

CERTIFICATE FOR ORDER

THE STATE OF TEXAS

§  
§  
§

COUNTY OF HARRIS

I, the undersigned officer of the Board of Directors of Cimarron Municipal Utility District of Harris County, Texas hereby certify as follows:

1. The Board of Directors of Cimarron Municipal Utility District of Harris County, Texas, convened in regular session on the 20<sup>th</sup> day of July, 2017, at the regular meeting place outside the boundaries of the District, and the roll was called of the members of the Board:

Mr. Gary V. Russell	Assistant Vice President
Mr. Richard "Rick" May	President
Mr. David F. Jones	Vice President
Mr. John Linn	Assistant Secretary
Mr. David Aitken	Secretary

and all of said persons were present except Director(s) \_\_\_\_\_, thus constituting a quorum. Whereupon, among other business, the following was transacted at the meeting: a written

AMENDED RATE ORDER

was introduced for the consideration of the Board. It was then duly moved and seconded that the Order be adopted; and, after due discussion, the motion, carrying with it the adoption of the Order, prevailed and carried unanimously.

2. That a true, full and correct copy of the aforesaid Order adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; that the Order has been duly recorded in the Board's minutes of the meeting; that the person named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of the Board as indicated therein; that each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid meeting, and that the Order would be introduced and considered for adoption at the meeting, and each of the officers and members consented, in advance, to the holding of the meeting for such purpose; that the meeting was open to the public as required by law; and that public notice of the time, place and subject of the meeting was given as required by Chapter 551, Texas Government Code, and Section 49.063, Texas Water Code.

SIGNED AND SEALED the 20<sup>th</sup> day of July, 2017.



Secretary, Board of Directors

(SEAL)



669669

AMENDED RATE ORDER

THE STATE OF TEXAS       §  
  §  
COUNTY OF HARRIS       §

WHEREAS, Cimarron Municipal Utility District of Harris County, Texas (the "District"), provides water, sewer, drainage and garbage collection services to residential and commercial establishments within the District; and

WHEREAS, the Board of Directors deems it necessary to amend the Rate Order to provide for the recoupment of certain District costs; Now, Therefore,

BE IT ORDERED BY THE BOARD OF DIRECTORS OF CIMARRON MUNICIPAL UTILITY DISTRICT OF HARRIS COUNTY, TEXAS, THAT:

Section 1.       Definitions. The following words or phrases shall have the meanings indicated below:

- A. "Single Family Residential User" - means a user of the District's System that consists of one residence designed for use and occupancy by a single family unit.
- B. "Non-Single Family Residential User" - means any user of the District's System other than a Single Family Residential User including, but not limited to, commercial establishments, apartments, and multi-family dwelling units.
- C. "Non-Taxable User" - means any user of the District's water and sewer system that is exempt from ad valorem taxation by the District under Property Tax Code, including, but not limited to, schools and churches.
- D. "Irrigation User" - means any user of the District's water system for irrigation purposes only to serve public esplanades, lakes, recreational areas or green spaces.
- E. "Private Irrigation User: - means any user of the District's water system for irrigation purposes only to serve private esplanades, lakes, recreational areas or green spaces.
- F. "Fire Protection Service User" means a user of the District's water system for fire protection services only.
- G. "Full Service Tap" shall mean a connection to the District's water and sewer system to serve a single family unit, commercial establishment, apartments, recreational facilities, club, multi-family dwelling units or any other building.
- H. "Fire Protection Service Tap" shall mean a connection to the District's water system for the sole purpose of providing fire protection to the user's property.

Section 2.       Builder Connections. During construction and prior to initial occupancy, a builder shall be charged a monthly flat rate of \$16.00 for water and sewer service.

Section 3. Water Rates.

A. Single Family Residential. Following connection to the District's water system, each Single Family Residential User within the District shall be charged for water service from the District on a monthly basis according to the water used based on the following schedule:

<u>Water Usage</u>	<u>Amount of Payment</u>
First 6,000 gallons	\$ 9.00 (minimum monthly charge)
6,001 - 10,000 gallons	\$1.25 per 1,000 gallons
10,001 - 15,000 gallons	\$1.50 per 1,000 gallons
15,001 - 20,000 gallons	\$1.75 per 1,000 gallons
Over 20,000 gallons	\$2.00 per 1,000 gallons

B. Non-Single Family Residential. Following connection to the District's water system and during the period of construction prior to initial occupancy of the premises, Non-Single Family Residential Users except Irrigation Users connected to the District's system by a separate water meter shall be billed on a monthly basis according to the water used based on the following schedule:

<u>Water Usage</u>	<u>Amount of Payment</u>
First 6,000 gallons	\$9.00 (minimum monthly charge)
6,001 - 10,000 gallons	\$1.25 per 1,000 gallons
10,001 - 15,000 gallons	\$1.50 per 1,000 gallons
15,001 - 20,000 gallons	\$1.75 per 1,000 gallons
Over 20,000 gallons	\$2.00 per 1,000 gallons

C. Private Irrigation Users. Private irrigation Users connected to the District's system by a separate irrigation meter shall be billed on a monthly basis according the water used based on the following schedule:

<u>Water Usage</u>	<u>Amount of Payment</u>
First 6,000 gallons	\$9.00 (minimum monthly charge)
6,001 - 10,000 gallons	\$1.25 per 1,000 gallons
10,001 - 15,000 gallons	\$1.50 per 1,000 gallons
15,001 - 20,000 gallons	\$1.75 per 1,000 gallons
Over 20,000 gallons	\$2.00 per 1,000 gallons

Section 4: West Harris County Regional Water Authority ("WHCRWA") Fee. The WHCRWA assesses a fee upon the District for each 1,000 gallons of groundwater withdrawn by the District in a calendar quarter. Each user of District water for any purpose, whether builder, single family residential, non-single family residential, or any other type of user, shall be charged, in addition to the water rates set forth above, a separate amount equal to the amount assessed by the WHCRWA to the District plus 10% for each 1,000 gallons of water delivered to such user in a billing cycle. The effective date of this charge is January 1, 2008.



Section 5. Sewer Rates.

A. Single Family Residential.

Following connection to the District's sanitary sewer collection system, each Single Family Residential User (including each unit within a building or buildings occupied as a separate dwelling) connected to the District's system by a separate water meter shall be billed monthly a flat charge of \$26.22.

B. Non-Single Family Residential.

(1) Following connection to the District's sanitary sewer collection system, each Non-Single Family Residential User (including each unit within a building or buildings occupied as a separate dwelling) connected to the District's system by a separate water meter shall be billed on a monthly basis according to the following schedule:

<u>Amount of Payment</u>	<u>Usage</u>
\$13.00 minimum	First 10,000 gallons per month
\$2.00 per 1,000 gallons	All over 10,000 gallons

(2) Retail centers connected by a single meter shall be billed on a monthly basis according to the following schedule:

<u>Amount of Payment</u>	<u>Usage</u>
\$13.00 minimum	First 10,000 gallons per month
\$2.00 per 1,000 gallons	All over 10,000 gallons

Section 6. Irrigation Users and Homeowners' Association Facilities. Water service will be provided to the Homeowners' Association and any other Irrigation User within the District for irrigation purposes at a rate of \$8.00 per month per connection. In order to promote conservation of the District's water supply, however, the Homeowners' Association or any Irrigation User will pay an increased rate to be set by the District if the District, within its sole discretion, determines that their water usage is excessive, inefficient, and/or wasteful.

Section 7. No Free Service. No free service shall be provided by the District to any person, organization or institution, including charitable institutions.

Section 8. Tap Fees

A. Single Family Residential. Prior to connection to the District's water system, a tap fee as set forth herein shall be paid to the District to cover the cost of making said connection and the cost of providing the water meter. In the case of a 5/8" water meter, the tap fee shall be \$570.00. In the case of a 3/4" water meter, the tap fee shall be \$675.00. In the case of a 1" water meter, the tap fee shall be \$942.00.

B. Non-Single Family Residential. Prior to connection to the District's water system a tap fee shall be paid to the District equal to three (3) times the District's actual cost of installing the tap, meter, and necessary service lines, and repairing or restoring any yards, sidewalks, streets, landscaping, concrete or other improvements, affected by the installation shall be paid to the District (the "Installation Costs"). The District's

operator will produce an estimate for the Installation Costs, which will be approved by the Board of Directors and sent to the User. The User shall pay the Installation Costs, plus 20%, prior to the installation of the tap. If the actual Installation Costs are greater than the estimated Installation Costs paid by the User, the difference must be paid by the User before the District will provide service to the User. If the actual Installation Costs are less than the estimated Installation Costs paid by the User, a refund for the difference shall be issued to the User.

Connections to the District's water system shall not be allowed prior to an approved sewer inspection, and all such connections shall be inspected by the District's operator or its subcontractor.

C. Homeowners' Association Facilities and Irrigation Users. In the case of a metered water connection to serve a homeowners' association and established solely to provide water for irrigation purposes, the tap fee shall be the District's actual cost of installing the tap, meter and any necessary service lines, and making any street, improvement or landscape repair required by installation. The tap fee, based on estimated costs, shall be paid prior to installation of the tap. If actual costs result in a greater tap amount, the difference shall be paid prior to initiation of service. Conversely, if the tap fee is less than the amount paid, the District shall refund the difference.

