

SECRETARY'S CERTIFICATE

THE STATE OF TEXAS
COUNTY OF HARRIS
NORTH GREEN MUNICIPAL UTILITY DISTRICT

We, the undersigned officers of the Board of Directors (the "Board") of North Green Municipal Utility District (the "District"), hereby certify as follows:

1. The Board convened in regular session, open to the public, on April 11, 2023 at the offices of Arete Real Estate & Development Company, 340 N Sam Houston Parkway E, Suite 140, Houston, Harris County, Texas 77060 and the roll was called of the members of the Board, to-wit:

Joe Fogarty, President
James Shipman, Vice President
Howard C. Chapman, Secretary
John Cole, Assistant Secretary
Frank Tanner, Assistant Secretary

All members of the Board were present, except the following: Director Perrone, thus constituting a quorum. Whereupon among other business, the following was transacted at such Meeting: A written


ORDER AMENDING RATE ORDER

as duly introduced for the consideration of the Board and read in full. It was then duly moved and seconded that such Order be adopted; and, after due discussion, such motion, carrying with it the adoption of such Order, prevailed and carried by the following votes:

AYES: 5 NOES: 0

2. 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; such Order has been duly recorded in the Board's minutes of such Meeting; the above and foregoing paragraph is a true, full, and correct excerpt from the Board's minutes of such Meeting pertaining to the adoption of such Order; the persons named in the above and foregoing paragraph are the duly chosen qualified, and acting officers and members of the Board as indicated therein; 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 such Meeting, and that such Order would be introduced and considered for adoption at such Meeting and each of such officers and members consented, in advance, to the holding of such Meeting for such purpose; and such Meeting was open to the public, and public notice of the time, place, and purpose of such Meeting was given, all as required by Chapter 551, Texas Government Code, as amended, and Section 49.063, Texas Water Code, as amended.

SIGNED AND SEALED this _____, 2023.



President, Board of Directors

ATTEST:



Secretary, Board of Directors

ORDER AMENDING AND RESTATING CONSOLIDATED RATE ORDER

NORTH GREEN MUNICIPAL UTILITY DISTRICT

Amended Rate Order at Special Meeting on 4/11/23

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EXHIBIT A – Sample Service Agreement

EXHIBIT B – Sample Backflow Prevention Assembly Test and Maintenance Report

EXHIBIT C – Sample Customer Service Inspection Certification

EXHIBIT D – Rules and Regulations Governing Waterworks and Sanitary Sewer System

EXHIBIT E – Regulations of Commercial and Industrial Wastes

EXHIBIT F – Rules and Regulations Governing Grease and Lint Traps

EXHIBIT G – Rules and Regulations Governing Drainage and/or Storm Sewer Facilities

EXHIBIT H – Rules and Regulations Governing Unauthorized Connections or Services

ORDER AMENDING AND RESTATING CONSOLIDATED RATE ORDER

THE STATE OF TEXAS §
COUNTY OF HARRIS §
NORTH GREEN MUNICIPAL UTILITY DISTRICT §

WHEREAS, the Board of Directors (the “Board”) of North Green Municipal Utility District (the “District”) deems it appropriate and necessary to amend the rate order and to restate such Order as so amended to be effective July 14, 2020.

IT IS, THEREFORE, ORDERED BY THE BOARD OF DIRECTORS OF NORTH GREEN MUNICIPAL UTILITY DISTRICT THAT:

I. Connections.

A. Waterworks and Sanitary Sewer. All connections to the waterworks of the District shall be made by the District’s operator. All connections to the sanitary sewer system of the District may be made by the customer under the conditions stated herein and shall be inspected and approved by the District’s operator before back filling. Each commercial and industrial customer shall construct a waste sampling port which is available to the District operator through public easements and such other pretreatment or sampling facilities required by the District operator. Each commercial connection to the sanitary sewer system of the District shall include a grease trap. In addition, all underground piping downstream from the water connection or upstream from the sanitary sewer connection shall be inspected by the District’s operator to insure compliance with the District’s Rules and Regulations adopted by this Order and applicable building permits prior to back filling or pouring of the slab.

B. Review of Backflow Prevention Devices. Any backflow prevention device required by these rules must be located on each potable or irrigation service between the meter and the building foundation or prior to the first branch in the service line and designed and constructed to facilitate maintenance of the installation and inspection. Before beginning construction of a backflow preventer, a commercial user shall submit plans to the District for review and approval to insure compliance with this section.

C. Plat Requirement. Notwithstanding anything herein to the contrary, the operator shall make no connection to the District’s water or sanitary sewer collection system unless either

(1) the tract, parcel, or lot of land to be served by such connection is part of an area covered by a development plat duly approved pursuant to chapter 212, Texas Local Government Code, as amended, or pursuant to an ordinance, rule, or regulation relating to such a development plat,

(2) the operator has been presented with or the customer must otherwise hold a certificate applicable to such tract, parcel, or lot of land issued by or on behalf of the Planning Commission or City Council of the City of Houston, Texas, under sections 212.002 and 212.009, Texas Local Government Code, as amended, stating that either a plan, plat, or replat of such

tract, parcel, or lot either is not required or has been reviewed and approved by such Commission or Council, or

(3) such tract, parcel, or lot was first connected to such system prior to September 1, 1987.

II. Fees.

A. General Requirement. Any party desiring a connection to the District's waterworks or sanitary sewer system shall complete and file with the District's operator an application therefor in the form attached hereto as *Exhibit A*, or such other form as such operator may prescribe from time to time, and shall pay the fees and deposits required by this Rate Order. No connection shall be made until such fees and deposit are paid and the requirements with respect to water taps and sewer taps set forth in the District's rules have been met.

B. Water Tap Installation Inspection and Inspection Fees. The water tap fees and sewer and other inspection fees shall be calculated as follows, except that no fee shall be more than three times the cost to the District:

- (i) Commercial or Industrial: Cost to the District plus 200%.
- (ii) Residential: \$800.00 (for up to a 3/4 inch meter).
- (iii) Non-taxable entities: All connection charges to a non-taxable entity shall be established by the District on a case-by-case basis, but shall not exceed the actual cost of all facilities that are necessary to provide District services to such entity and that are financed or are to be financed in whole or in part by tax-supported revenue bonds of the District for construction, installation and inspection of the tap or connection to District water, sanitary sewer, or drainage facilities, including all necessary service lines and meters and all fees and expenses incurred due to services performed by, but not limited to, the District's Operator and/or District's Engineer.
- (iv) Residential Customer Service Inspections \$100.00 per initial inspection or for any residential re-inspection.
- (v) Pre and post construction facilities inspection \$50.00 each, plus repair costs to district facilities.
- (vi) Residential sanitary sewer inspection fee shall be \$150 per inspection.
- (vii) Commercial inspection fees shall be the cost to the District.
- (viii) Inspection for possible need of a backflow preventer (or the installation of a backflow preventer) or for other potential health hazards - \$25.00 minimum charge to customer or actual cost to the District.

C. Temporary Meter. The District will install at the request of any builder, contractor, or similar person a special meter attached to any flushing valve within the District to provide a temporary supply of water for construction purposes. Such meter shall be installed upon application and deposit of \$750, which amount shall be applied to payment of the District's water service charge for water actually used and for any damages and the balance, after a deduction of a \$75 installation charge, returned upon disconnection of the meter. No builder, contractor, or similar person shall otherwise draw water from any flushing valve within the District.

D. Transfer Fee. Each person requesting new service at an existing account address must pay a transfer fee for transfer of service of \$25.00 to be included in the first billing for monthly service.

E. Builder Deposit. Each person requesting a water or sanitary sewer connection shall establish with the District a deposit conditioned upon compliance with the District's Rules and Regulations adopted by this Order and payment in full of any damage to the District's waterworks and sanitary sewer system caused by the person and water and sewer service charges assessed against such person. Such deposit shall be returned after the sanitary sewer service line has been inspected and connected to the District's sanitary sewer system. The amount of each such deposit shall be computed in accordance with the following schedule:

2 inch meter or less: **\$1000**

Over 2 inch meter: **\$1500**

An active residential builder in the District may deposit \$1,500 for this purpose, which deposit shall be returned without payment by the District of interest and retention by the District of all District backcharges to the builder for cost of service and damages, when the builder ceases building activity in the District, upon written request therefor from the builder.

