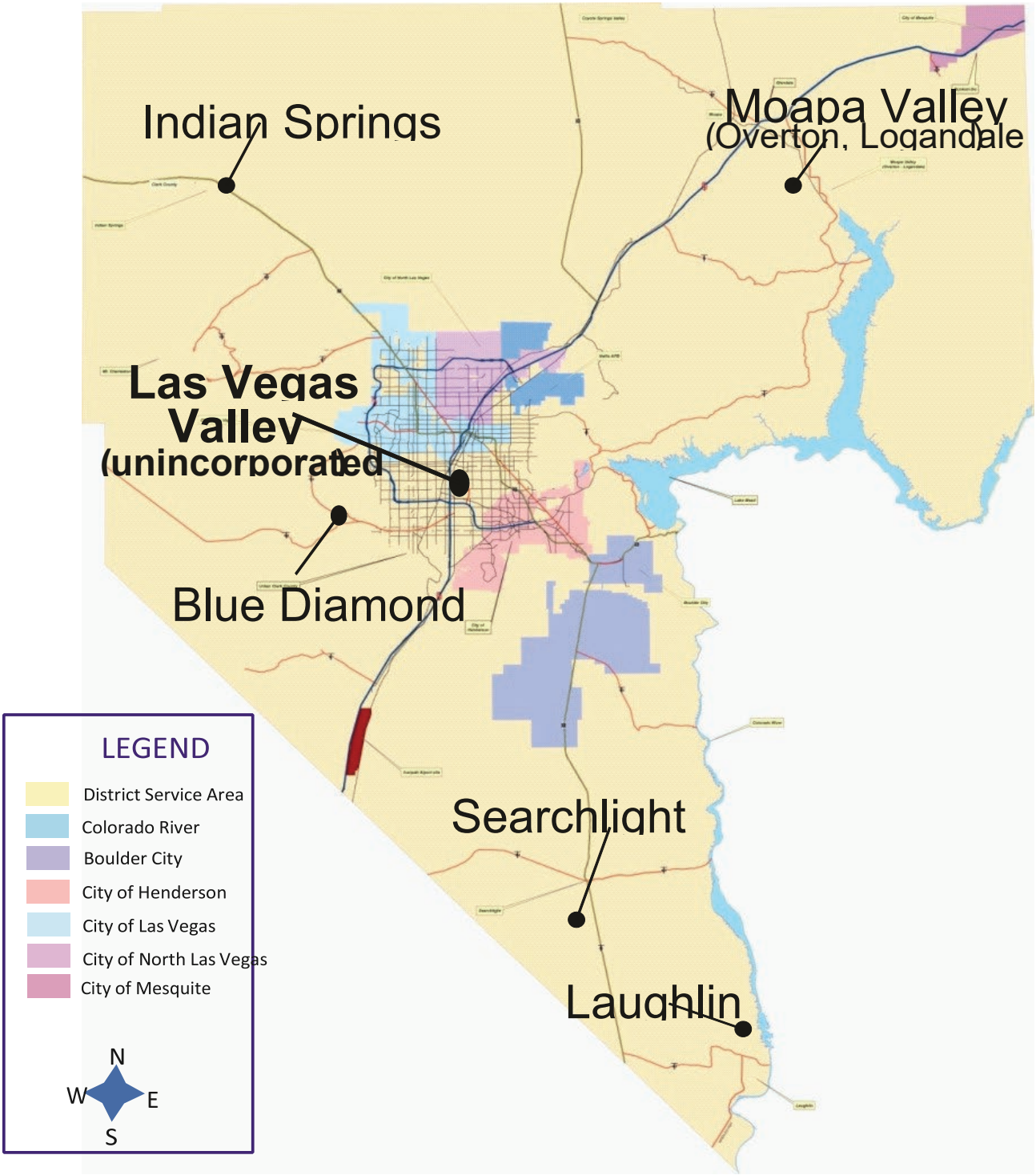
b. Criminal Prosecution: Any person, who willfully or negligently violates any provision of these Service Rules, any District order (including a consent agreement), or any District issued permit, shall upon conviction be guilty of a misdemeanor, and shall be punished by a fine not to exceed one hundred dollars ($100) or by imprisonment not to exceed one (1) month, or by both fine and imprisonment. A person found to have willfully or negligently violated any pretreatment standard or requirement shall upon conviction be guilty of a misdemeanor punishable by a fine of not more than one thousand dollars ($1,000) per day for each day the violation continues.

4.1.6. Civil Penalties:

Each calendar day during which any violation of the provisions of these Service Rules continues shall constitute a separate offense, punishable by a fine not to exceed one hundred dollars ($100) or by imprisonment not to exceed one (1) month, or by both fine and imprisonment, unless such actions constitute a violation of pretreatment standards or pretreatment requirements, in which case the fine shall not be more than one thousand dollars ($1,000) per day for each day the violation continues.

4.1.7. Pretreatment Enforcement Response Plan:

The District's pretreatment enforcement response plan (PERP) is fully incorporated herein by this reference. All enforcement provisions set forth in the PERP apply to industrial users as defined within the District's industrial pretreatment program, and are in addition to and not in lieu of, the enforcement provisions set forth in this Chapter. Should any provision in this Chapter directly contradict a provision within the PERP, the PERP shall govern.