D. Non-Taxable Users

(1) Non-taxable Users shall pay a tap fee equal to the District's actual cost of installing the tap, meter and any necessary service lines and the cost of repairing or restoring any yards, sidewalks, streets, landscaping, concrete or other improvements affected by the installation (as determined by the District's operator, together with the District's consultants) plus the User's pro rata share of the District's actual cost of the facilities necessary to provide District services to the non-taxable User that are financed or to be fully or partially financed by the District's tax bonds (as determined by the District's consultants and approved by the Board of Directors) (the "Installation Costs").

(2) The District's operator, together with the District's consultants, will determine the Installation Costs, which will then be approved by the Board of Directors and be sent to the User. The User shall pay the estimated Installation Costs, plus 20%, prior to installation of the tap. If the actual Installation Costs are greater than the estimated Installation Costs paid by the User, the difference must be paid by the User before the District will provide service to the User. If the actual Installation Costs are less than the estimated Installation Costs paid by the User, a refund for the difference shall be issued to the User.

E. Irrigation User. All Irrigation Users shall be required to have meters installed, which shall be installed by the District's Operator. The tap fee shall be the District's actual cost of installing the tap, meter and any necessary service lines, and making any street, improvement or landscape repair required by the installation.



- F. Fire Protection User. For each Fire Protection Service Tap made for a Non-Single Family Residential User, the tap fee will be (a) the District's actual cost of installing the tap and necessary service lines plus (b) any costs incurred by the District to repair or restore any yards, sidewalks, streets, landscaping, concrete or other improvements affected by the installation (the "Installation Costs"). Meters are required by the District for Fire Protection Service Taps. The District's operator will notify the User of the estimated Installation Costs. The User shall pay the estimated installation costs prior to installation of the tap. If the actual installation Costs are greater than the estimated Installation Costs paid by the User, the difference will be billed to the User on the monthly water and sewer bill. If the actual Installation Costs are less than the estimated Installation Costs paid by the User, a refund for the difference shall be issued to the User.

Section 9. Plumbing Regulations; Prohibition Against Cross-Connections and Unacceptable Plumbing Practices; Penalty for Violation. Pursuant to Chapter 290 of the Texas Administrative Code, the District adopts the following plumbing regulations, which apply to all users of the District's potable water distribution system.

- A. Service Agreements. Prior to receiving service from the District to new construction or to buildings containing new plumbing fixtures, or prior to having service reconnected to any building after termination of water service, a User must execute a Service Agreement in the form attached to this Rate Order as Exhibit "A".
- B. Plumbing Fixtures. A User is not permitted to install any plumbing fixture which is not in compliance with a state approved plumbing code and the plumbing code, if any, required by the city in whose jurisdiction the District is located.
- C. Prohibition Against Water Contamination. No direct connection between the District's potable water distribution system and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the District's potable water distribution system by the installation of an air-gap or an appropriate backflow prevention device in accordance with state plumbing regulations. In addition, all pressure relief valves and thermal expansion devices must be in accordance with state plumbing codes and the plumbing code, if any, required by the city in whose jurisdiction the District is located.
- D. Backflow Prevention Assemblies. All sprinkler systems, spas and pools must have backflow prevention assemblies installed by the User at the User's sole cost and expense. In addition, the District, in its sole discretion, may require a non single family residential User to install a backflow prevention assembly at any meter(s) servicing such a User's property. The District, in its sole discretion, also may require any User to install other backflow prevention assemblies at any fixture in order to prevent contamination of the District's potable water distribution system or if the User's plumbing system poses a high health hazard. A high health hazard is defined by the TCEQ as a "cross-connection, potential cross-connection, or other situation involving any substance that could cause death, illness, spread of disease, or has a high probability of causing such effects if introduced into the potable drinking water supply." If the District determines that a User must install a backflow prevention assembly as a protection against a high health hazard, the backflow prevention assembly used must comply with a state approved plumbing code and the plumbing code, if any, required by the city in whose jurisdiction the District is located, and

must be tested and certified at least annually by a recognized backflow prevention assembly tester. A list of certified backflow prevention assembly inspectors can be obtained from the local office of the TCEQ.

The User is responsible for insuring that all backflow prevention assemblies are tested upon installation by a recognized backflow prevention assembly tester. If this test is performed by the District's operator or its subcontractor, the cost will be equal to the District's cost plus a 10% surcharge for single-family residential Users and for commercial Users, which is due and payable prior to the test. In the event the User chooses to have the test performed by a source other than the District's operator, the User will be required to pay an administrative fee to the District in the amount of the District's cost plus a 10% surcharge. The User is solely responsible for the cost of this test. If the District requires the installation of a backflow prevention assembly in order to prevent a serious threat to the District's public water supply, then the District, in its sole discretion, may immediately terminate service to the User. In that event, service will not be restored until the backflow prevention assembly has been installed and tested and a signed and dated original of a "Backflow Prevention Assembly Test and Maintenance Report" in the form attached to this Rate Order as Exhibit "B" has been provided to the District's operator.

If the District determines that a backflow prevention assembly must be installed pursuant to this Rate Order for reasons other than to eliminate a serious threat to the District's public water system, the User must install the backflow prevention assembly within five (5) working days after receipt of notice from the District that such installation is required. In addition, the User must provide the District's operator with a signed and dated original of a "Backflow Prevention Assembly Test and Maintenance Report" in the form attached to this Rate Order as Exhibit "B" within three (3) working days of the installation of the backflow prevention assembly and within three (3) working days of any subsequent repair, maintenance or testing of such assembly. If the User fails to provide the testing certificate within this time, the District, in its discretion, may terminate service to the User pursuant to the terms of this Rate Order. The District's operator will retain such reports for a minimum of three (3) years.

- E. Customer Service Inspections. A customer service inspection is required prior to the time the District (i) provides continuous water service to new construction, (ii) provides water service to private plumbing facilities that have been added to existing construction or materially improved or corrected, or (iii) continues service to a User when the District has reason to believe that cross-connections or other unacceptable plumbing practices exist. The cost of such customer service inspection will be the sole responsibility of the User. For single family residential service, a licensed plumber, a water supply protection specialist licensed by the Texas State Board of Plumbing, or a certified waterworks operator holding an endorsement from the TCEQ may perform this customer service inspection. For all other types of service, a water supply protection specialist licensed by the Texas State Board of Plumbing, or a certified waterworks operator holding an endorsement from the TCEQ may perform the inspection. If this customer service inspection is performed by the District's operator, the cost will be the District's cost plus a 10% surcharge for single family residential Users and will be determined on an individual basis for other Users. All fees relating to the customer service inspection shall be paid by the User



prior to the inspection, and if the inspection is made in connection with new construction, the fee will be collected with the tap fee.

Prior to initiating service to new construction or buildings containing new plumbing fixtures, the User must provide the District's operator with a signed and dated "Customer Service Inspection Certification" in the form attached to this Rate Order as Exhibit "C". The District's operator will retain such inspection certifications for a minimum of ten (10) years. If the District's operator does not perform the initial customer service inspection, the User will need to obtain a final inspection certificate from the District's operator prior to receiving service. In connection with this final plumbing inspection, the User shall allow its property to be inspected by the District's operator or its subcontractors during normal business hours for possible cross-connections and other unacceptable plumbing practices which violate this Rate Order. The cost of this final plumbing inspection shall be the District's cost plus a 10% surcharge for single family residential Users and will be determined on an individual basis for other Users. The cost of this final inspection shall be paid by the User prior to the final plumbing inspection. Thereafter, the District's operator or its subcontractors may, at the discretion of the District and/or the District's operator, periodically inspect a User's plumbing system during normal business hours for the purpose of identifying possible cross-connections and other unacceptable plumbing practices which violate this Rate Order.

- F. Prohibition Against Cross-Connections. No cross-connection between the District's potable water distribution system and a private water system is permitted. Where an actual air gap is not maintained between the public water supply and a private water supply, an approved reduced pressure-zone backflow prevention assembly must be properly installed and such assembly must be annually inspected and tested by a certified backflow prevention device tester. A list of certified backflow prevention device testers may be obtained from the local office of the TCEQ. By accepting service from the District, all Users agree to allow such annual inspection and testing of backflow prevention assemblies to take place during normal business hours. If any User refuses to allow such annual inspection and testing, service to such User will be discontinued until such inspection and testing is completed.

No connection which allows water to be returned to the District's potable water distribution system is permitted. This includes, but is not limited to, any device pursuant to which water is removed from the District's potable water distribution system, circulated through a User's system for condensing, cooling and heating of fluids or industrial processes, including but not limited to a heat exchange system, and routed back to the District's potable water distribution system.

- G. Notice of Unacceptable Plumbing Practices. The District shall notify the User in writing of any cross-connection or other unacceptable plumbing practice which has been identified during the customers service inspection, the final plumbing inspection, any periodic re-inspection, or any other inspection. At its sole cost and expense, the User shall immediately correct any unacceptable plumbing practice on its premises and properly install, test and maintain any backflow prevention device required by the District within two (2) working days of receipt of notice of the improper cross-connection. The User shall provide copies of all testing and maintenance records on such devices to the District within three (3) working days of the testing or maintenance. If the User fails to correct the noted unacceptable



plumbing practice, the District may immediately terminate water service or, at the User's sole cost and expense, eliminate the cross-connection or correct the unacceptable plumbing practice.