F. Inspection of Backflow Prevention Devices. The customer shall notify the District operator on the customer's intention to construct a backflow prevention device and such construction shall be inspected by the District's operator. The cost of such inspection will be charged to and paid by the customer in accordance with this order.

III. **Inspections.**

A. **Inspection of Backflow Devices.**

(1) All backflow prevention assemblies shall be tested by a recognized backflow prevention assembly tester upon installation and certified to be operating within specifications. This inspection shall be conducted by the District operator prior to the time the operator makes a permanent water connection to the District's system and shall submit a test report in the form of *Exhibit B* for the District's records.

(2) Backflow prevention assemblies which are installed to provide protection against high health hazards must also be tested and certified to be operating within specifications at least annually. A high health hazard is defined 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. A customer at an establishment which presents high health hazards, as determined by the District operator, must submit to a test at least annually by the District operator.

(3) To be a recognized backflow prevention assembly tester, a person shall meet the standards promulgated by the Commission.

(4) Gauges used in the testing of backflow prevention assemblies shall be tested for accuracy annually in accordance with the University of Southern California's Foundation of Cross Connection Control and Hydraulic Research and/or the American Water Works Association Manual of Cross Connection Control (Manual M-14). Testers shall include test gauge serial numbers on "Test and Maintenance" report forms. A test report must be completed by the recognized backflow prevention assembly tester for each assembly tested. The signed and dated original must be submitted to the District for record keeping purposes.

(5) The use of a backflow prevention device at the service connection shall be considered as additional backflow protection and shall not negate the use of backflow protection on internal hazards as outlined and enforced by local plumbing codes.

B. Customer Service Inspections.

(1) A customer service inspection certification in the form attached hereto as *Exhibit C* must be ordered by the customer and completed by the District operator: (1) prior to the time the District's operator provides permanent sanitary sewer service or permanent water service to a new connection in the District, (2) within five days after an existing customer receives notice from the District that it has reason to believe that cross-connections or other unacceptable water distribution practices exist at his establishment, or (3) within 30 days after any material improvement, correction or addition is made to the private water distribution facilities of any connection. Only the District's operator can perform such inspections.

(2) The existence of private water distribution facilities in violation of the District's rules is an undesirable water distribution practice. Upon discovery of any such condition, the District may immediately terminate water service to the connection to protect the integrity of its public water system. Service will be restored only when the source of potential contamination no longer exists or when sufficient additional safeguards have been taken.

C. Firelines. The District, from time to time as it deems necessary, may have its designated representative inspect any firelines, which inspection however shall be during the normal business hours of the establishment being inspected. The actual cost to the District of such inspection shall be paid by the customer.

D. Customer Requests. Whenever a customer asks the District to inspect its lines and facilities and the inspection shows that the customer's problem arises from his private sewer or water lines, and not the District's, the District shall charge the customer the cost of such inspection, and the customer shall promptly remit the charge to the District. Whenever the District is required to reinspect a grease and lint trap because the first inspection showed a violation of the district's rules and regulations, the District shall charge the customer the cost of

such inspection, and the customer shall promptly remit the charge to the District, in addition to any other penalty or cost which may be assessed against such customer hereunder.

IV. Service Rates, Deposits, and Service Agreements.

A. Rates. The following rates and charges for the sale of water and the collection and disposal of sewage including solid waste collections, shall be in effect within the District. The District's water and sewer rates as set forth in this Rate Order include the regulatory assessment the District is required to charge each customer to pay the Commission, but does not include the City of Houston GRP fee, which shall be added as provided in this Order or as billed as amended by the City from time to time.

MONTHLY WATER SERVICE RATES

Single Family Residential

<u>Gallons</u>	<u>Amount</u>
0-5,000 gallons (minimum)	\$8.30
5001-10,000 gallons	\$0.45/1,000 gallons
10,001-15,000 gallons	\$0.75/1,000 gallons
over 15,000 gallons	\$1.05/1,000 gallons

Multi-Family Residential

<u>Gallons</u>	<u>Amount</u>
0-5,000 gallons (minimum)	\$27.28
5001-10,000 gallons	\$0.98/1,000 gallons
10,001-15,000 gallons	\$1.63/1,000 gallons
over 15,000 gallons	\$2.28/1,000 gallons

Commercial

<u>Gallons</u>	<u>Amount</u>
0-5,000 gallons	\$2.00
6-10,000 gallons	\$0.15/1,000 gallons
11-15,000 gallons	\$0.25/1,000 gallons
16-20,000 gallons	\$0.35/1,000 gallons

In addition to these charges the District will pass on the user the current pumpage fee from the City of Houston. This charge will be calculated by multiplying the current pumpage fee from the City of Houston times the total gallons consumed and prorating the charge plus 10% between all customers based on usage. The current fee is \$0.82 per 1,000 gallons as of April 1, 2014 and such charge will change as the city GRP fee increases to the District.

Multi-Family or Apartment units served by a master meter shall be charged as follows: The total number of gallons metered shall be divided by the number of apartment units to determine the average usage per unit. The average usage per unit shall be rounded up to the nearest 1,000 gallons for purposes of computing the amount to be charged hereunder. The rates specified above shall then be applied to such average usage to determine the amount to be charged per unit. The charge per unit then shall be multiplied by the number of apartment units to determine the total amount to be charged. Notwithstanding the foregoing, during the first three (3) months after the date of initial connection to the District's System of Apartments units services by a master meter, the customer shall be charged for water usage at the rate of \$1.00 per 1,000 gallons used. Beginning the first day of the next billing period after the third month, the following percentage of Apartment units planned ultimately to be served by such meter will

conclusively be deemed to be completed and habitable and billing will be in accordance with the rates set forth above with each unit deemed to completed and habitable being considered as one unit: Newly constructed Multi Family units will receive a phase in billing as follows:

Months after Tap	Percentage Habitable
4	25%
6	50%
9	75%
12 and thereafter	100%

MONTHLY SEWER SERVICE RATES

	<u>Gallons</u>	<u>Amount</u>
<u>Multi-Family Residential</u>		
	0-2,000 gallons of water usage	\$39.88
	Over 2,000 gallons of water usage	\$0.98/1,000 gallons
<u>Commercial</u> <u>(including schools)</u>		
	0-2,000 gallons of water usage	\$9.00
	Over 2,000 gallons of water usage	\$0.15/1,000 gallons
<u>Single family Residential</u>		
	0-10,000 gallons of water usage	\$20.70
	Over 10,000 gallons of water usage	\$0.30/1,000 gallons

Industrial Industrial Rates will equal commercial rates, plus samples and water surcharge fees as prescribed in ***Exhibit D*** attached hereto.

The rates and charges for the sale of water to and the collection and disposal of such sewage from all customers of the District’s waterworks and sanitary sewer system located outside the boundaries of the District shall be 2.5 times the rates and charges above-stated or any contract rate, whichever is greater.

B. Deposit. For new accounts a deposit equal to two months average billing of the previous customer or \$200.00, whichever is greater, shall be deposited and maintained with the District prior to initiation of service. If no deposit is on file with the District, the greater of \$200.00 or two months average water and sewer billing shall be required for any account discontinued due to delinquency. If service is discontinued due to delinquency, such deposit shall be paid along with the delinquent amount owed prior to restoration of service.

C. Service Agreements with Customers. Prior to receiving permanent water service (upon initial completion of an improvement in the District, upon reinstatement of water service after a turn-off, or upon transfer of water service to a new customer), the customer must execute and deliver to the District’s operator a service agreement in the form attached hereto as Exhibit “C”.

D. Returned Check Charge. In the event that a customer check is returned unpaid by customer’s bank for any cause other than negligence on the part of the District, a charge of \$25.00 shall be added to the customer’s bill to cover the District cost of handling plus all current and delinquent charges. If such customer’s account is also more than 30 days delinquent, the account shall be billed for such delinquency pursuant to this rate order and shall be scheduled for termination and notice therefor shall be given as provided herein. In such event, payment for the amount due on such account including all penalties must be in the form of a cashier’s check or cash.

V. Inspection Policy and Fees.

A. Fee. Each commercial customer with a grease trap described in *Exhibit F* or industrial customer shall pay \$25.00 per inspection plus laboratory costs (including costs associated with the gathering and processing of samples) or the actual District cost, whichever is greater.