Indian Springs
Moapa Valley
(Overton, Logandale
Las Vegas
Valley
(unincorporated
Blue Diamond
Searchlight
Laughlin
LEGEND
District Service Area
Colorado River
Boulder City
City of Henderson
City of Las Vegas
City of North Las Vegas
City of Mesquite
N
W
E
S

B.1.1. The District's "Prohibited Discharges" are contained herein. The General Manager shall have the authority to change the prohibited discharges, in order to comply with local, state, and/or federal regulation amendments.

B.1.2. Prohibited Discharges: All persons are expressly prohibited from discharging the following into the publicly owned treatment works (POTW).

a. Construction dewatering.
b. Infiltration
c. Inflow.
d. Storm water.
e. Rainwater, groundwater, street drainage, subsurface drainage; roof drainage; yard drainage; water from ponds or lawn spray runoff, surface water, artesian well water, condensate, deionized water, unpolluted industrial wastewater, water from trash/grease disposal areas, or any other water that is to be discharged into the Clark County storm drain system.
f. Unused prescription and over-the-counter medications.
g. Any pollutant or wastewater which may cause pass through or interference or any liquids, solids, or gases which, by reason of nature or quantity are, or may be sufficient, either alone or by interaction with other substances, to cause fire or explosion or be injurious in any other way to the POTW. Included in this prohibition are waste streams with a closed cup flash point of less than 140° F, (60° C) using the methods specified in 40 CFR 261.21. At no time shall two successive readings on an explosion hazard meter at the point of discharge into the POTW or at any point in the system be more than five percent (5%) nor any single reading over ten percent (10%) of the lower explosive limit (LEL) of the meter. The lower explosive limit is the minimum concentration of a combustible gas or vapor in the air (usually expressed in percent by volume at sea level), which will ignite if an ignition source is present.
h. Gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, sulfides, pesticides, herbicides, solvents, or anything else which has been determined by the District, state, or Environmental Protection Agency (EPA) to be a fire or other hazard to the POTW.
i. Any solid or viscous substance in amounts which may cause obstruction to the flow anywhere in the POTW or otherwise interfere with the operation of the POTW or pass through the POTW, but in no case solids greater than one-half inch (1/2" or 1.27 centimeters) in any dimension.
j. Manure, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste stream paper, wood, plastics, gas, tar, concrete, asphalt, residues from refining or processing of fuel or lubricating oil, mud, glass grindings, or polishing waste streams.
k. Any slug load, or any discharge at a flow rate or containing a concentration or quantity of pollutants exceeding, for any time period longer than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hour flow rate, concentration, or quantity discharged during normal operation.

l. Any pollutant or wastewater in sufficient quantity, by itself or by interaction with other pollutants that will constitute a hazard.
m. Any pollutant or wastewater containing releases of petroleum product, solvents, or other industrial chemicals.
n. Any pollutant or wastewater with any corrosive properties capable of causing damage or creating a hazard or any wastewater having a pH of less than five (5.0), or greater than eleven (11.0).
o. Any noxious or malodorous liquids, gases, solids, or other pollutants which, either singly or by interaction with other pollutants, when introduced into the POTW are sufficient to create a public nuisance or are sufficient to hinder entry into any part of the POTW for maintenance and repair.
p. Any substance which may cause the POTW effluent or any other residues, sludge, or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process.
q. Any wastewater which imparts unusual color to the POTW's effluent. Color shall mean the optical density at the visual wave length of maximum absorption, relative to distilled water. One hundred percent (100%) transmittance is equivalent to zero (0.0).
r. Any wastewater having a temperature greater than 140°F (60°C), or any wastewater which will inhibit biological activity in the POTW, but in no case, wastewater which causes the temperature at the introduction into the POTW to exceed 104°F (40°C).
s. Any non-domestic wastewater containing radioactive wastes or isotopes.
t. Any non-domestic wastewater containing pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause District employee health and safety issues.
u. Any trucked or hauled pollutants, except at authorized discharge points designated by the District and in compliance with District septage and chemical toilet wastes requirements.
v. Any sludge, screenings, or other residues from the pretreatment of industrial waste streams.
w. Any medical wastes (non-domestic pollutants generated by medical procedures including, but not limited to isolation wastes, infectious agents, human blood and blood byproducts, pathological wastes, sharps, body parts, fomites, etiologic agents, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes and dialysis wastes), except as specifically authorized by the Industrial Wastewater Discharge Permit.
x. Recognizable human or animal anatomy.
y. Any wastes containing enzymes, surfactants, microbes, detergents, surface active agents, or other substances which may cause the discharge to coagulate/solidify or cause excessive foaming in the POTW.
z. Pollutants which will cause corrosive structural damage to the POTW.
aa. Any pollutant, including oxygen demanding pollutants (biochemical oxygen demand [BOD], chemical oxygen demand [COD], etc.) released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW.

bb. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through.

cc. Any substance which may cause the POTW to violate its discharge permit, or any other federal, state, or District permits or regulations, including any receiving water quality standards.

B.1.3. Wastes prohibited in Appendix B shall not be processed or stored in such a manner that would allow these materials to be discharged directly or indirectly to the POTW. Where pretreatment facilities are required, all floor drains located in process or materials storage areas shall discharge to the pretreatment facilities before connecting with the POTW. If it is determined that a floor drain is inadequately protected against accidental prohibited discharges, the District may require the drain to be permanently abandoned, as specified in the Uniform Building Code.