- H. Unauthorized Connection. Only the District's Operator or its designated agent is authorized to connect or reconnected service to the District's potable water distribution system, and the user is strictly prohibited from making such connection or reconnection. Any user who violates this subsection shall be responsible for all expenses or additional operating costs attributable to such violation.
- I. Penalty for Violation. The failure of a User to comply with the terms of this Section will be considered a violation of this Rate Order. If such a violation occurs, or if the District determines the existence of a serious threat to the integrity of the District's water supply, the District, in its sole option, may, in addition to all other legal remedies available to it, including those remedies set out in Section 16 of this Rate Order, immediately terminate service or, at the User's sole cost and expense, install the plumbing fixtures or assemblies necessary to correct the unacceptable plumbing practice. If the District terminates service in order to preserve the integrity of the District's water supply, service will be restored only when the source of the potential contamination no longer exists or until additional safeguards have been taken. Any and all expenses associated with the enforcement of this Section shall be billed to the User.

#### Section 10.

- A. Pre-Facility Inspection. All builders or contractors for property owners within the District may contact the operator, prior to starting any work on property within the District, to do an inspection to verify District facilities. If any District facility is either damaged or cannot be located, the operator will make necessary repairs or locate and make the facilities visible at the expense of the District. A copy of the inspection report will be given to the builder's or contractor's representative, if requested. The cost for each inspection shall be the District's cost plus a 10% surcharge and is payable with the tap fee.
- B. Facility and Water Meter Inspection. After construction has been completed on the property, but before service is transferred to a User, the District's operator will conduct a Final Site Survey to re-inspect the water tap, meter and all other District facilities on the property for a fee in the amount equal to the District's cost plus a 10% surcharge. The fee shall be collected at the time the tap fee is paid. The property owner, builder or contractor will be held responsible for any damages or adjustments to District facilities and the cost of repairing, adjusting or relocating the facilities (the "Backcharges") before service shall be initiated to a User. If any re-inspections of the facilities are required to ensure that the District's facilities are repaired, relocated or adjusted, a fee in the amount equal to the District's cost plus a 10% surcharge shall be charged for each such re-inspection before service will be transferred to a subsequent User. Payment of the Backcharges, or any inspection or re-inspection fees, shall be made on or before the 30th day after the date of the invoice for said charges. The District may withhold the provision of service to the property or to other property owned by any User, property owner, builder or contractor who has failed to timely pay for the Backcharges or any inspection or re-inspection fee, including specifically the provision of additional taps; provided,

however, the District shall follow the notification procedures set forth in this Rate Order prior to withholding the provision of service.

**Section 11. Builder Deposit.** Prior to a water tap and meter being installed, any person proposing to construct a house or other building in the District shall deposit \$1,000 with the District as security for any damages to District facilities, whether on the lot for which the tap is requested or elsewhere in the District. Such deposit shall be held, used or refunded as follows:

- A. The deposit shall be held until the inspection provided in the preceding paragraph has been completed. If no damages are discovered or damages have been paid, the deposit shall be refunded within 30 days after final inspection. If damages are discovered and not paid within ten (10) days, the District shall withhold the portion required to pay all damages and refund the balance, if any.
- B. **Commercial and Industrial Waste.** A builder of multiple houses shall be required to make only one deposit, however, if damages to District facilities are not paid by the builder within ten (10) days after notification, the District may draw on the deposit and no new taps should be made until the deposit is restored to \$1,000. The \$1,000 deposit is for security purposes only and is not a limitation.

**Section 12. Connection to Sewer.** All connections to the District's sewer system shall be made in accordance with the provisions of the rules and regulations governing sewer house lines and sewer connections. All connections to the District's sewer system shall be inspected by a representative of the District prior to being covered in the ground. In the event a connection is made and covered without inspection by a representative of the District, water service at such location shall be terminated. An inspection fee equal to the District's cost plus a 10% surcharge for all single family connections and a fee equal to the District's cost plus a 10% surcharge for all connections other than single family connections shall be paid to the District to cover the cost of making said inspection.

**Section 13. Quality of Sewage.**

- A. **Domestic Waste.** Only ordinary liquid and water-carried waste from domestic activities that is amenable to biological treatment and that is discharged from sanitary conveniences of buildings connected to a public sanitary sewer system shall be discharged into the District's sanitary sewer lines. Waste resulting from any process of commerce or industry may not be discharged into the District's sanitary sewer lines except as authorized pursuant to Section 13.B.
- B. **Commercial and Industrial Waste.** All discharges other than waste described in subsection A are prohibited unless the user has applied to and received written authorization from the District for such discharge. The applicant must file a statement with the District containing the following information:
  - (1) Name and address of applicant;
  - (2) Type of industry, business, activity, or other waste-creative process;
  - (3) Quantity of waste to be discharged;
  - (4) Typical analysis of the waste;
  - (5) Type of pretreatment proposed; and
  - (6) Such other information as the District may request in writing.



The District shall have the right to reject any application for discharge of non-domestic waste into the District's sanitary sewer lines if the District determines in its sole discretion that the proposed discharge may be harmful to the District's sanitary sewer system or the environment. The District also shall have the right in approving any application for the discharge of non-domestic waste to impose any limitations on such discharge that the District determines in its sole discretion to be necessary to protect the District's sanitary sewer system or the environment.

- C. National Categorical Pretreatment Standard. If a user is subject to a national categorical pretreatment standard pursuant to regulations promulgated by the Environmental Protection Agency under Section 307 of the federal Clean Water Act, the user is prohibited from discharging pollutants into the District's sanitary sewer system in violation of applicable categorical pretreatment standards or the Wastewater Order adopted by reference in subsection E below.
- D. District Testing; Pretreatment. The District shall have the right to sample and test any user's discharge at the discretion of the District's operator, with no limit as to the frequency of the tests, and to charge the user for the District's cost of such sampling and testing. The District also shall have the right to require pretreatment, at the user's expense, of any discharge of non-domestic waste if the District determines in its sole discretion that pretreatment of such waste is necessary to protect the District's sanitary sewer system or the environment, even if pretreatment is not otherwise required pursuant to subsection C above.
- E. Compliance with Wastewater Order. The District adopts and incorporates by reference and all users in the District shall comply with the Order Regulating the Introduction of Wastewater into the Sanitary Sewer System of the District ("Wastewater Order"). A copy of the Wastewater Order is attached to this Amended Rate Order as Exhibit "D"

Section 14. Delinquent Payments. Charges for services performed shall be billed monthly. All bills shall be payable on the 20th day after the date of the statement for said charges. Unless payment of the monthly bill is received on or before the 20th day after the date of said statement or unless payment of any Backcharges is received on or before the 30th day after the date of the invoice, such account shall be considered delinquent and a one time late charge equal to ten percent (10%) of the unpaid balance shall be charged. The District may, in its discretion, disconnect service for failure to pay all charges and Backcharges, including any late charge, by the 50th day after the due date; provided, however, that prior to disconnecting services, the District shall send written notice by United States first class mail to the User or entity at the appropriate address and provide the User or entity with an opportunity to contest, explain or correct the charges, services, or disconnection, at a meeting of the Board of Directors of the District. The written notice shall inform the User or entity of the amount of the delinquent payment, the date service will be disconnected or additional service withheld if payment is not made, the date, time and place of the next scheduled meeting of the Board of Directors, and of the opportunity to contest, explain or correct the charges, services, or disconnection, by presenting in person or in writing such matter to the Board of Directors at the next scheduled meeting as shown on the notice. The date specified for disconnection shall be ten (10) days after the date of the next scheduled meeting of the Board of Directors as shown in the notice and the date for withholding additional service shall be the date of that Board meeting. The notice shall be deposited, postpaid, in a post office or official depository under the care and custody of the United States Postal Service at least ten (10) days prior to the date of the scheduled meeting of the Board of Directors.

\$10.00 shall be charged by the District for each notice of delinquency mailed or hand delivered to an account. A written statement by the District's operator that the notice was so mailed and a certificate of mailing by the United States Postal Service shall be prima facie evidence of delivery of same. If the User or entity appears before the Board in person or in writing, the Board shall hear and consider the matter and inform the User or entity of the Board's determination by sending written notice by United States first class mail to the User or entity at the appropriate address. If water or sewer or garbage collection service to a user is terminated for any cause, there shall be charged a reinstatement fee of \$45.00 before service is again commenced to such user.

Section 15. Returned Check Charge. The District will charge a \$15.00 fee to any customer for each check given to the District for payment that must be returned for any reason. Payments attempted to be made by a check which is returned shall be considered delinquent unless cash or certified funds are presented to the District for payment within the time period required by the previous section.

Section 16. Grease Trap Inspection. Effective for all grease traps existing on or after August 18, 1993, there shall be charged a monthly flat rate inspection fee of the District's cost plus a 10% surcharge. If the operator is required to re-inspect the grease trap, such re-inspection shall be charged at the same rate.

Section 17. Transfer Fee. A fee of \$30.00 shall be charged by the District to cover the expense to the District for the transfer of water and sewer service from the initial User to each subsequent User.