B. Inspection Policy. Subsequent to the installation of a commercial grease trap, or waste water sampling well, there shall be monthly inspections thereof by the District's operator. Any required reinspection (which shall also be paid for by the customer at the above stated rate which the District operator determines that a reinspection is required) shall be defined as any inspection following the initial monthly inspection.

VI. Delinquent Accounts and Discontinuation of Service.

A. Delinquencies Defined. All bills for water and sewer service shall become delinquent if not paid by 20 days after the date of the bill. A penalty of 10% shall be added to all bills outstanding at such time. If a bill remains delinquent for 45 days, water service shall be discontinued in accordance with this paragraph. The customer shall be notified immediately of the delinquency and the date on which water service shall be terminated if the account is not paid, which date shall be not less than 10 days from the date such notice is sent and after the next regular Board of Directors meeting after the notice is sent. Such notice shall state the time and place at which the account may be paid and that any errors in the bill may be corrected by contacting the District's operator, whose telephone number shall also be given in such notice and the date, time and place of the next regular Board of Directors meeting the customer will be afforded the opportunity to explain the reason for non payment of the bill, which explanation may or may not be accepted by the Board. A similar notice shall be left by the District's operator on the door at the address to which the service in question was provided. If the delinquent amount, including penalty, has not been paid in full by the proposed termination date, service shall then be discontinued unless otherwise agreed by the Board.

B. Discontinuation. The District may discontinue service at the customer's request, due to a customer delinquency in payment of water bills or taxes, due to an abuse of the District's system, or failure to supply any documents or data (within 10 days of receipt of a request by the District) relating to customer operations, on-site waste treatment facilities or waste actually discharged to the District's system. The District shall provide notice of the discontinuation which the Board determines to be appropriate to the circumstances.

C. Charges for Disconnection and Reconnection. In the event of any discontinuation of service, the District shall charge the following or the District's current cost therefor, whichever is greater:

\$25 for each voluntary disconnection or reconnection

\$50 for each disconnection or reconnection resulting from a delinquency in payment or violation of the Rules and Regulations of the District.

D. Refusal or Disconnection of Other Premises. In instances where the person or other entity billed by the District no longer occupies or receives services from the District at the location or premises with respect to which such billing was made by the District, the District may, in its discretion, refuse to provide services to such person or entity at other locations or premises within the District or may disconnect the service lines of such person or entity, remove or lock metering devices, or otherwise suspend or interrupt services to such person or entity at other locations or premises within the District not occupied by other persons or entities.

Prior to disconnection of service lines, removal or locking of metering devices, or other suspension or interruption of services by the District as a result of any customer violations, or delinquencies, the District shall deliver or send by first class mail to the customer a final written notice specifying that:

(1) Services will be suspended or interrupted by the District, after a specified date more than 3 days after the date of the next regularly scheduled meeting of the Board of Directors of the District;

(2) The amount of delinquency or other cause for same;

(3) The customer has the opportunity to appear before the Board of Directors of the District at its next regularly scheduled meeting to present and have considered any complaint or objection to one or more disputed billings or to the stated cause for suspension or interruption of services; and

(4) The date, time and place of such meeting of the Board of Directors of the District.

E. Charges for Removal and Reinstallation of Water Meter. In the event the District is required to remove a water meter in order to enforce its rules and regulations regarding District facilities including payment of all amounts due hereunder, the District shall charge \$75 to remove such meter and another \$75 for the reinstallation off such meter.

F. Procedures Related to Extreme Weather Emergency. Notwithstanding any provisions of this Rate Order to the contrary, a customer may not be charged late fees nor have service disconnected for nonpayment of a bill that is due during an extreme weather emergency until after the emergency is over. An “extreme weather emergency” means a period when the previous day’s highest temperature in the area of the District did not exceed 28 degrees Fahrenheit and the temperature is predicted to remain at or below that level for the next 24 hours according to the nearest National Weather Service reports for that area. An “extreme weather emergency” is over on the second business day the temperature exceeds 28 degrees Fahrenheit.

A customer may, within thirty (30) days from the date the extreme weather emergency is over, request from the District a payment schedule for any unpaid bill that was due during an extreme weather emergency. Upon receipt of a timely request, the District shall provide a written payment schedule and a deadline for accepting the payment schedule. The District or the District’s operator may, at the discretion of the District and/or the District’s operator, determine the terms of the payment schedule described in this paragraph in accordance with applicable laws and regulations.

If a customer requests a payment schedule, the District shall not disconnect the customer from service for nonpayment of bills that were due during an extreme weather emergency unless the customer does not accept a payment schedule offered by the District in a timely manner or the customer violates the terms of the payment schedule. Any preexisting disconnection notices issued to a customer for nonpayment of bills due during an extreme weather emergency are suspended upon the timely request for a payment schedule; provided, however, a suspended disconnection may be reinstated if the customer does not accept a payment schedule offered by the District in a timely manner or violates the terms of the payment schedule. A customer who violates the terms of a payment schedule shall be subject to disconnection from service pursuant to the provisions of this Rate Order.

VII. **Rules and Regulations.**

A. Rules and Regulations Governing Waterworks and Sanitary Sewer System. The Board hereby adopts the Rules and Regulations Governing Waterworks and Sanitary Sewer System, which are described in *Exhibit D* attached hereto and incorporated herein for all purposes.

B. Rules and Regulations Governing Commercial and Industrial Waste. The Board hereby adopts the Regulation Governing Commercial and Industrial Wastes, which are described in *Exhibit E* attached hereto and incorporated herein for all purposes.

C. Rules and Regulations Governing Grease and Lint Traps. The Board hereby adopts the Rules and Regulations Governing Grease and Lint Traps which are described in *Exhibit F* attached hereto and incorporated herein for all purposes.

D. Rules and Regulations Governing Drainage and/or Storm Sewer Facilities. The Board hereby adopts the Rules and Regulations Governing Drainage and/or Storm Sewer Facilities which are described in *Exhibit G* attached hereto and incorporated herein for all purposes.

E. Rules and Regulations Governing Unauthorized Connections or Services. The Board hereby adopts the Rules and Regulations Governing Unauthorized Connections or Services which are described in *Exhibit H* attached hereto and incorporated herein for all purposes.

F. Penalties. The Board hereby sets the following civil penalties for breach of any rule of the District or for violating any provision of this order: Unless the Board determines that there are extenuating circumstances warranting a lesser penalty, the violator shall pay the District twice the costs that the District has sustained due to the violation, up to \$5,000, but in no event will the penalty be less than \$50. A penalty under this section is in addition to any other penalty provided by the law of this state and may be enforced by complaints filed in the appropriate court of jurisdiction in the county in which the District's principal office or meeting place is located. If the District prevails in any suit to enforce its rules, it may, in the same action, recover reasonable fees for attorneys, expert witnesses, and other costs incurred by the District before the court. The amount of the attorney's fees shall be fixed by the court. For purposes hereof, each day's violation shall be considered a separate violation.

VIII. General Policies.

A. Distribution of Rate Order. The President and the Secretary of the Board are authorized and instructed to cause a substantive statement of such Rules and Regulations to be published in accordance with Section 54.207, Texas Water Code.

B. Damages to District Facilities. Any loss, removal, injury or other damage to the works, facilities or properties of the District shall be restored, reconstructed, replaced or repaired only by the District. Any person, firm, corporation or other entity causing or permitting any such loss, removal, injury or other damage by accident, negligence or intentional conduct to the works, facilities or properties of the District shall report same to the District's operator within twenty-four (24) hours of its occurrence and shall be responsible for reimbursing the District its actual costs incurred in the restoration, reconstruction, replacement or repair of same, plus ten percent (10%) thereof for administrative expenses of the District, upon receipt of a billing from the District therefor.

Reimbursement to the District shall not preclude the District from assessing and collecting any other fees, charges, damages or fines or from pursuing any other remedies available to the District. The failure of any such person, firm, corporation or other entity to report any such loss, removal, injury or other damage as provided in the above paragraph shall constitute a violation of the Rules and Regulations.

IX. Implementation of Order. This Order shall be effective February 1, 2018, for billing rates (other than the City GRP fee which shall increase as the fee to the District increases) for all other provisions or as soon as all required publications of rule changes are completed. The President and the Vice President or Secretary or Assistant Secretary are authorized to do all things necessary and proper to evidence the Board's adoption of this Order and to carry out the intent hereof.

