

Owensboro-Daviess County, Kentucky
REGIONAL WATER RESOURCE AGENCY

WASTEWATER SYSTEM USER REGULATION

(Approved by RWRA Board on December 20, 2021)

WHEREAS, it is determined and declared to be necessary and conducive for the protection of the public health, safety, and welfare of the citizens of Owensboro and Daviess County, Kentucky; to protect the facilities of the Regional Water Resource Agency (hereinafter referred to as "RWRA") and the operation thereof; and

WHEREAS, this Agency seeks to provide for the use of its wastewater treatment and collection systems without damage to the physical facilities, without impairment of the normal function of collection and treatment of the wastewater discharge by users, and without the release of pollutants into the environment; and

WHEREAS, it is unlawful to dispose of unpermitted waste or otherwise use the wastewater facilities except as in compliance with Federal Standards pursuant to the Clean Water Act and Kentucky State Law and Regulations;

NOW, THEREFORE, BE IT ORDAINED BY THE OWENSBORO-DAVIESS COUNTY, KENTUCKY REGIONAL WATER RESOURCE AGENCY AS FOLLOWS:

ARTICLE I

Section 1. Purpose.

This regulation provides RWRA with uniform requirements governing the connection to, and the contribution of, wastewater to RWRA facilities through the issuance of permits to both domestic and non-domestic users.

Section 2. Definitions.

Unless the context specifically indicates otherwise, the meanings of the terms used in this regulation shall be:

Combined Sewer: A sewer receiving both surface runoff and wastewater.

Easement: An acquired legal right for the specific use of land owned by others.

FOG: Fats, Oils, and Grease as a byproduct of food preparation, cooking, and cleanup of dishes, pots and pans, utensils, and mopping of grease laden floors.

Person: Any individual, partnership, committee, association, corporation, public agency, firm, company and any other organization or group or persons, public or private.

PI Specs: Owensboro Metropolitan Planning Commission Public Improvement Specifications, Current Edition.

Public Sewer: Any sewer dedicated to public use and whose use is controlled by the RWRA.

RWRA: Regional Water Resource Agency.

RWRA Facilities: Any structure, appurtenance, wastewater collection system line, lift station, wastewater treatment equipment, or any other part of the wastewater system owned by the Regional Water Resource Agency.

Sanitary Sewer: A sewer which carries domestic and/or industrial wastewater and

to which stormwaters, surface waters and groundwaters are not intentionally admitted.

Sewer: A pipe or conduit for carrying wastewater.

Storm Drain (sometimes termed, "storm sewer"): A pipe or conduit for carrying storm and surface water drainage, but excludes any domestic or industrial wastewaters.

Stormwater: Water that enters inlets or drains connected to storm or combined sewers following wet weather events.

Wastewater: The water-carried wastes of the community derived from human or industrial sources, including both domestic and industrial wastewater. Rainwater, groundwater or drainage of uncontaminated water is only a constituent of wastewater in a combined sewer system.

Wastewater Facilities (System): Any and all RWRA facilities used for collecting, conveying, pumping, treating and disposing of wastewater.

Wastewater Service Line: The sewer that extends from a property, building, or facility to the wastewater system sewer tap. The construction and maintenance of the wastewater service line shall be the responsibility of the property owner.

Wastewater System Sewer Tap: The sewer that extends from the sewer main to a right-of-way or property line.

ARTICLE II

Section 1. Use of Public Sewers

- (a) No Person shall place, deposit, or permit to be deposited, any pollutant or other objectionable waste in an improper or unsanitary manner into any RWRA Facility, except as in compliance with the provisions of this

regulation, the RWRA Pretreatment Regulation and applicable state and federal laws.

- (b) No Person shall construct or maintain facilities intended or used for the disposal of wastewater within the RWRA's service area, without review and approval of the RWRA or its representative.
- (c) No Person shall connect to the RWRA's Wastewater Facilities without review and approval of the RWRA or its representative.

ARTICLE III

Section 1. Wastewater System Connection, Permitting, and Fees.

- (a) No person shall uncover, make any connections with or opening into, use, alter or disturb any public sanitary or combined sewer or appurtenance thereof without first obtaining permission from the RWRA.
- (b) There shall be three classes of building sewer permits; (a) for residential and commercial service, (b) for service to establishments producing industrial wastewater (*for specific information regarding industrial wastewater, reference the RWRA Pretreatment Regulation*): and (c) permits for commercial customers subject to the RWRA FOG Management Policy but not otherwise subject to the RWRA Pretreatment Regulation (*for specific information regarding FOG, reference the RWRA FOG Management Policy*). For these permits, the owner or his agent shall make application to the RWRA Engineering Department for a permit. All permit applications shall be supplemented by any plans, specifications, or other

information considered pertinent in the judgement of RWRA. Permit fees and connection charges as established by RWRA shall be paid prior to permit approval and sewer connection.