Section 18. Penalties for Violation. Any person, corporation or other entity who:

- A. violates any Section of this Order; or
- B. makes unauthorized use of District services or facilities; or
- C. causes damage to District facilities by using such facilities in a manner or for a purpose contrary to the purpose for which such facilities were designed; or
- D. violates the District's Rules and Regulations Governing Sewer Lines and Sewer Connections; or
- E. uses or permits the use of any septic tank or holding tank within the District; or
- F. violates the District's Industrial Waste Order; or
- G. Constructs facilities or buildings which are not included in the approved plans for development as set forth in this Agreement;

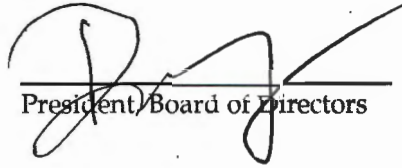
shall be subject to a penalty up to \$5,000.00 for each breach of the foregoing provisions. Each day that a breach of any provision hereof continues shall be considered a separate breach.

This penalty shall be in addition to the other penalties provided by the laws of the State and to any other legal rights and remedies of the District as may be allowed by law.


Section 19. Superseding Orders. This order supersedes all prior orders, resolutions and other actions of the Board concerning fees and charges for water and sewer services.



SIGNED AND SEALED this 19<sup>th</sup> day of July, 2017.

  
\_\_\_\_\_  
President, Board of Directors

ATTEST:

  
\_\_\_\_\_  
Secretary, Board of Directors

(SEAL)



## EXHIBIT "A"

### SERVICE AGREEMENT

1. **PURPOSE.** Cimarron Municipal Utility District of Harris County ("District") is responsible for protecting the drinking water supply from contamination or pollution, which could result from improper plumbing practices. The purpose of this service agreement is to notify each customer of the plumbing restrictions which are in place to provide this protection. The District enforces these restrictions to ensure the public health and welfare. Each customer must sign this agreement before the District will begin service. In addition, when service to an existing connection has been suspended or terminated, the District will not re-establish service unless it has a signed copy of this agreement.
2. **PLUMBING RESTRICTIONS.** The following unacceptable plumbing practices are prohibited by State regulations.
  - a. No direct connection between the public drinking water supply and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the public water supply by an air-gap or an appropriate backflow prevention device.
  - b. No cross-connection between the public drinking water supply and a private water system is permitted. These potential threats to the public drinking water supply shall be eliminated at the service connection by the installation of an air-gap or a reduced pressure-zone backflow prevention device.
  - c. No connection which allows water to be returned to the public drinking water supply is permitted.
  - d. No pipe or pipe fitting which contains more than 8.0% lead may be used for the installation or repair of plumbing at any connection which provides water for human use.
  - e. No solder or flux which contains more than 0.2% lead can be used for the installation or repair of plumbing at any connection which provides water for human use.
3. **SERVICE AGREEMENT.** The following are the terms of the service agreement between the District and [NAME OF CUSTOMER] (the "Customer").
  - a. The District will maintain a copy of this agreement as long as Customer and/or the premises is connected to the District's water system.
  - b. Customer shall allow his/her property to be inspected for possible cross-connections and other unacceptable plumbing practices. These inspections shall



be conducted by the District or its designated agent prior to initiating new water service; when there is reason to believe that cross-connections or other unacceptable plumbing practices exist; or any major changes to the private plumbing facilities. These inspections shall be conducted during the District's normal business hours.

- c. The District shall notify Customer in writing of any cross-connection or other unacceptable plumbing practice which has been identified during the initial inspection or the periodic reinspection.
- d. Customer shall immediately correct any unacceptable plumbing practice on his/her premises.
- e. Customer shall, at his/her expense, properly install, test and maintain any backflow prevention device required by the District. Copies of all testing and maintenance records shall be provided to the District.
- f. Customer understands and agrees that the District does not guarantee any specific quantify or pressure of water for any purpose whatsoever and that the District is not liable to customer for failure or refusal to furnish any particular amount or pressure of water to Customer at any time.

4. **ENFORCEMENT.** If Customer fails to comply with the terms of this Service Agreement, the District shall, at its option, either terminate service or properly install, test and maintain an appropriate backflow prevention device at service connection. Any expenses associated with the enforcement of this Service Agreement shall be billed to the Customer.

CUSTOMER'S SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

**EXHIBIT "B"**  
**Backflow Prevention Assembly Test and Maintenance Report**

The following form must be completed for each assembly tested. A signed and dated original must be submitted to the public water supplier for record keeping purposes.

**BACKFLOW PREVENTION ASSEMBLY TEST AND MAINTENANCE REPORT**

NAME OF PWS: \_\_\_\_\_

PWS I.D.#: \_\_\_\_\_

LOCATION OF SERVICE: \_\_\_\_\_

The backflow prevention assembly detailed below has been tested and maintained as required by TCEQ regulations and is certified to be operating within acceptable parameters.

Not needed at this address

**TYPE OF ASSEMBLY**

Reduced Pressure Principal  
 Double Check Valve

Pressure Vacuum Breaker  
 Atmosphere Vacuum Breaker

Manufacturer: \_\_\_\_\_

Size: \_\_\_\_\_

Model Number: \_\_\_\_\_

Located At: \_\_\_\_\_

Serial Number: \_\_\_\_\_

	Reduced Pressure Principal Assembly			Pressure Vacuum Breaker	
	Double Check Valve Assembly		Relief Valve	Air Inlet	Check Valve
	1st Check	2nd Check		Opened at _____psid	_____psid
Initial Test	DC-Closed Tight <input type="checkbox"/> RF _____psid Leaked <input type="checkbox"/>	Closed Tight <input type="checkbox"/> Leaked <input type="checkbox"/>	Opened at _____psid	Did Not Open <input type="checkbox"/>	Leaked <input type="checkbox"/>
Repairs and Materials Used					
Test After Repair	DC-Closed Tight <input type="checkbox"/> RF _____psid Leaked <input type="checkbox"/>	Closed Tight <input type="checkbox"/>	Opened at _____psid	Opened at _____psid	_____psid

The above is certified to be true.

Firm Name: \_\_\_\_\_

Certified Tester: \_\_\_\_\_

Firm Address: \_\_\_\_\_

Certified Tester No.: \_\_\_\_\_

Date: \_\_\_\_\_



**EXHIBIT "C"**

**Customer Service Inspection Certification**

Name of PWS \_\_\_\_\_

PWS I.D.# \_\_\_\_\_

Location of Service \_\_\_\_\_

I, \_\_\_\_\_, upon inspection of the private plumbing facilities connected to the aforementioned public water supply do hereby certify that, to the best of my knowledge:

	Compliance	Non-Compliance
(1) No direct connection between the public water supply and a potential source of contamination exists. Potential sources of contamination are isolated from the public water system by an air gap or an appropriate backflow prevention assembly in accordance with state plumbing regulations. Additionally, all pressure relief valves and thermal expansion devices are in compliance with state plumbing codes.	<input type="checkbox"/>	<input type="checkbox"/>
(2) No cross-connection between the public drinking water supply and a private water system exists. Where an actual air gap is not maintained between the public water supply and a private water supply, an approved reduced pressure zone backflow prevention assembly is properly installed and a service agreement exists for annual inspection and testing by a certified backflow prevention device tester.	<input type="checkbox"/>	<input type="checkbox"/>
(3) No connection exists which would allow the return of water used for condensing, cooling or industrial processes back into the public water supply.	<input type="checkbox"/>	<input type="checkbox"/>
(4) No pipe or pipe fitting which contains more than 8.0% lead exists in private plumbing facilities installed on or after July 1, 1988.	<input type="checkbox"/>	<input type="checkbox"/>
(5) No solder or flux which contains more than 0.2% lead exists in private plumbing facilities installed on or after July 1, 1988.	<input type="checkbox"/>	<input type="checkbox"/>
(6) No plumbing fixture is installed which is not in compliance with a state approved plumbing code.	<input type="checkbox"/>	<input type="checkbox"/>

Water service shall not be provided or restored to the private plumbing facilities until the above conditions are determined to be in compliance.

I further certify that the following materials were used in the installation of the plumbing facilities:

Service Lines:      Lead       Copper       PVC       Other   
 Solder:              Lead       Lead Free       Solvent Weld       Other

I recognize that this document will become a permanent record of the aforementioned Public Water System and that I am legally responsible for the validity of the information I have provided.

\_\_\_\_\_  
Signature of Inspector

\_\_\_\_\_  
Registration Number

\_\_\_\_\_  
Title

\_\_\_\_\_  
Type of Registration

\_\_\_\_\_  
Date

\_\_\_\_\_  
License Expiration Date

## EXHIBIT D

### CIMARRON MUNICIPAL UTILITY DISTRICT ORDER REGULATING THE INTRODUCTION OF WASTEWATER INTO THE SANITARY SEWER SYSTEM OF THE DISTRICT

#### SECTION A. PURPOSE

(1) This Order sets forth uniform requirements for Indirect Contributors into the Wastewater Facilities of the District and enables the District to comply with all applicable State and federal laws required by the Clean Water Act of 1977 as amended, and the General Pretreatment Regulations (40 CFR, § 403).