This Amended and Restated Order shall be effective with the August 1, 2020, billing and amends and continues the rate order previously in effect. The President and the Vice President or Secretary or Assistant Secretary are authorized to do all things necessary and proper to evidence the Board's adoption of this Order and to carry out the intent hereof.

* * *

Sample Service Agreement

I. **PURPOSE.** North Green Municipal Utility 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 utility enforces these restrictions to ensure the public health and welfare. Each customer must sign this agreement before North Green Municipal Utility District will begin service. In addition, when service to an existing connection has been suspended or terminated, the water system will not re-establish service unless it has a signed copy of this agreement.

II. **PLUMBING RESTRICTIONS.** The following undesirable plumbing practices are prohibited by State regulations.

- (i) 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 system by an air-gap or an appropriate backflow prevention device.
- (ii) 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.
- (iii) No connection which allows water to be returned to the public drinking water supply is permitted.
- (iv) 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.
- (v) 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.

III. **SERVICE AGREEMENT.** The following are the terms of the service agreement between North Green Municipal Utility District (the "Water System") and Name of Customer (the "Customer").

- (i) The Water System will maintain a copy of this agreement as long as the Customer and/or the premises is connected to the Water System.

- (ii) The Customer shall allow his property to be inspected for possible cross-connections and other undesirable plumbing practices. These inspections shall be conducted by the Water System or its designated agent prior to initiating service and periodically thereafter. The inspections shall be conducted during the Water System's normal business hours.
- (iii) The Water System shall notify the Customer in writing of any cross-connection or other undesirable plumbing practice which has been identified during the initial inspection or the periodic reinspection.
- (iv) The Customer shall immediately correct any undesirable plumbing practice on his premises.
- (v) The Customer shall, at his expense, properly install, test, and maintain any backflow prevention device required by the Water System. Copies of all testing and maintenance records shall be provided to the Water System.

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

Customer's Signature

Date: _____

Address: _____

Sample 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 District for recordkeeping purposes:

BACKFLOW PREVENTION ASSEMBLY TEST AND MAINTENANCE REPORT

Name of PWS: _____
 PWS I.D. #: _____
 Location of Service: _____
 Mailing Address: _____
 Contact Person: _____

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

TYPE OF ASSEMBLY

- | | | |
|---|--|--|
| <input type="checkbox"/> Reduced Pressure Principle | <input type="checkbox"/> Pressure Vacuum Breaker | <input type="checkbox"/> Reduced Pressure Principle-Detector |
| <input type="checkbox"/> Double Check Valve | <input type="checkbox"/> Atmosphere Vacuum Breaker | <input type="checkbox"/> Double Check-Detector |
| Manufacturer _____ | Located at _____ | <input type="checkbox"/> Spill-Resistant Pressure Vacuum Breaker |
| Size _____ | Serial Number _____ | |
| Model Number _____ | | |

	Reduced Pressure Principle 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 RP- _____ psid Leaked	Closed Tight Held at _____ psid Leaked	Opened at _____ psid Did not Open	Did not Open	Leaked
Repairs and Materials Used					
Test After Repair	DC-Closed Tight RP _____ psid	Held at _____ psid Closed Tight	Opened at _____ psid	Opened at _____ psid	_____ psid

The above is certified to be true at this time of testing.

Firm Name: _____
 Firm Address: _____
 Firm Phone #: _____

Certified Tester: _____
 Cert. Tester No.: _____
 Date: _____
 Test Gauge Used: _____
 Test Gauge Serial No.: _____
 Calibration Date: _____

Sample Customer Service Inspection Certification

Name of PWS: _____

PWS I.D. #: _____

Location of Service: _____

Reason for Inspection

- ~ New Construction
- ~ Existing service where contaminant hazards are suspected
- ~ Major renovation or expansion of distribution facilities

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

	Compliance	Non-Compliance	Certificate of Compliance on File
(1) No direct connection between the public drinking 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 commission.	~	~	~
(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.	~	~	~
(3) No connection exists which would allow the return of water used for condensing, cooling or industrial processes back to the public water supply.	~	~	~
(4) No pipe or pipe fitting which contains more than 8.0% lead exists in private water distribution facilities installed on or after July 1, 1988 and prior to January 4, 2014. Plumbing installed after January 4, 2014 bears the expected labeling indication <.25% lead content.	~	~	~
(5) 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.	~	~	~

Water service shall not be provided or restored to the private water distribution 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 private water distribution facilities:

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

I recognize that this document shall 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

Remarks

NORTH GREEN MUNICIPAL UTILITY DISTRICT
RULES AND REGULATIONS
GOVERNING
WATERWORKS AND SANITARY SEWER SYSTEM

I. Service Lines

A. The “service line” is defined as the sewer line from the foundation of the house or commercial building to the sewer line owned by the District.

B. Only one service line may be connected to the District’s sanitary sewage collection system for each residence or commercial building.

C. The following types of pipe and fitting materials are approved for constructing service lines. Pipe and fittings in each individual service line must consist of the following material or other material approved by the District’s engineer:

(1) Poly-vinyl-chloride (PVC) pipe conforming to ASTM Specification D3034 (Minimum SDR 26 Rating) or ASTM Specification F789 (with UL Listing) and installed according to ASTM D2321.

(2) Ductile-Iron pipe conforming to ANSI A21.51 with rubber gasket joints conforming to ANSI A21.11, and installed according to manufacturer’s recommendations.

(3) Schedule 40 Poly-vinyl-chloride (PVC_ pipe conforming to ASTM F-477 and installed as per Section II of these specifications.

D. Minimum sizes of service lines shall be as follows:

(1) Residential – 4-inches in diameter.

(2) Commercial – 6-inches in diameter.

E. Minimum grades for service lines shall be as follows:

(1) 4-inch pipe – one foot drop per hundred feet (1%)

(2) 6-inch pipe – six inches drop per hundred feet (0.5%)

(3) 8-inch pipe – four inches drop per hundred feet (0.33%)

F. Maximum grades for service lines shall be as follows:

(1) 4-inch pipe – two and one-half feet drop per hundred feet (2.5%)

(2) 6-inch pipe – one and one-half feet drop per hundred feet (1.5%)

(3) 8-inch pipe – one foot drop per hundred feet (1%)

G. All service lines must be constructed to true alignment and grade. Warped and sagging service lines will not be permitted.

II. Testing of Sewer Service Lines. Sewer service lines shall be tested after installation either by air test or water test, such determination to be made by the District representative on inspection of the service line. The testing shall be performed on the total footage of sewer service line from the building stub-out to the District main.

III. Plan Review. Plans and specifications for the installation of the sanitary sewer service line shall be submitted to the District for review prior to installation. Plans and specifications must be submitted at least fifteen (15) days prior to the time approval and comments or recommendations are desired. Plans and specifications shall have received approval by the engineer of the District and a letter of such approval must accompany the plans and specifications to the District Operator before the installation of the sanitary sewer service line can be installed.

IV. Inspection. Construction shall be subject to inspection of the District Operator or a representative of the District at all times. Changes or adjustments requested during the inspection shall be made promptly. Failure to adhere to the preceding regulations will result in water service being discontinued until the requirements and necessary corrections have been met and written permit has been granted.

V. Tap Fees. In order for any water taps to be made to any facility, it will be required that all fees be paid to the District prior to any sewer inspections or water taps being made.

VI. Receipt of Tap Fees. After the receipt of your tap fee, it will be necessary that the contract plumber notify the District Operator when the sanitary sewer service line is ready for inspection. Tap fees for commercial taps are figured on a cost plus basis. In the event the water tap for the facility should cost more than the estimated amount, the difference will be billed for.

VII. Connection of Building Sewer Outlet to Service Lines.

A. Building tie-on connection must be made directly to the stub-out from the building plumbing at the foundation on all waste outlets.

B. Water-tight adapters of a type compatible with the materials being joined must be used at the point of connection of the service line to the building plumbing. No cement grout materials are permitted.

C. Existing “wye” and stack connections must be utilized for connection of the service line to the sewer main unless written exception is granted by the District’s operator.

D. All commercial connections must include a sampling well as shown in Exhibit “A” attached hereto to facilitate collection of samples by the District’s operator, and must provide a manhole at the point of connection on to the sewer main.

