

ARTICLE XVII

APPLICATION OF THE WASTEWATER TREATMENT SYSTEM (WTS) SURCHARGE

Section 1701 Determination of WTS Surcharge

Every person whose premises are served by a sewer connection and which discharge sanitary sewage, industrial wastes, water or other liquids--other than "normal strength sewage"--either directly or indirectly into the wastewater treatment system under the management of the District shall be charged and shall pay a wastewater treatment system Surcharge in addition to the wastewater treatment system Service Charge.

The surcharge shall be determined on the basis of any combination of three constituents of the wastewater.

- A. Total Suspended Solids
- B. BOD
- C. Kjeldahl Nitrogen

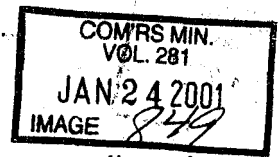
When the concentrations, expressed in mg/l, of any one, any combination, or all, of these three constituents exceed the values for "normal strength sewage", the excess concentrations shall be subject to charges at a rate calculated from the following formula:

$$R = A(SS-300) + B(BOD-240) + C(TKN-25)$$

Wherein

- R = Surcharge rate in dollars per hundred cubic feet of wastewater flow.
- SS = Suspended Solids in mg/l.
- BOD = Biochemical Oxygen Demand in mg/l.
- TKN = Total Kjeldahl Nitrogen in mg/l.
- 300 = Maximum Suspended Solids in normal strength sewage.
- 240 = Maximum BOD in normal strength sewage.
- 25 = Maximum Kjeldahl Nitrogen in normal strength sewage.

A, B, & C are numerical factors related to unit costs of providing primary and secondary treatment for the indicated pollutants. The values shall be those set forth in the currently applicable rate resolution adopted by the Board.



To the extent that the strength of a pollutant is less than eighty percent (80%) of the corresponding value for normal strength sewage, a credit shall be allowed as an offset against surcharge otherwise due.

Section 1702 Industrial Waste Questionnaire

Persons proposing to discharge other than normal strength sewage shall complete and file with the Director an industrial waste questionnaire containing pertinent information on the quantity of flow and a chemical analysis of the wastes to be discharged before said discharge begins.

Section 1703 Sampling Chambers

When required by the Director, the owner or User of any property discharging or capable of discharging wastes other than normal strength sewage shall install a suitable chamber or chambers in the building sewer to permit observation, sampling and measurement of the wastewater from their premises. Such chamber shall be constructed in accordance with plans approved by the Director, shall be installed by the owner or User at their own expense and shall be maintained by the owner or User so as to be safe and accessible to personnel of the District at all times.

Section 1704 Analytical Methods

Except as modified to reflect impact on the wastewater treatment plant and processes, measurements, test and analyses of the characteristics of such wastewaters shall be determined in accordance with "Standard Methods."

Section 1705 Discharge Strength

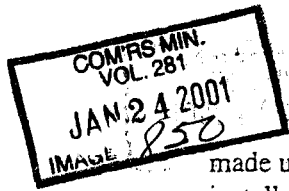
The strength of the wastewaters shall be determined from samples taken at the aforementioned chamber at such time(s) and of such duration(s) and in such manner as the District may elect, or at any place mutually agreed upon between the owner and the District. The results of routine sampling and analysis by the owner may also be used, in determining the amount of the surcharge, after verification by the District.

The strength so found by analysis shall be used in determining the amount of the surcharge. The surcharge shall be applied to the total water consumption, less that portion exempted by the District and shall be based on the average strength of all wastewater discharged to the wastewater treatment system.

Section 1706 Cost of Monitoring

The District shall assume the cost of operation of not more than two (2) gauging and sampling manholes or points of discharge and the necessary analytical work involved. In the event more than two (2) gauging and sampling manholes or points of discharge are necessary, the additional cost of the installation of measurement devices to be used and the costs of the personnel required for operation of the manholes or sampling points and the subsequent laboratory work involved, shall be borne by the User or the owners of the property.

Where a plant or premise discharges its effluent to a manhole or manholes, used as gauging and sampling points, and the effluent is of such volume and duration that installation of hydraulic equipment cannot be



made until the plant or premise ceases its operations, by weekend closedown, the costs of making the installations, involving overtime pay, shall be borne by the User or owner. If the User or owner elects to make the hydraulic installations with his own personnel, the installations shall be made in a manner approved by the Director.

In the event that a period in excess of a standard five (5) day week is required for District personnel to properly gauge, sample and analyze the discharged effluent, the extra costs shall be borne by the User or owner of the property.

Section 1707 Access to Chambers

The District shall have the right without advance notice to enter and set up on the premises, such devices as are necessary to conduct a gauging and sampling operation and to begin such operation. While performing the work, the District personnel will observe all safety rules applicable to the premises and established by the owner or User.

In case a User or owner has security measures in force which require proper identification and clearance before entry into the premises is granted, said User or owner shall either make the necessary arrangements with the security guards that upon showing proper identification, personnel from the District will be permitted to enter, without delays, for the purpose of obtaining samples of wastes being discharged at the various sampling points; or User or owner shall install suitable gauging and sampling manholes outside the security limits which manholes will at all times be immediately accessible to District personnel.

Section 1708 Additional Sampling and Analysis

If a person disagrees with the analysis on which the WTS surcharge is based, he may request, in writing, an additional sampling and analysis that shall be conducted in a manner acceptable to the Director. The cost of such additional sampling and analysis shall be borne in full by the requester.

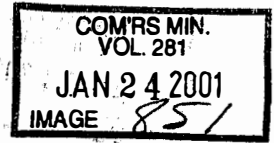
Section 1709 Default Analysis

In the event an analysis of the wastes is not furnished to the District when requested, or as a practical matter cannot be determined by a wastewater study conducted by the District, the WTS surcharge shall be based on a chemical analysis of a similar process or other data acceptable to the District and shall continue in effect until such time as an analysis of the waste is submitted by the Company and confirmed by the District.

Section 1710 Exemption

In case certain types of business and industrial Users discharge clear water, not contaminated as the usual wastewater entering the wastewater treatment system, and if such User shall install and have in operation equipment to prevent said water from entering the wastewater treatment system, the User may be exempt from payment of WTS surcharges for the water so eliminated. For implementation of this section, see Article XVI.

Section 1711 Flow Determination



If the Director finds that it is not practical to measure the quantity of wastewater by meters, he shall determine the quantity of wastewater entering the wastewater treatment system in any manner or by any method he may find reasonable and practical. The quantity so determined shall be the quantity of wastewater to which the WTS surcharge shall be applied.