(2) The objectives of this Order are:

- (a) To prevent the introduction of Pollutants into the District's Wastewater Facilities which will interfere with the operation of the facilities or contaminate the resulting sludge;
- (b) To prevent the introduction of Pollutants into the District's Wastewater Facilities which will pass through the facilities, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the facilities;
- (c) To provide for equitable distribution of the cost of the District's Wastewater Facilities.
- (d) To protect both Publicly Owned Treatment Works personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
- (e) To promote reuse and recycling of industrial wastewater and sludge from the Publicly Owned Treatment Works;
- (f) To enable the District to comply with its National Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, and any other Federal or State laws to which the Publicly Owned Treatment Works is subject.

(3) This Order provides for the regulation of Indirect Contributors to the District's Wastewater Facilities through the issuance of permits to certain non-domestic Users and the enforcement of general requirements, authorizes monitoring and enforcement activities, requires User reporting, and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

(4) This Order shall apply to all Users of the District's Wastewater Facilities, whether such Users are located within or outside the boundaries of the District. Except as otherwise provided herein, the Board shall administer, implement and enforce the provisions of this Order.

## SECTION B. DEFINITIONS

Unless the context specifically indicates otherwise, the following terms and phrases, as used in this Order, shall have the meanings hereinafter designated:

- (1) Act or "the Act". The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended by the Clean Water Act, 33 U.S.C. 1251, et. seq.
- (2) Amenable to Treatment. Susceptible to reduction in concentration by Treatment routinely provided in the District's Wastewater Treatment Plant, to a level which is in compliance with federal and State effluent limitations for discharge into Waters of the State.
- (3) Biochemical Oxygen Demand (BOD5). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five (5) days at twenty degrees Centigrade (20EC) expressed in terms of weight and concentration (milligrams per liter (mg/l)).
- (4) Board. The Board of Directors of Cimarron Municipal Utility District.
- (5) Building Sewer. A sewer conveying Wastewater from the premises of a User to the Wastewater Facilities.
- (6) CFR. The Code of Federal Regulations, containing a codification of documents of general applicability and future effect, published by the office of the Federal Register, National Archives and Records Administration, as a Special Edition of the Federal Register.
- (7) Chemical Oxygen Demand (COD). A measure of the oxygen consuming capacity of inorganic and organic matter present in water or Wastewater as determined by oxygen consumed from a chemical oxidant in a specific test, but not differentiating between stable and unstable organic matter and thus not necessarily correlating with Biochemical Oxygen Demand.
- (8) Control Manhole or Control Point. A manhole or other facility which provides access to a Building Sewer and is located at some point before the Building Sewer discharge mixes with other discharges in the public sewer.
- (9) Cooling Water. The water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only Pollutant added is heat.



- (10) Daily Composite. Daily composite shall mean the composite of all samples of a user's wastewater that may be taken in any 24-hour period selected by the District. A daily composite shall be determined from not less than 3 grab samples or such higher number of samples as may be required by the District taken over equal time intervals, and may or may not be flow weighted at the option of the District.
- (11) District. Cimarron Municipal Utility District
- (12) District Operator. Si Environmental, LLC, 6420 Reading Road, Rosenberg, Texas 77471; (832) 490-1500; or such other company or Person as may from time to time be duly appointed by the District.
- (13) Environmental Protection Agency (EPA). The U.S. Environmental Protection Agency, or where appropriate, the term may also be used as a designation for the Administrator or other duly authorized official of said agency.
- (14) Floatable Grease. Grease, oil or fat in a physical state such that it will separate or stratify by gravity in water.
- (15) Garbage. Animal and vegetable wastes and residue from the preparation, cooking, and dispensing of food; and from the handling, processing, storage, and sale of food products and produce.
- (16) Grab Sample. An individual sample collected in less than fifteen (15) minutes.
- (17) Grease. Fatty acids, soaps, fats, waxes, petroleum products, oil, and any material which is extractable by hexane or freon solvent from an acidified sample and which is not volatilized during evaporation of the solvent.
- (18) Holding Tank Waste. Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks and vacuum-pump tank trucks.
- (19) Indirect Contributor. A Person who discharges or introduces non-domestic Pollutants from any source regulated under Section 307 (b) or (c) of the Act (33 U.S.C. 1317) into the District's Wastewater Facilities.
- (20) Industrial User. A Person who discharges Industrial Waste, provided that schools, churches and day care centers shall not be considered to be Industrial Users for purposes of this Order.
- (21) Industrial Waste. The water-borne solids, liquids, and/or gaseous wastes (including Cooling Water), excluding Normal Domestic Sewage, resulting from any industrial, manufacturing, trade, business, commercial, or food processing operation or process, or from the development of any natural resource, or any mixture of such solids, liquids or wastes with water or domestic sewage.

- (22) Industrial Waste Charge. The additional charge made on those Industrial Users that discharge into the Sanitary Sewer Industrial Wastes which are Amenable to Treatment but which exceed the concentration levels of Normal Domestic Sewage.
- (23) Interference. The inhibition or disruption of the Wastewater Facilities Treatment processes or operations which causes, or contributes to causing, a violation of any requirement of the NPDES Permit or TNRCC Permit.
- (24) May. The term “may”, when used herein, is permissible.
- (25) MGD. Million gallons per day.
- (26) Milligrams Per Liter (mg/l). A weight-to-volume ratio; the milligram-per-liter value multiplied by the factor 8.34 (pounds per gallon water) is equivalent to pounds of constituent per million gallons of water. It is the same as parts per million (ppm) for normal Wastewater.
- (27) Monthly Average. Monthly average with respect to any discharge limitation shall mean at the option of the District either: (i) the arithmetic average of all grab samples of a user's wastewater taken during a calendar month, or (ii) the arithmetic average of all daily composite samples of a user's wastewater calculated during a calendar month.
- (28) National Categorical Pretreatment Standard or Pretreatment Standard or Federal Categorical Pretreatment Standard. Any regulation containing Pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act (33 U.S.C. 1347) which applies to a specific category of Industrial Users.
- (29) National Pollutant Discharge Elimination System or NPDES Permit. A permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342), including a Texas Pollutant Discharge Elimination System or TPDES Permit issued by the TNRCC.
- (30) Normal Domestic Sewage. A combination of the water carried wastes, exclusive of ground, surface and Storm Waters and Industrial Wastes, normally discharging from the sanitary conveniences of dwellings (including apartment houses and hotels), office buildings, factories, and institutions in which the average concentration of 5-day BOD and Total Suspended Solids does not exceed 200 mg/l.
- (31) Person. Any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns.
- (32) pH. The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.

- (33) Pollutant. Any dredged spoil, solid waste, incinerator residue, sewage, Garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water.
- (34) Pretreatment or Treatment. The reduction of the amount of Pollutants, the elimination of Pollutants, or the alteration of the nature of Pollutant properties in Wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such Pollutants into the Wastewater Facilities.
- (35) Sanitary Sewer. A public sewer which carries domestic Wastewater and/or Industrial Wastes, and to which storm, surface, and groundwaters are not intentionally admitted.
- (36) Shall. The term "shall", when used herein, is mandatory.
- (37) Significant Industrial User. Any industry which discharges to the District's Wastewater Facilities that:
- (a) Is subject to categorical standards; or
  - (b) Discharges a nondomestic wastestream of 25,000 gallons per day (0.025 MGD) or more; or
  - (c) Contributes a nondomestic wastestream, which makes up five percent (5%) or more of the current average dry weather hydraulic or organic loading of the Wastewater Facilities; or
  - (d) Has a reasonable potential, in the opinion of the Board, to adversely affect the District's Wastewater Facilities whether by inhibition, passthrough of Pollutants, sludge contamination, or endangerment of personnel of the Wastewater Facilities or any other means.
- (38) Six Hour Composite Sample. A sample prepared from six Grab Samples collected no closer together than one hour per sample.
- (39) Slug Discharge. Any discharge of water, Wastewater, or Industrial Waste which, in concentration of any given constituent or in rate of flow, exceeds the grab sample concentration limit or flow rate limit as described in Section C.
- (40) Standard Methods. The laboratory procedures set forth in the latest edition, at the time of analysis, of "Standard Methods for the Examination of Water and Wastewater", as prepared, approved, and published jointly by the American Public



Health Association, the American Water Works Association, and the Water Pollution Control Federation.

- (41) State. State of Texas.
- (42) Storm Sewer. A public sewer that carries Storm Water, but excludes sewage and polluted Industrial Waste.
- (43) Storm Water. Runoff from rainfall or any other form of precipitation.
- (44) Texas Natural Resource Conservation Commission Permit or TNRCC Permit. A permit issued pursuant to Section 26.027 of the Texas Water Code.
- (45) Texas Open Records Act. The Texas Open Records Act, also known as the Texas Public Information Act is set forth in Chapter 552 of the Texas Government Code.
- (46) Total Suspended Solids (TSS). The total suspended matter, measured in mg/1, that floats on the surface of, or is suspended in, water, Wastewater or other liquids, and which is removable by laboratory filtering.
- (47) Trap. A device designed to skim, settle, or otherwise remove Grease, oil, sand, flammable wastes or other harmful substances.
- (48) User. Any Person who, whether as of the date hereof or hereafter, has a Building Sewer connected to the District's sewer, or contributes, causes or permits the contribution of Wastewater into the District's Wastewater Facilities, including those who discharge Holding Tank Waste into the facilities.
- (49) Wastewater. The liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any groundwater, surface water, and Storm Water that may be present, whether treated or untreated, which is contributed or discharged into or permitted to enter the Wastewater Facilities.
- (50) Wastewater Facilities. All facilities of the District for collecting, pumping, treating, and disposing of sewage, sludges and residues.
- (51) Wastewater Treatment Plant. Any District-owned facilities, devices, and structures used for receiving, processing, and treating Wastewater, Industrial Waste, and sludges from the Sanitary Sewers.
- (52) Waters of the State. All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public

or private, which are contained within, flow through, or border upon the State or any portion thereof.