- (c) It shall be necessary for a licensed and bonded plumber representing the property owner to notify an RWRA representative, and provide at least ten (10) days' notice prior to intention to connect to the public wastewater collection system. Such notice shall be in the form of an application for a permit through the Engineering Department. It shall be the duty of said representative to notify the permittee, at the time of issuance of the permit, the location at which the wastewater service connection is to be made.
- (d) All materials used for construction of connections to the wastewater system shall be in accordance with current RWRA-approved ASTM standards and the PI Specs.
- (e) All wastewater system connections will be installed so as to meet or exceed the most current revision of the PI Specs and the State Plumbing Code.
- (f) A separate and independent wastewater service connection shall be provided for every building. Where existing building locations and other physical features make this an unusual hardship and may prevent resolution of an undesirable wastewater problem, RWRA or its designee may approve exceptions; such exceptions to be in writing as part of the permit and recorded for future reference.
- (g) Old wastewater service connections may be used for new buildings only when they are found on examination by an RWRA representative to meet

all requirements of this regulation and be in sound and unobstructed condition.

- (h) RWRA shall establish a wastewater system connection fee. The connection fee shall offset the costs of administering RWRA functions, which includes but is not limited to, maintaining customer records for billing purposes, recording and mapping locations for wastewater system connection, providing wastewater system information and connection location to contractors, developers, and property owners, and the inspection of connections to the wastewater system, etc. This fee shall be assessed for all new wastewater system connections, whether or not a wastewater system sewer tap exists.
- (i) RWRA shall establish a fee for properties requiring the installation of a wastewater system sewer tap. The fee shall be adequate to cover the installation costs of the tap from the sewer main to the right-of-way or property line, and shall be in addition to the wastewater system connection fee outlined previously in item (h) of this section. Said installation shall be performed by RWRA or its designated representative.
- (j) RWRA may establish fees and/or surcharges for areas that require new or expanded wastewater services. These fees and/or surcharges will offset costs to provide service to those areas.

Section 2. Installation, inspection, and repair costs.

- (a) The applicant must contact RWRA prior to the physical connection of the

property's wastewater service line to the wastewater system sewer tap. This connection shall be made under the supervision or authorization of RWRA. All connections shall be tested according to the PI Specs and RWRA-approved guidelines.

- (b) All costs and expenses associated with the installation and connection to RWRA facilities shall be the responsibility of the owner or applicant. The owner shall indemnify RWRA for any loss or damage that may be directly or indirectly resulting from the installation of, or connection to, RWRA facilities.
- (c) Permit applicants shall replace, backfill, or reconstruct, in accordance to RWRA standards and specifications, any disturbed properties which may include, but are not limited to, openings or cuts in any sidewalk, grass plot, or other public way which becomes necessary in order to connect to RWRA facilities. All costs associated with said replacement shall be the responsibility of the applicant.
- (d) The owner or applicant shall insure that all excavations for repair or connection to RWRA facilities shall be adequately guarded with barricades and/or any other safety devices as required by all local, State and Federal codes and ordinances.
- (e) In the event it should become necessary to make a cut in a public street in order to repair a wastewater system sewer tap, RWRA or its representative at the specific request of the plumber shall, after a reasonable notice, perform the necessary work and charge the plumber based upon a time and material cost. Street surface repair costs will also be the responsibility

of the plumber requesting the wastewater service connection repair.

Section 3. Inflow sources prohibited.

- (a) Connection of roof, foundation, inlet, or any other drains (whether connected directly or indirectly) or any other intentional source of stormwater, surface water runoff, or groundwater inflow to RWRA sanitary sewers is prohibited.
- (b) Wastewater service lines serving structures which have been demolished or otherwise destroyed shall be disconnected at or near the right-of-way or easement line and sealed as approved by a representative of RWRA to prevent water, dirt, etc., from entering the public wastewater system. This work shall be at the expense of the Property Owner or Applicant.

Section 4. Easement Restrictions.

RWRA shall prohibit the placement of any permanent structures on RWRA easements. Any non-permanent structures (i.e., fences, storage buildings, etc.) or vegetation (i.e., trees, shrubs, flower beds, etc.) placed on RWRA easements are placed on said easement at the risk of the property owner. Any damage to such structures or vegetation due to sewer failure, sewer repair work, or other sewer-related problems are not the responsibility of RWRA. Replacement costs are also the responsibility of the property owner.

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