VIII. Fittings and Cleanouts.

A. No bends or urns at any point will be greater than 45 degrees.

B. Each horizontal service line must be provided with a cleanout at its upper terminal; and each such run of piping which is more than ninety (90) feet in length must be provided with a cleanout for each ninety (90) feet, or fraction thereof, in the length of such piping.

C. Each cleanout must be installed so that it opens in a direction opposite to the flow of the waste and, except in the case of wye branch and end-of-the-line cleanouts, cleanouts must be installed vertically above the flow line of the pipe.

D. Cleanout must be made with air-tight mechanical plug.

IX. Connection Permits and Procedures.

A. An application for sanitary sewer service must be filed with and approved by the District’s operator prior to construction of any service line. The sewer tap fee as established from time to time by the District must accompany any application for sanitary sewer service. Application forms are available from the District’s operator.

B. During construction, the service line shall be plugged at the end of each construction day until installation is complete. When the service line is complete, and prior to backfilling the trench, the applicant for sewer service shall request an inspection of the installation. Requests for inspections shall be made to the District’s operator at least one (1) full working day in advance of the desired time of inspection.

C. The physical connection to the District’s sanitary sewage collection system must be made by use of an adapter of a type compatible with the materials being joined. The connection shall be water-tight. No cement grout materials will be permitted.

D. Backfilling of service line trenches must be accomplished within twenty-four (24) hours following final inspection and approval by the District’s operator. No debris will be permitted in the trench.

E. A final connection permit, consisting of a duly executed and approved copy of the application form, will be granted after final inspection by the District’s operator confirms that all requirements of the Rules and Regulations have been met and the applicant has paid all sewer tap inspection or reinspection fees.

F. No prohibited or inadmissible wastes, as provided from time to time in the District's Rules and Regulations, including but not limited to those listed in the rate order, may be discharged into the District's sanitary sewage collection system.

G. No downspouts, yard or street drains, or gutters may be connected into the District's sanitary sewage collection system.

Swimming Pool Inspections and Fees

Every user who plans to construct or install a swimming pool within the District shall notify the District's operator in writing to commencing construction of the pool. Upon notification by the user of the intention fee of \$50.00. After notification is received, the District's operator shall ensure that all drains from the swimming pool are connected to the sanitary sewer system. After the drains have been installed, the User shall notify the District operator, who shall make an inspection of all swimming pool drains to verify that the proper connection is made, before service is authorized for said swimming.

X. Water Service.

No person receiving District water or sewer service may supply water or sewer service for use on land other than his own site, without District approval.

Where distribution system conditions are such that it is necessary to provide more than one pressure plane or where distribution system conditions and demands are such that low pressures develop, the method of providing increased pressure shall preferably be by means of booster pumps taking suction from storage reservoirs. Planning material for booster pumps taking suction from other than a storage reservoir shall contain a full description of the supply to the point of suction, maximum demands on this part of the system, location of pressure recorders, safety controls and other pertinent information for the review. Where booster pumps are installed to take suction directly from the distribution system, a minimum residual pressure of 20 pounds per square inch must be maintained on the suction line at all times. Such installations must be equipped with automatic pressure cutoff devices so that the pumping units become inoperative at a suction pressure of less than 20 psi. In addition, a continuous pressure point on the suction line in order to record the hydraulic conditions in the line at all times. Should such a record indicate critical minimum pressures (less than 30 psi), then adequate storage facilities are to be installed with the booster pumps taking suction therefrom. Fire pumps used to maintain pressure on automatic sprinkler systems for fire protection purposes only are not considered as in-line booster pumps.

XI. Firelines.

A user shall commence repairs to any leak, break or other deficiency in a fireline within 24 hours after oral or written notification of such leak, break or other deficiency and shall diligently pursue the repair.

XII. Protection of District's Waterworks and Sanitary Sewer System.

A. It shall be unlawful for any person, unless authorized in writing by the District's Operator, to tamper or interfere with, obstruct access to, or injure, deface, or destroy any facilities that are a part of the District's waterworks and sanitary sewer system, including, with respect to the waterworks system, water plants, flushing valves, valve boxes, and water lines up to the meter box and including meters; provided however, that duly authorized members of the Kingwood Volunteer Fire Department shall have the right to use such flushing valves for fire protection purposes.

B. It shall be unlawful for any person to connect any building to the waterworks system without a meter or to have a straight line connection to a building without being metered. It shall also be unlawful to draw water from the waterworks system without being metered, including the unauthorized use of a flushing valve or unmetered water taps.

C. It shall be unlawful for any person to deposit, throw, drain, discharge, or otherwise cause to be injected into any sewer, manhole, catch basin, flush tank, or other facility that is a part of the District's waterworks and sewer system any debris or foreign substance that would interfere with the proper and routine function thereof.

XIII. Prohibition of Use of Lead.

A. The use of pipes and pipe fittings that contain more than .25 percent lead or solders and flux that contain more than 0.2 percent lead is prohibited for installation or repair of the District's water system and for installation or repair of any plumbing in a residential or nonresidential facility providing water for human consumption and connected to the District's water system. This requirement may be waived for lead joints that are necessary for repairs to cast iron pipe.

XIV. Prohibition on Direct or Cross Connections.

A. No establishment in the District shall contain an actual or potential contamination or system hazard without an air gap separation between the drinking water supply and the source of potential contamination. Where the containment air gap is impractical, reliance may be placed on individual "internal" air gaps or mechanical backflow prevention devices. Under these conditions, additional protection shall be required at the meter in the form of a correctly operating backflow prevention device (in accordance with AWWA Standards C510 and C511, and AWWA Manual M14) on those establishments handling substances deleterious or hazardous to the public health. Such backflow prevention devices must be tested and repaired as necessary, as specified in the Order.

B. Water from a condensing, cooling or industrial process or any other system of nonpotable usage over which the District does not have sanitary control cannot be returned to the District's potable water supply.

C. Overhead bulk water dispensing stations must be provided with an air gap between the filling outlet hose and the receiving tank to protect against back siphonage and cross-contamination.

EXHIBIT E

REGULATIONS OF COMMERCIAL AND INDUSTRIAL WASTES

The Board of Directors of the District hereby establishes and promulgates the following policies, rules and regulations concerning domestic and industrial wastes:

I. DEFINITIONS. Unless the context requires otherwise, the terms and phrases used herein shall have meanings as follows:

(1) The term "B.O.D." means the five-day, 20 degrees Centigrade biochemical oxygen demand expressed in milligrams per liter as determined by the procedures specified in the latest edition of Standard Methods, or such other manual of operations as the District may adopt from time to time, or as determined in accordance with the latest rules of the Texas Natural Resources Conservation Commission.

(2) The term "bypass" means the intentional diversion of waste streams from any portion of an Industrial User's treatment facility.

(3) The term "C.O.D." means the measure of the oxygen-consuming capacity of inorganic and organic matter present in water or waste, expressed in milligrams per liter as the amount of oxygen consumed from a chemical oxidant as determined by Standard Methods, or such other manual of operations as the District may adopt from time to time, or as determined in accordance with the latest rules of the Texas Natural Resources Conservation Commission.

(4) The term "customer" means any person who is served by the Waste Disposal System.

(5) "The term "discharge" means the introduction of pollutants, into the sanitary sewer collection system" from any non-domestic source regulated under section 307(b), (c) or (d) of the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et seq. The term "discharge" includes the terms deposit, conduct, drain, emit, throw, run, seep or otherwise release or dispose of, or to allow, permit, or suffer any of such acts or omissions."

(6) The term "discharge" includes the terms deposit, conduct, drain, emit, throw, run, seep or otherwise release or dispose of, or to allow, permit, or suffer any of such acts or omissions.

(7) The term "grease" means fats, waxes, oils and other similar non-volatile material and waste which are extracted by hexane from a solidified sample using the Soxhlet method.

(8) The term "industrial waste" means the liquid and water-carried waste resulting from any process of industry, manufacturing, trade, business or commercial enterprise,

other than normal domestic wastewater, including any mixture of industrial waste with water or normal domestic wastewater, and such other waste as the District deems appropriate.

(9) The term “industrial waste charge” means the charge made to those persons who discharge or are responsible for the discharge of industrial waste into the Waste Disposal System.

(10) The term “infiltration water” means water which leaks into the District’s Waste Disposal System or its customers’ sanitary sewer collection systems.