### SECTION C. PROHIBITED DISCHARGES

No User shall contribute or cause to be contributed, directly or indirectly, any Pollutant or Wastewater which will interfere with the operation or performance of the District's Wastewater Facilities. No User shall contribute any of the following substances to any Sanitary Sewer:

- (1) Any inflows or infiltration, including but not limited to, Storm Water, groundwater, roof runoff, sub-surface drainage, noncontact Cooling Water, or from sources such as downspouts, yard drains, yard fountains or ponds, or lawn sprinklers.
- (2) Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances, likely to cause fire or explosion or be injurious in any other way to the Wastewater Facilities or to the operation of the Wastewater Facilities. At no time, shall two successive readings on an explosion hazard meter, at the point of discharge into the system (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. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, per chlorates, bromates, carbides, hydrides and sulfides and any other substances in concentrations which the District, the State or EPA has notified, or hereafter notifies, the User is a fire hazard or a hazard to the system.
- (3) Solid or viscous substances which may cause obstruction to the flow in a sewer or other Interference with the operation of the Wastewater Treatment Plant including, but not limited to, Garbage containing particles greater than one-half inch (1/2") in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud, glass grindings or polishing wastes. The District is entitled to review and approve the installation and operation of any Garbage grinder equipped with a three-fourth (3/4) horsepower or larger motor.
- (4) Any Wastewater having a pH less than 6.0 or higher than 9.0, as determined from a grab sample taken in less than fifteen (15) minutes and measured instantaneously, or Wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel of the Wastewater Facilities.
- (5) Any Wastewater containing toxic Pollutants in sufficient quantity, either singly or by interaction with other Pollutants, to injure or interfere with any Wastewater treatment process, which constitute a hazard to humans or animals, which create a toxic effect

in the receiving waters of the Wastewater Facilities, or which exceed the limitation set forth in a National Categorical Pretreatment Standard. A toxic Pollutant shall include, but not be limited to, any Pollutant defined or identified pursuant to Section 307(a) of the Act. A pollutant is further defined as toxic if that pollutant causes a failure in the bio-toxicity test as defined by standard methods of EPA.

- (6) Any Wastewater having a temperature which will inhibit biological activity in the Wastewater Treatment Plant or result in the Interference with the operations of such facility, but in no case Wastewater with a temperature at the designated Control Manhole which exceeds 65EC (150EF) or which causes the temperature of waste at the entrance to the Wastewater Treatment Plant to exceed 40EC (104EF). In addition, no Wastewater with such a temperature that will cause the temperature of Wastewater at the entrance to the Wastewater Treatment Plant to rise more than 10EF per hour.
- (7) Any Pollutants, including oxygen demanding Pollutants (BOD5, etc.) released at a flow rate and/or Pollutant concentration which will cause Interference to the Wastewater Facilities. No slug discharges are allowed.
- (8) A volume of flow which will inhibit biological activity at the Wastewater Treatment Plant, cause Interference, or hydraulically overload any portion of the collection or treatment system, or which exits the Wastewater Treatment Plant into Waters of the State in quantities or concentrations which causes or contributes to causing a violation of any requirement of the NPDES Permit or the TNRCC Permit. The design and installation of surge basins shall be subject to the review and approval of the District and to the requirements of all applicable laws.
- (9) Radioactive materials or isotopes of such half-life or concentrations which will permit a transient concentration higher than the maximum allowable as specified by the governing standards of all local, State and federal regulatory agencies.
- (10) Any of the hazardous metals listed in Exhibit "A" attached hereto in concentrations (in terms of milligrams per liter) greater than those listed on Exhibit "A." Exhibit "A" may be amended from time to time by the District as may be necessary to meet the objectives of this Order or otherwise comply with applicable law.
- (11) Heavy metals and toxic material in concentrations prohibited by State or federal regulations including, but not limited to those shown on Exhibit "B" attached hereto, as same may be amended from time to time by the District to reflect current State and federal regulations.
- (12) Cyanides or cyanogen compounds in excess of 0.5 mg/l.
- (13) Chlorides greater than 250 mg/l.



- (14) Dissolved sulfides greater than 30 mg/1.
- (15) Total Phenols greater than 7.5 mg/1.
- (16) Sulfates in concentrations which are not Amenable to Treatment.
- (17) BOD5 or Total Suspended Solids in excess of 1000 mg/1 or ammonia in excess of 125 mg/1 unless a variance is first obtained from the District BOD5 or Total Suspended Solids in concentrations between 200 mg/1 and 1000 mg/1 and ammonia in a concentration between 25 mg/1 and 125 mg/1 shall be subject to payment of Industrial Waste Charges pursuant to Section E herein.
- (18) Total dissolved solids greater than 1000 mg/1 including, but not limited to,
  - (a) sodium chloride
  - (b) sodium sulfate
- (19) Inert (nonvolatile) suspended solids greater than 250 mg/1 including, but not limited to:
  - (a) Fuller's earth
  - (b) lime slurries
  - (c) lime residues
- (20) Any wastewater containing any fats, wax, Grease, or oils, whether emulsified or not, in excess of 200 mg/1 or containing substances which may solidify or become viscous between 32EF and 150EF. These prohibitions include, but are not limited to:
  - (a) Floatable Grease of any origin;
  - (b) free or emulsified Grease of petroleum or mineral origin, or both, including, but not limited to:
    - (1) cooling or quenching oil;
    - (2) lubrication oil;
    - (3) cutting oil; or
    - (4) non-saponifiable oil.

- (21) Substances having a chlorine demand in excess of 10 mg/1, after biological treatment.
- (22) Substances having a COD demand in excess of 1000 mg/1.
- (23) Fluoride other than that contained in the public water supply, if any.
- (24) Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance, hazard to life or the environment, or are sufficient to prevent entry into the sewers for maintenance and repair.
- (25) Any Wastewater with objectionable color not removed in the Treatment process and which may interfere with laboratory analysis including, but not limited to, dye wastes, vegetable tanning solutions, and coffee processing wastes.
- (26) Any substance which might cause the Wastewater Facilities' effluent or any other product of the Wastewater Facilities such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or which might interfere with the reclamation process.
- (27) In no case shall a substance discharged to the Wastewater Facilities cause the Wastewater Facilities to be non-compliant with federal or State sludge use or disposal criteria, guidelines or regulations.
- (28) Any substance which will cause the Wastewater Facilities to violate its NPDES and/or TNRCC permit or the receiving water quality standards.
- (29) Any Wastewater which is a hazard to human life or the environment or which creates a public nuisance.
- (30) Any Wastewater trucked to the Wastewater Facilities, except at locations, if any, determined by the District.

When the District determines that a User is contributing any prohibited discharge into the District's Wastewater Facilities in such amounts as to interfere with the operation of the Wastewater Facilities or cause Interference, the District shall: 1) advise the User of the impact of the contribution on the Wastewater Facilities; and 2) develop effluent limitation(s) for such User to correct the interference with the Wastewater Facilities.

SECTION D. FEDERAL CATEGORICAL PRETREATMENT STANDARDS; INDUSTRIAL USER WASTEWATER DISCHARGE PERMIT

Upon the promulgation of Federal Categorical Pretreatment Standards for a particular industrial subcategory, such Federal Standards, if more stringent than limitations imposed under this Order for sources in that subcategory, shall immediately supersede the limitations imposed under this Order. The District will continually survey Users of the District's Sanitary Sewer system, and after evaluation of the survey information, shall notify all affected Users of the applicable reporting requirements under 40 CFR § 403.12 and a revised Wastewater discharge permit shall be required of each affected User by the District. The District shall have the authority to amend such permit whenever required by federal, State or local regulatory agencies.

After the period of time has lapsed for affected Users to obtain an Industrial User Wastewater discharge permit as set forth in this section, it shall thereafter be unlawful for such affected Users to discharge without such permit into any of the District's Wastewater Facilities. All existing affected Industrial Users connected to or contributing to the District's Wastewater Facilities shall obtain an Industrial User Wastewater discharge permit within 60 days after the effective date of this Order.

