

the responsibility of modifying the facility as necessary to provide the protection necessary to meet the requirements of this section.

407. Confidential Information

All information and data on a user obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public or other governmental agency without restriction unless the user specifically requests and is able to demonstrate to the satisfaction of the Agency that the release of such information would divulge information, processes or methods which would be detrimental to the user's competitive position.

When requested by the person furnishing a report, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available to governmental agencies for use in making studies; provided, however, that such portions of a report shall be available for use by the State or any state agency in judicial review or enforcement proceedings involving their person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information.

Information accepted by the Agency as confidential, shall not be transmitted to any governmental agency or to the general public by the Agency until and unless prior and adequate notification is given to the user.

408. Special Agreements

Special agreements and arrangements between the Agency and any person or agencies may be established when in the opinion of the Agency unusual or extra ordinary circumstances compel special terms and conditions.

Section 5

Wastewater User Charges and Fees

501. Classification of Users

All users shall be classified by assigning each one to a "User Classification" category according to the principal activity conducted on the user's premises and based on the typical wastewater constituents and characteristics for that type of user as determined by the Agency. The purpose of such classification is to facilitate the regulation of wastewater discharges based on wastewater constituents and characteristics to provide an effective means of source control and to establish a system of user charges and fees which will insure an equitable recovery of the Agency's cost. Wastewater constituents and characteristics may include but not be limited to, the following: suspended solids, BOD, COD, Oil and Grease, and Chlorine Demand.

502. Types of Charges and Fees

A user classification charge may be adopted for each user category based upon the charges for the average wastewater constituents and characteristics for each user classification. The charges for each wastewater constituent and characteristic shall be established by the Agency and set forth in the Agency's schedule of charges and fees adopted by the Agency. The Agency may adopt a schedule of charges and fees which may include:

- a. User classification charges
- b. Fees for monitoring
- c. Fees for permit application
- d. Appeal fees

e. Charges and fees based on wastewater constituents and characteristics to include industrial coast recovery provisions of the Federal Act.

503. Determination of User Charges

503.1 Non-Wastewater Discharge Permit Users. Each user, not required to obtain a Wastewater Discharge Permit shall pay the applicable user charge as established by the Agency and set forth in the Agency's schedule of user charges and fees. This charge shall be determined by multiplying the user classification charge by the determined wastewater volume. The Agency may elect to set a fixed unit charge as set forth in the Agency's schedule of user charges and fees for certain user classifications based on wastewater constituents and characteristics. For the purpose of determining wastewater user charges the minimum Standard Classification charge shall be based upon a typical average strength of domestic wastewater such as:

- BOD - 250 mg/l
- COD - 375 mg/l
- Suspended Solids - 250 mg/l
- Oil and Grease - 50 mg/l

503.2 Wastewater Discharge Permit Users. Users who are issued a Wastewater Discharge Permit under the provisions of this Ordinance shall pay a user charge determined by multiplying the charge for each wastewater constituent and characteristic by the volume of water discharged.

Section 6
Enforcement

601. Accidental Discharge

601.1 Notification of Discharge. Users shall notify the Agency immediately upon accidentally discharging wastes in violation of this Ordinance to enable counter measures to be taken by the Agency to minimize damage to the community sewer, treatment facility, treatment processes, and the receiving waters.

This notification shall be followed, within 15 days of the date of occurrence, by a detailed written statement describing the causes of the accidental discharge and the measures being taken to prevent future occurrence.

Such notification will not relieve users of liability for any expense, loss or damage to the sewer system, treatment plant, or treatment process, or for any fines imposed on the Agency on account thereof.

601.2 Notice to Employees. In order that employees of users be informed of Agency requirements, users shall make available to their employees copies of this Ordinance and together with such other wastewater information and notices which may be furnished by the Agency from time to time directed toward more effective water pollution control. A notice shall be furnished and permanently posted on the user's bulletin board advising employees whom to call in case of an accidental discharge in violation of this Ordinance.