(11) The term “interference” means a discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

(a) inhibits or disrupts the Waste Disposal System, its treatment processes or operations, or its sludge processes, use or disposal; and

(b) therefore is a cause of a violation of any requirement of the District’s TPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with applicable Federal, State, or local statutory provisions and regulations or permits issued thereunder.

(12) The term “normal domestic wastewater” means waste, excluding industrial waste, discharged by a person into the Waste Disposal System or into a customer’s sanitary sewer collection system in which the average concentration of total suspended solids is not more than 250 mg/l and B.O.D. is not more than 250 mg/l.

(13) The term “overload” means the imposition of organic or hydraulic loading on the Waste Disposal System in excess of either its designed hydraulic capacity, its installed rated capacity or its organic loading capacity.

(14) The term “pass through” means a discharge which exits the Waste Disposal System into waters of the State in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the District’s TPDES permit (including an increase in the magnitude or duration of a violation).

(15) The term “person” means any individual, public or private corporation, district, authority, political subdivision or other agency or entity of the State of Texas or of the United States of America; the State of Texas or the United States of America; any incorporated city, town or village, whether operating under general law or under its home rule charter; and any copartnership, association, firm, trust, estate or any other entity whatsoever.

(16) The term “pH” means the common logarithm of the reciprocal of the hydrogen ion concentration expressed in grams per liter of solution.

(17) The term “properly shredded garbage” means solid waste from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sanitary sewers, with no particle greater than one-half (1/2) inch in any dimension.

(18) The term “sanitary sewer collection system” means the sanitary sewer system(s) now owned or operated or to be constructed or acquired by customers of the District, including sanitary sewers (but excluding storm sewers), manholes, intercepting sewers, pumping works and all other plants, works and equipment for the collection and transportation of waste to the District’s Waste Disposal System.

(19) The term "severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

(20) The term “Significant Industrial User” means an industrial user that: discharges an average of 25,000 gallons per day or more of process wastewater to the Waste Disposal System (excluding sanitary, noncontact cooling and boiler blowdown wastewater); contributes a process wastestream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the Waste Disposal System; or is designated as such by the District on the basis that the Industrial User has a reasonable potential for adversely affecting the Waste Disposal System operation or for violating any pretreatment standard or requirement.

(21) The term “slug” means any discharge of waste which, in the concentration of any given constituent or in the quantity of flow, exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flow during normal operation.

(22) The term “Standard Methods” means the examination and analytical procedures set forth in the latest edition of “Standard Methods for the Examination of Water and Wastewater” as prepared, approved and published jointly by the American Public Health Association, the American Waterworks Association and the Water Pollution Control Federation.

(23) The term “storm sewer” means sewers which carry storm and surface waters and drainage, and into which waste is not intentionally discharged.

(24) The term “total suspended solids” means those solids that either float on the surface or are in suspension in waste or other liquids, expressed in terms of milligrams per liter.

(25) The term “trap” means a device designed to skim, settle or otherwise remove grease, oil, sand, flammable wastes or other substances which may be harmful to either the Waste Disposal System or its treatment processes.

(26) The term “upset” means an exceptional incident in which there is unintentional and temporary noncompliance with discharge standards specified herein as a result of factors beyond the reasonable control of the Industrial User. The term “upset” does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

(27) The term “waste” means normal domestic wastewater and industrial waste collected by a public sanitary sewer collection system, together with such infiltration water as may be present.

(28) The term “Waste Disposal System” means all or any part of any disposal system or disposal facilities constructed or acquired by the District for receiving, transporting, treating and disposing of waste collected by the sanitary sewer collection systems of the District’s customers, together with such extensions, enlargements and modifications as may be required in the future or as may be necessary to comply with any regulatory requirements.

(29) The term “wastewater service charge” means the charge to all users of the District’s Waste Disposal System whose wastes do not exceed the concentrations established herein as representative of normal domestic wastewater.

(30) The term “Industrial Users” means anyone who discharges industrial waste.

II. PROHIBITED DISCHARGE. All waste discharged into the District’s Waste Disposal System shall conform to the requirements hereof and shall consist only of waste amenable to biological treatment or other processes employed by the District from time to time. No person may discharge into the District’s Waste Disposal System any waste which by itself or by interaction with other waste may:

(1) Injure or interfere with the processes or physical properties or facilities of the District’s Waste Disposal System;

(2) Constitute a hazard to humans or animals; or

(3) Cause Pass Through or Interference.

(4) Inhibit biological activity in the POTW resulting in Interference.

(5) Cause obstruction to flow in the District’s sanitary sewer collection system or Waste Disposal System.

(6) Result in the presence of toxic gases, vapors, or fumes within the Waste Disposal System in a quantity that may cause acute, worker health and safety problems.

Discharges prohibited by the foregoing parameters include, but are not limited to, slugs and materials including suspended solids, oxygen demand (B.O.D., C.O.D., etc.), and chlorine

demand, released at a flow rate and/or pollutant concentration which will cause interference with Waste Disposal System. Prohibited discharges also include, but are not limited to, the following materials which, if present in sufficient quantities, may cause or result in a violation of the foregoing parameters:

(a) Ashes, cinders, sand, mud, grass clippings, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood or wood products, garbage (other than properly shredded garbage), blood, entrails, hair, flesh, paper or paper products, chemical or paint residues, or bulk solids.

(b) Wastes with B.O.D. or total suspended solids concentrations exceeding 1,000 mg/L for any 24-hour period (concentrations in excess of 250 mg/L shall be subject to payment of Industrial Waste Charges pursuant to Part IX herein).

(c) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or Pass Through.

(d) Any waste with a closed cup flash point of less than 140 degrees Fahrenheit (60 degrees Celsius) using the test methods specified in 40 CFR §261.21.

(e) Wastes which will cause corrosive structural damage to the Waste Disposal System.

(f) Any trucked or hauled pollutants, except at discharge points designated by the Waste Disposal System.'

III. CHEMICAL DISCHARGES. The following chemicals shall not be admissible into the District's Waste Disposal System:

(1) Cyanides or cyanogen compounds capable of liberating hydrocyanic gas upon acidification when present in concentrations in excess of 2 mg/l by weight as cyanide (CN);

(2) Fluorides other than those contained in the local public water supply for the area which is the source of the discharge;

(3) Gasoline, cleaning solvents, benzene, naphtha, fuel oil or other flammable or explosive liquids, solids or gases;

(4) Substances causing C.O.D. overload customer not exceed 750mg/l in a grab sample;

(5) Acids or alkalis having pH values lower than 6.0 or higher than 9.0, iron pickling wastes or concentrated plating solutions whether neutralized or not;

(6) Grease, whether emulsified or not, containing substances which may solidify or become viscous at temperatures between 32 degrees and 150 degrees Fahrenheit (0 and 65 degrees Centigrade) or which exceeds on analysis an average of 100 mg/l of soluble matter;

(7) Dissolved sulfides whose concentrations exceed 0.1 mg/l; or

(8) Any other corrosive, explosive, malodorous or objectionable chemicals in liquid, solid or gaseous form.

(9) Total residual chlorine at concentrations greater than 0.1 mg/L.

IV. HEAVY METALS AND TOXIC MATERIALS. The following metals and toxic materials shall not be admissible into the District's Waste Disposal System:

(1) Objectionable or toxic substances exerting an excessive chlorine requirement to such a degree that any such material received in the composite waste at the waste treatment works exceeds the limits established from time to time by the District for such materials;

(2) Obnoxious, toxic or poisonous solids, liquids, or gases in quantities sufficient to violate the provisions of Part II hereof;

(3) Any substance having corrosive properties capable of causing damage or hazard to structures, equipment or personnel operating the Waste Disposal System;

(4) All waste or other substances containing phenols, hydrogen sulfide or other taste or odor producing substances exceeding the concentration limits established from time to time by the District or which, after treatment of the composite waste, exceeds applicable regulatory requirements;

(5) Antimony, beryllium, bismuth, cobalt, molybdenum, tin, uranyl ion, rhenium, strontium, tellurium, and such other heavy metals as may be prohibited from time to time by the District;

(6) The following heavy metals or the salts thereof in solution or suspension which upon analysis by Standard Methods exceed the concentrations listed below:

Concentration Daily Grab		Concentration Daily Grab	
<u>Element</u>	<u>mg/l</u>	<u>Element</u>	<u>mg/l</u>
Arsenic	0.05	Lead	0.1
Barium	5.0	Manganese	1.0
Boron	1.0	Mercury	0.005
Cadmium	0.02	Nickel	1.0
Chromium	5.0	Selenium	0.02

	Concentration Daily Grab		Concentration Daily Grab
Copper	1.0	Silver	0.1
		Zinc	5.0
or			

(7) Any other heavy metals or toxic materials except upon the conditions of pretreatment, concentration, volumes and other applicable standards prescribed by the District or by applicable statutes, laws, rules or regulations.