All Industrial Users are required to obtain an Industrial User Wastewater discharge permit and must complete and file with the District an application in the form prescribed by the District. Existing affected Users shall apply for such permit within 30 days after the effective date of this Order. Proposed new Industrial Users shall apply at least 90 days prior to connecting to or contributing to the District's Wastewater Facilities. In support of the application, the affected User shall submit, in units and terms appropriate for evaluation, the following information:

1. Name, address, and location of User's facility (if different from the address);
2. SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1987, as amended;
3. Wastewater constituents and characteristics including, but not limited to, those mentioned in Section C of this Order as determined by a reliable analytical laboratory; sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304(g) of the Act and contained in 40 CFR, Part 136 as amended;
4. Time and duration of contribution;
5. Average daily and 30 minute peak Wastewater flow rates, including daily, monthly and seasonal variations, if any;
6. Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections, and appurtenances by the size, location and elevation;



7. Description of activities, facilities and plant processes on the premises including all materials which are or could be discharged;
8. Where known, the nature and concentration of any Pollutants in the discharge which are limited by any District, City, State, or Federal Pretreatment Standards, and a statement regarding whether or not the Pretreatment standards are being met on a consistent basis and if not, whether additional Operation and Maintenance (O&M) and/or additional Pretreatment is required for the User to meet applicable Pretreatment Standards;
9. If additional Pretreatment and/or O&M will be required to meet the Pretreatment Standards, the shortest schedule by which the User will provide such additional Pretreatment. The completion date in this schedule shall not be later than the compliance date established by any District, City, State or federal guidelines or regulations.

The following conditions shall apply to this schedule:

- (a) The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional Pretreatment required for the User to meet the applicable Pretreatment Standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.).
  - (b) No increment referred to in subparagraph (a) shall exceed 9 months.
  - (c) Not later than 14 days following each date in the schedule and the final date for compliance, the User shall submit a progress report to the District including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the User to return the construction to the schedule established. In no event shall more than 9 months elapse between such progress reports to the District.
10. Each product produced by type, amount, process or processes and rate of production;
  11. Type and amount of raw materials processed (average and maximum per day);
  12. Number and type of employees, and hours of operation of plant and proposed or actual hours of operation of Pretreatment system;
  13. Any other information as may be deemed by the District to be necessary to evaluate the permit application.

The District will evaluate the data furnished by the User and may require additional information. After evaluation and acceptance of the data furnished, the District may issue an Industrial User Wastewater discharge permit subject to such terms and conditions as the District deems reasonable and necessary. A permit issued to any person identified as a significant industrial user shall contain at minimum the following: a statement of duration (in no case more than five (5) years); a statement of nontransferability without prior notification to the District and provision of a copy of the existing permit to the new owner or operator; effluent limits based on applicable general pretreatment standards, categorical pretreatment standards, local limits, and state and local law; self-monitoring, sampling, reporting, notification and record keeping requirements; and a statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements as well as any applicable compliance schedule.

A permit issued pursuant to this Order shall be valid for a period of five (5) years. A permit fee of one thousand dollars (\$1,000.00) shall be paid to the District in equal installments of \$200.00 each, with the first of such payments being due and payable on the date of issuance of such permit and continuing thereafter on the same date in each successive year until paid in full.

#### SECTION E. INDUSTRIAL WASTE CHARGE

In addition to the permit fee set forth above and the Wastewater service charges made by the District, all customers of the District that discharge Industrial Waste into the Sanitary Sewer collection systems or into the District's Wastewater Facilities shall pay the Industrial Waste Charges provided for herein. If the District determines that the volume or the character of Industrial Waste to be treated by the District's Wastewater Facilities will not cause overloading of the Wastewater Facilities, the Person responsible for the discharge of Industrial Waste shall nevertheless pay equitable Industrial Waste Charge sufficient to provide payment for the amortization of all capital expenses for the collection and treatment of Industrial Waste (excluding new capital expenses and a proportionate share of the value of the existing Wastewater Facilities used in handling and treating the Industrial Waste, but taking into account amortization costs resulting from annual tax payments) and operation and maintenance costs including salaries and wages, power costs, cost of chemicals and supplies, allowances for maintenance, depreciation, overhead and administrative and general expense. For such purposes, amortization shall be considered to be completed in a fifteen year period.

(1) The Industrial Waste Charge shall be calculated based upon the formula set forth on Exhibit "C" attached hereto, as same may be amended by the District from time to time.

(2) Those industries defined herein as dry industries, or industries producing waste containing BOD of less than two hundred (200) milligrams per liter (mg/l), suspended solids of less than two hundred (200) mg/l and ammonia less than twenty-five (25) mg/l, will pay a sewer service charge at the uniform rate as set forth in the District's Rate Order as same may be amended from time to time.

(3) When either BOD is equal to or exceeds two hundred (200) mg/l, ammonia is equal to or exceeds 25 mg/l, or suspended solids is equal to or exceeds two hundred (200) mg/l in a



delivered waste, the formula provided in subsection (1) above shall be used to determine the industrial Waste Charges. The amount of BOD to be used in the formula shall equal to the actual amount or two hundred (200) mg/1, whichever is greater. The amount of ammonia to be used in the formula shall equal the actual amount of ammonia or 25 mg/1, whichever is greater. The amount of suspended solids to be used in the formula shall equal the actual amount or two hundred (200) mg/1, whichever is greater.

(4) When an industry produces both domestic and processed waste with one connection to the sewer system, the waste so delivered shall be considered as Industrial Waste with uniform rate, or by Industrial Waste Charge computations, in compliance with the above, based on the combined volume, BOD, suspended solids and ammonia content.

(5) A permittee may reduce its Industrial Waste Charge rate by greater removal in Pretreatment or plant operation procedure. Once the Pretreatment or plant procedure is established, consent from the District to increase the delivered strength shall be required, and charges for a higher rate based on tests by the District may be made without other notice to the permittees.

(6) The District shall review and, if appropriate, adjust the Industrial Waste Charge at least annually to reflect changes in the characteristics of the Industrial Waste based upon the results of sampling and testing. The District shall also review at least annually the basis for determining Industrial Waste Charge and shall adjust the unit Treatment costs in the above formula to reflect increases or decreases in the waste treatment costs based upon the previous year's experience. Increases in Industrial Waste Charge shall be retroactive for two (2) billing periods and shall continue for two (2) billing periods unless subsequent tests determine that the charge should be further increased. The District shall bill its customers in a manner which will show Industrial Waste Charge as a separate item from Wastewater service charges.

#### SECTION F. SPILL PREVENTION PLANS

(1) Each Industrial User shall provide protection from accidental discharge of prohibited materials or other substances regulated by this Order. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or User's sole cost and expense. Detailed plans showing facilities and operation procedures to provide such protection shall be submitted by the User to the District for review, and such User must obtain District approval before construction of the facility. No Industrial User who commences contribution to the District's Wastewater Facilities after the effective date of this Order shall be permitted to introduce Pollutants into the system until accidental discharge procedures have been approved by the District. Review and approval of such plans and operating procedures shall not relieve the User from the responsibility to modify the User's facility as necessary to meet the requirements of this Order and any amendments hereto. In the case of an accidental discharge, it is the responsibility of the User to immediately telephone and notify the District Operator of the incident and provide the following information: location of discharge, type of waste, concentration and volume, and corrective actions. Notification of an accidental discharge to the District does not relieve the user of requirements to notify the appropriate State and/or Federal agencies.



(2) Within five (5) days following an accidental discharge, the User shall submit to the District a detailed written report describing the cause of the discharge and the measures to be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability which may be incurred as a result of damage to the District's Wastewater Facilities, fish kills, or any other damage to Persons or property; nor shall such notification relieve the User of any fines, civil penalties, or other liability which may be imposed by this Order or other applicable law.

(3) A notice shall be permanently posted by the User on the User's bulletin board or other prominent place advising employees to telephone and notify the District Operator in the event of a dangerous discharge. It shall be the responsibility of such User to notify all its employees who may cause or suffer such a discharge to occur of such emergency notification procedure.

(4) Any related costs, including fines, fees or court costs, involved in the cleaning up of accidental spills shall be paid by the Industrial User causing such spill. This shall include the costs of cleaning up the District's Wastewater Facilities, and the costs shall include any labor, equipment or materials involved. The cleaning up of the District's Wastewater Facilities shall be completed by the District's operator or other contractor approved by the District.

#### SECTION G. SUPERVISION

If the District or its designated representative determines that a discharge or a proposed discharge into the Wastewater Facilities may deleteriously affect the Wastewater Facilities or receiving waters, or create a hazard to life or health, or create a public nuisance, it may require any one or more of the following:

- (1) Pretreatment to an acceptable condition for discharge into the Wastewater Facilities;
- (2) Control over the quantities and rates of discharge; and
- (3) Industrial waste charge payments sufficient to compensate the District for the cost of handling and treating the waste.

#### SECTION H. PRETREATMENT

(1) The owner of premises from which Industrial Waste is discharged shall provide Grease and sand Traps for the proper handling of liquid wastes containing Grease or sand. The Traps must be of a type and capacity approved by the District to adequately handle the waste and must be located so that they are easily accessible for cleaning, inspection and monitoring.

(2) When Pretreatment of waste is required by the District as a condition for acceptance of the waste into the District's Sanitary Sewer, the owner of the premises from which the waste is discharged shall plan, construct, operate and maintain waste treatment facilities in an efficient manner at his sole cost and expense. Plans for such facilities must be submitted for, and receive, District approval prior to beginning installation or construction. In the event that the installation of

Pretreatment facilities is necessary for a User to meet applicable federal Pretreatment standards, the District shall establish and enforce deadlines for the installation of such facilities.