V. GARBAGE. No person may discharge garbage into the Waste Disposal System unless it is properly shredded garbage. The District may review and approve the installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 H.P. metric) or greater.

VI. DRAINAGE AND STORM WATER. No person may discharge into the Waste Disposal System drainage or storm waters.

VII. TEMPERATURE. "No person may discharge heat in amounts which will inhibit biological activity in the Waste Disposal System resulting in Interference. In addition, no person may discharge liquid or vapors with a temperature higher than 150 degrees Fahrenheit (66 degrees Celcius), or any substance which causes the temperature of the composite waste received in the treatment works to increase at the rate of 10 degrees Fahrenheit or more per hour or to exceed an influent temperature of 104 degrees Fahrenheit (40 degrees Celcius)."

VIII. RADIOACTIVE WASTE. No person may discharge into the Waste Disposal System radioactive materials or isotopes with a transient concentration higher than 100 microcuries per liter.

IX. INDUSTRIAL WASTE CHARGES.

Notwithstanding any other terms, provisions or limitations of the Rules and Regulations hereof, in addition to the wastewater service charges made by the District, the District shall make to customers discharging industrial waste into their sanitary sewer collection systems or into the Waste Disposal System 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 Waste Disposal System will not cause overloading of the Waste Disposal System, the person responsible for the discharge of industrial waste shall nevertheless pay equitable industrial waste charges sufficient to provide payment for the expenses for the collection and treatment of industrial waste and operation and maintenance costs including salaries and wages, power cost, cost of chemicals, supplies, sludge hauling, allowances for maintenance, overhead, administrative and general expense. Industrial waste charges shall be calculated by the following formula:

$$C = aA + bB + sS$$

Where C = charges to industrial user, \$/month

- a = unit cost of transportation and treatment chargeable to volume, \$/1,000 gal.
- b = unit cost of treatment chargeable to B.O.D., \$/lb.
- s = unit cost of treatment chargeable to total suspended solids, \$/lb.
- A = volume of waste from industrial user, in million gallons per month (based on results obtained from an approved flow measurement system or its monthly water usage)
- B = amount of excess B.O.D. from industrial user, lb./month
- S = amount of excess total suspended solids from industrial user, lb./month

Until revised or amended by the District, the initial coefficients of charge for use in the foregoing formula shall be: a = \$0.00/1,000 gal.; b = \$0.32; s = \$0.23. The District shall review and adjust the industrial waste charges monthly to reflect changes in the characteristics of the industrial waste based upon the results of the sampling and testing. The District shall also review at least, but not limited to, annually the basis for determining industrial waste charges and shall adjust the unit treatment cost in the above formula to reflect increases or decreases in the waste treatment costs based upon previous experience. Increases in industrial waste charges shall be retroactive for two (2) billing periods and shall continue for six (6) billing periods unless subsequent tests determine that the charges should be further increased. The District shall bill its customers in a manner which will show industrial waste charges as a separate item from wastewater service charges.

X. SPILL PREVENTION PLANS.

A. 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 Waste Disposal System 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.

B. 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 Waste Disposal System, 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.

C. 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.

D. 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 Waste Disposal System, and the costs shall include any labor, equipment or materials involved. The cleaning up of the Waste Disposal System shall be completed by the District's operator or other contractor approved by the District.

XI. SUPERVISION.

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

A. Pretreatment to an acceptable condition for discharge into the Waste Disposal System;

B. Control over the quantities and rates of discharge; and

C. Industrial waste charge payments sufficient to compensate the District for the cost of handling and treating the waste.

XII. PRETREATMENT.

A. 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.

B. When pretreatment of waste is required by the District as a condition for acceptance of the waste into the Waste Disposal System, 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.

C. 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.

D. Any bypass, which causes standards specified herein to be violated, is prohibited except under the following conditions:

(1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(2) There were no feasible alternatives to the bypass, such as the use auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and.

(3) The Industrial User submitted notices as required under paragraph G of this section.

E. An Industrial User may allow a bypass to occur which does not cause standards specified herein to be violated, but only if it also is for essential maintenance to assure efficient operation.

F. If an Industrial User knows in advance of the need for a bypass, it shall submit prior notice to the District, if possible at least ten days before the date of the bypass.

G. An Industrial User shall submit oral notice of an unanticipated bypass that exceeds applicable standards to the District within 24 hours from the time the Industrial User becomes aware of the bypass. A written submission shall also be provided within 5 days of the time the Industrial User becomes aware of the bypass. The written submission shall contain the following:

(1) A description of the bypass and its cause;

(2) The duration of the bypass, including exact dates and times, and,

(3) If the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

H. An Industrial User who seeks to establish that non-compliance with standards specified herein resulted from an upset shall demonstrate, through property signed, contemporaneous operating logs, or other relevant evidence that:

(1) An upset occurred and the Industrial User can identify the cause(s) of the upset;

(2) The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures;

(3) The Industrial User has submitted the following information within 24 hours of becoming aware of the upset (if this information b provided orally, a written submission, must be provided within five days):

(a) A description of the discharge and cause of noncompliance;

(b) The period of non-compliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue;

(c) Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

(4) In any enforcement proceeding, the Industrial User seeking to establish the occurrence of an upset shall have the burden of proof.

(5) The Industrial User shall control production or all discharges to the extent necessary to maintain compliance with standards specified herein upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost or fails.

XIII. INSPECTION CHAMBERS.

A. A user that discharges waste into the District's Waste Disposal System 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.

B. An inspection manhole or chamber must be:

(1) Located reasonably near the outlet of each sewer, drain, pipe, or channel that connects with the Waste Disposal System; and

(2) Designed and constructed to prevent infiltration by ground and surface water; and

(3) Maintained so that a person may easily and safely measure volume and obtain flow samples.

C. Before beginning construction of an inspection manhole or chamber, a 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.

XIV. SAMPLING OF WASTE.

A. The District is authorized to require samples of waste discharges from Industrial Users as often as necessary to adequately monitor and control the discharges. In the event the District requires such samples, the Industrial User shall retain the services of a reputable commercial laboratory acceptable to the District to determine and report the wastewater characteristics. Both daily maximum and average concentration (or mass, where required) shall be reported. The Industrial User shall take a minimum of one representative sample in accordance with following requirements:

(1) A minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organics. For all other pollutants, 24-hour composite samples must be obtained through flow-proportional composite sampling techniques where feasible. The District may waive flow-proportional composite sampling for any Industrial User that demonstrates that flow-proportional sampling is infeasible. In such cases, samples may be obtained through time-proportional composite sampling techniques or through a minimum of four (4) grab samples where the Industrial User demonstrates that this will provide a representative sample of the effluent being discharged.

(2) Samples shall be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment the Industrial User shall measure the flows and concentrations necessary to allow use of the combined waste stream formula of 40 CFR §403.6(e) in order to evaluate compliance with the standards specified herein.. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR §403.6(e) this adjusted limit along with supporting data shall be submitted to the District.

(3) Sample containers, holding times, and preservation methods must meet requirements specified in 40 CFR §136. Standard Methods laboratory procedures shall be used for determining waste concentrations.

(4) if sampling performed by an Industrial User indicates a violation, the user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the District within 30 days after becoming aware of the violation.

(5) The Industrial User shall pay all costs of sample collection and laboratory services. The District may require an Industrial User to install, use, and maintain monitoring equipment.

(6) Industrial Users shall retain records of sampling results at their premises for three years from the date such samples were collected. Such records shall include the following:

(a) The date, exact place, method, and time of sampling and the names of the person or persons taking the samples;

- (b) The dates analyses were performed;
- (c) Who performed the analyses;
- (d) The analytical techniques/methods use; and
- (e) The results of such analyses.