(3) No owner or operator of premises from which Industrial Waste is discharged shall allow the use of extraneous water intermixed for the purposes of diluting the concentration of waste.

SECTION I. INSPECTION CHAMBERS

(1) An Industrial User that discharges waste into the District's Sanitary Sewer or Wastewater Facilities shall provide, at his sole cost and expense, an inspection manhole or chamber in an accessible location on the premises from which such waste is discharged.

(2) An inspection manhole or chamber must be:

- (a) located reasonably near the outlet of each sewer, drain, pipe, or channel that connects with the Sanitary Sewer or Wastewater facility; and
- (b) designed and constructed to prevent infiltration by ground and surface water; and
- (c) maintained so that a Person may easily and safely measure volume and obtain flow samples.

(3) Before beginning construction of an inspection manhole or chamber, an Industrial User shall submit plans to the District for review and approval to insure compliance with this section. Plans must include the sewage metering device if one is to be installed.

SECTION J. SAMPLING OF WASTE

(1) The District is authorized to require samples of waste discharges from Users as often as necessary to adequately monitor and control the discharges. In the event the District requires such samples, a User shall retain the services of a reputable commercial laboratory acceptable to the District and pay all costs of sample collection and laboratory services and to determine and report the Wastewater characteristics. Users shall retain records of sampling results at their premises for three years from the date such samples were taken.

(2) Each User subject to federal categorical Pretreatment standards shall submit self-monitoring reports as required by 40 CFR § 403.12.

(3) The District may take samples of waste discharges from Users as often as is necessary to adequately monitor and control the discharges. The cost of such sampling and laboratory analysis shall be paid by the Users. If additional sampling is necessary to track a prohibited Discharge and the responsible entity is identified, this responsible entity shall pay all costs associated with that investigation.

(4) Samples may be taken manually or by use of mechanical equipment. The District may require a User to install, use and maintain monitoring equipment. Standard methods laboratory procedures shall be used for determining concentrations of Industrial Waste.

#### SECTION K. RIGHT OF ENTRY

The District and other authorized representatives or employees of the District, bearing proper credentials and identification, shall be permitted to enter immediately upon any premises in which a Wastewater source is located, or in which any records required to be maintained pursuant to this Order are located, and may at reasonable times have access to and copy any records, and conduct any inspection, observation, measurement, sampling, or testing necessary to enforce this Order. Reasonable times shall mean any time when waste is being discharged or any time during normal operating hours.

#### SECTION L. TRADE SECRETS

All information and data relating to a User which is obtained from reports, questionnaires, monitoring programs or inspections shall be available to the public without restriction.

#### SECTION M. FEES

(1) It is the purpose of this Section to provide for the recovery of costs from Users of the District's Wastewater Facilities related to the implementation of the program(s) established herein. The applicable charges or fees shall be set forth by the District and may be revised from time to time.

- (2) The District may adopt any one or more of the following charges and fees:
- (a) fees for reimbursement of costs of setting up and operating the District's Pretreatment Program;
  - (b) fees for monitoring, inspections and surveillance procedures;
  - (c) fees for reviewing accidental discharge procedures and construction;
  - (d) fees for removal (by the District) of Pollutants otherwise subject to National Categorical Pretreatment Standards;
  - (e) Industrial Waste Charges;
  - (f) engineering and legal fees to review User's plans as required herein;
  - (g) other fees as the District may deem necessary to carry out the requirements contained herein.



## SECTION N. NOTIFICATION OF VIOLATION

Whenever the District finds that any User has violated or is violating this Order, the District shall serve notice, either personally or by certified mail, return receipt requested, upon such Person stating the nature of the violation. Within fifteen (15) days of service of such notice, a plan for satisfactory correction thereof shall be submitted to the District by such User. If such a plan is not submitted, or if such violation is not corrected within such fifteen (15) day period, unless User has perfected his right to review pursuant to Section O below, the District shall proceed with enforcement pursuant to Section S; provided, however, nothing contained in this Section or any other Section of this Order shall prevent the District or the Board from taking action in an emergency situation pursuant to Section P below.

## SECTION O. REVIEW

Any User objecting to a finding by the Board of a violation of this Order shall have the right as set forth herein to a hearing before the Board. In the event such User disagrees with the District's finding of such violation(s), the User shall, within fifteen (15) days of service of such notice by the District, serve notice by certified mail, return receipt requested, on the District, that such User disagrees with the District's finding and, further, that such User requests a hearing before the Board. Such hearing shall be conducted at the next regular or special meeting of the Board which is held not less than ten (10) days following the date of User's service of notice on the District. At such hearing, both sides will be allowed to present such testimony as is reasonably necessary to present a clear understanding of the contested issues. The Board President, or, in the absence of the President, any other director, shall be the presiding officer and may at his discretion request other professional opinions prior to the Board's rendering a decision on the matter of review. For implementation purposes, the District will be the sole interpreter of this Order.

## SECTION P. EMERGENCY RELIEF

Notwithstanding anything contained herein to the contrary, the District may immediately suspend Wastewater treatment service to a User when such suspension is necessary, in the opinion of the Board, in order to stop or prevent an actual or threatened discharge that presents an imminent and/or substantial danger to the health or welfare of Persons, the environment, or the District's Wastewater Facilities or that causes, or would cause, the District to violate any of the terms of its NPDES Permit or its TNRCC Permit. The District shall reinstate the Wastewater service upon proof by the User of the elimination of the noncomplying discharge.

## SECTION Q. NOTICE

Notice to the District required hereunder shall be served at the following address:  
Cimarron Municipal Utility District  
Allen Boone Humphries LLP  
3200 Southwest Freeway  
Suite 2600  
Houston, Texas 77027

#### SECTION R. PENALTY FOR VIOLATION

Each violation of this Order shall be deemed a violation of the District's Rate Order and shall be punishable by a civil penalty as set forth in the District's Rate Order as same may be amended from time to time. Each day's violation shall be and constitute a separate offense. In addition, the violator may be required to pay attorney's fees and court costs as set forth in said Rate Order.

#### SECTION S. ENFORCEMENT

Any one or more of the following remedies may be utilized by the District to abate or prevent any violation of this Order:

- (1) Discontinuance of water service.
- (2) Disconnection and sealing of Sanitary Sewer connection.
- (3) The District may and is hereby authorized to:
  - (a) File suit in a court of competent jurisdiction to secure appropriate judicial relief, including, but not limited to, injunctive relief and/or the penalty provided in Section R for the violation by such User of the provisions of this Order.
  - (b) Seek a resolution of the Board authorizing the filing of a lawsuit under the provision of Section 26.124 of the Texas Water Code.

#### SECTION T. SEVERABILITY

All orders or parts of Orders in conflict herewith are hereby repealed to the extent of such conflict. The invalidity of any section, clause, sentence, provision or provisions of this Order shall not affect the validity of any other part or parts of this Order, which other part or parts shall be given effect as though such invalid section, clause, sentence or provision were omitted.

#### SECTION U. EFFECTIVE DATE

This Order shall be effective upon adoption.

ADOPTED this 16<sup>th</sup> day of January, 2008.

CIMARRON MUNICIPAL UTILITY DISTRICT

/s/ Jeff Dillard

President, Board of Directors

ATTEST:

/s/ Mark Curtis

Secretary, Board of Directors

(SEAL)



EXHIBIT A  
HAZARDOUS METALS

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NOT TO EXCEED (mg/l)

<u>Metal</u>	<u>Monthly Average</u>	<u>Daily Composite</u>	<u>Grab Sample</u>
Arsenic	0.1	0.2	0.3
Barium	1.0	2.0	4.0
Cadmium	0.005	0.1	0.2
Chromium	0.5	1.0	5.0
Copper	0.5	1.0	2.0
Lead	0.5	1.0	1.5
Manganese	1.0	2.0	3.0
Mercury	0.005	0.0	0.00
Nickel	1.0	2.0	3.0
Selenium	0.05	0.1	0.2
Silver	0.05	0.1	0.2
Zinc	1.0	2.0	6.0

EXHIBIT B  
HEAVY METALS AND TOXIC MATERIALS

- (a) Antimony
- (b) Beryllium
- (c) Bismuth
- (d) Boron
- (e) Cobalt
- (f) Molybdenum
- (g) Uranium
- (h) Rhenium
- (i) Strontium
- (j) Tellurium
- (k) Fungicides
- (l) Herbicides
- (m) Pesticides

EXHIBIT C  
INDUSTRIAL WASTE CHARGE CALCULATION

$$UC = Q[W + X(\text{BOD} - 200) + Y(\text{N} - 25) + Z(\text{SS} - 200)]$$

Formula values are:

UC = Industrial Waste Charge (in dollars)

Q = Billable quantity (based on water billed or actual measurement of Wastewater discharged) of Wastewater in thousands of gallons.

W = \$0.50

X = \$0.0034

Y = \$0.0125

Z = \$0.0009

BOD = Five-day, twenty (20) degrees Celsius, biochemical oxygen demand content of the waste delivered, in mg/l based on monthly average concentration

N = Ammonia content of the waste delivered, in mg/l based on monthly average concentration

SS = Suspended solids content of the waste delivered, in mg/l based on monthly average concentration