B. 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.

XV. 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.

XVI. 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 unless the user specifically requests that specific information be withheld and such user is able to demonstrate to the satisfaction of the District that the release of such information to the general public would give a business advantage to competitors who do not otherwise have this information.

XVII. FEES.

A. It is the purpose of this section to provide for the recovery of costs from users of the District's Waste Disposal System 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.

B. The District may adopt any one or more of the following charges and fees:

- (1) Fees for reimbursement of costs of setting of and operating the District's Pretreatment Program;
- (2) Fees for monitoring, inspections and surveillance procedures;
- (3) Fees for reviewing accidental discharge procedures and construction;

(1) Fees for removal (by the District) of pollutants otherwise subject to National Categorical Pretreatment Standards;

(4) Industrial waste charges; and

(5) Other fees as the District may deem necessary to carry out the requirements contained herein.

XVIII. DISCONNECTION OF SERVICE. In the event a customer of the District's Waste Disposal System fails to make timely payment of the District's wastewater service charges or industrial waste charges, or in the event waste is discharged into the District's Waste Disposal System in violation of the provisions hereof, the District reserves the right to disconnect the customer from the Waste Disposal System and to continue disconnection until such time as payment has been made or adequate assurances or pretreatment or control facilities have been installed to permit compliance with the provisions hereof.

XIX. SAMPLING; TESTING; INSPECTION; RIGHT OF ENTRY. The District or its duly authorized agent or representative may enter at reasonable times and upon proper notice any lands or premises served or proposed to be served by the Waste Disposal System for the purposes of carrying out and determining compliance with the provisions hereof. Sampling and testing shall be conducted in accordance with customarily accepted methods, reflecting the effects of constituent wastes upon the Waste Disposal System and the existence of hazards to health, life, limb, or property. Examination and analysis of the characteristics of water and waste shall be conducted in accordance with Standard Methods (or such other manual of operations as the District may adopt from time to time, or as determined in accordance with the latest rules of the Texas Natural Resources Conservation Commission) and shall be determined from suitable samples taken at control points selected by the District. The cost of the District's sampling and testing shall be charged to the customer.

XX. EFFECT OF REGULATIONS; AMENDMENT. The provisions hereof are to be deemed and construed as regulatory requirements supplementary and in addition to all laws, rules, regulations, ordinances or licenses now in effect or hereafter passed, adopted or promulgated by any regulatory agency, federal, state or local, having jurisdiction over the District's Waste Disposal System including, without limitation, the Federal Clean Water Act, the Texas Water Code, and the rules and regulations of the Environmental Protection Agency and the Texas Commission on Environmental Quality concerning effluent limitations, guidelines and pretreatment standards. The provisions hereof are subject to amendment, repeal or alteration from time to time by the Board of Directors of the District.

XXI. REPORTING.

A. At least 90 days prior to commencement of discharge, new Industrial Users shall submit to the District a report which contains the information listed below. New sources shall also be required to include in this report information on the method of pretreatment the source intends to use to meet applicable standards specified herein.

(1) Name and address of the facility including the name of the operator and owners;

(2) A list of any environmental control permits held by or for the facility:

(3) A brief description of the nature, average rate of production, and Standard Industrial Classification of the operation(s) carried out by such Industrial User. This description shall include a schematic process diagram which indicates points of discharge to the sanitary sewer collection system.

(4) An estimate of average daily and maximum daily flow, in gallons per day, from each of the following:

(a) Process waste streams; and

(b) Other streams as necessary to allow use of the combined waste stream formula.

(5) An estimate of pollutant concentrations in process waste streams; and

(6) Pretreatment standards applicable to each process waste stream.

B. Industrial Users subject to federal categorical pretreatment standards shall submit self-monitoring reports as required by 40 CFR §403.12.

C. Significant Industrial User shall submit to the District at least once every six months a description of the nature, concentration, and flow of the pollutants discharged to the Waste Disposal System. These reports shall be based on sampling and analysis performed in the period covered by the report, and performed in accordance with the techniques specified herein.

XXII. NOTIFICATION

A. Industrial Users shall notify the District immediately of all discharges that could cause problems to the Waste Disposal System, including any slug loadings.

B. If sampling performed by an Industrial User indicates a violation, the user shall notify the District within 24 hours of becoming aware of the violation.

C. All Industrial Users shall promptly notify the District in advance of any substantial change in the volume or character of pollutants in their discharge, including listed or characteristic hazardous wastes.

D. The Industrial User shall notify the District, the EPA Regional Waste Management Division Director, and State hazardous waste authorities in writing of any discharge into the Waste Disposal System of a substance, which, if otherwise disposed of; would be a hazardous waste under 40 CFR §261. Such notification must include the name of the hazardous waste as set forth in 40 CFR §281, the EPA hazardous waste number, and the type of

discharge (continuous, batch, or other). If the Industrial User discharges more than 100 kilograms of such waste per calendar month to the Waste Disposal System, the notification shall also contain the following information to the extent such information is known and readily available to the Industrial User: An identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month, and an estimation of the mass of constituents in the waste stream expected to be discharged during the following twelve months.

EXHIBIT F

RULES AND REGULATIONS GOVERNING GREASE AND LINT TRAPS

Section 1: “Establishment” means any business within the District which shall process, prepare or serve food and which processing, preparing or serving results in a discharge of water into the sewer system of the District during any part of such operation or service, and shall also mean public car washes, automotive servicing and/or repair establishments, public washaterias and hair cutting shops which discharge water into the sewer system of the District during any of said operations, and shall also mean any other business within the District which is required by the District engineer to install a grease and lint trap.

Section 2: Each Establishment shall be required to have a grease and/or lint trap (“Trap”) which fulfill the requirements of these Rules and Regulations and which shall be in compliance with requirements as established by the City of Houston (“CofH”). Specifications and requirements for such Trap shall be as follows:

- A Each small food Establishment with no fixed seating, including, but not limited to sandwich or coffee shops, donut shops, small bakeries and pastry shops and other small Establishments processing, preparing, or serving food, either individually, bulk or carry out, shall have a Trap constructed pursuant to specifications as set out in CofH Drawing No. 533-S.
- B Each food Establishment where food is served to customers on premises and where the occupant load is less than 100 occupants, shall have a Trap constructed pursuant to specifications as set out in CofH Drawing No. 534-S.
- C Each food Establishment where food is served to customers on premises and where the occupant load is more than 100 and less than 300 occupants, shall have a Trap constructed pursuant to specifications as set out in CofH Drawing No. 531-S.
- D Each food Establishment where food is served to customers on premises and where the occupant load is more than 300 occupants, shall have a Trap designed by a registered professional engineer and submitted to the Engineer for the District for his approval.
- E Each public car wash and automobile servicing and/or repair establishment of six (6) bays or less shall have a Trap constructed pursuant to specifications as set out in CofH Drawing No. 359-S-1.
- F Each public car wash and automobile servicing and/or repair establishment of more than six (6) bays shall have a Trap designed by a registered professional engineer and submitted to the Engineer for the District for his approval.

- G Each public washateria shall have a Trap constructed pursuant to the applicable drawing attached hereto. The drawing and therefore the specifications which are applicable shall be determined by the size of the washateria as follows:
- (1) For washaterias having 10 or less machines, see CofH Drawing 533-S.
 - (2) For washaterias having 11 to 20 machines, see CofH Drawing 534-S.
 - (3) For washaterias having more than 20 machines, see CofH Drawing 531-S.
- H Each hair cutting shop shall have a Trap constructed pursuant to specifications as set out in CofH Drawing 533-S.
- I Any Commercial type laundry shall have a Trap designed by a registered professional engineer and submitted to the Engineer for the District for his approval.

Section 3: Each Establishment shall clean traps periodically as necessary to insure that no oil or grease are discharged from the secondary chamber of the grease trap and in any event shall clean such trap not less than once each week if such Trap is designated pursuant to CofH Drawing 534-S or 539-S-1, and not less than once each month if such Trap is designated pursuant to CofH Drawing 533-S or 531-S.

Section 4: Each Establishment subject to the conditions hereof shall:

- A Maintain a sampling well with easy access for inspectors. The sampling well to be installed per applicable CofH Drawing No. 516-S or 516-S-1.
- B Maintain records on premises of all gallonage removed from the Trap.
- C Maintain records on premises of all disposal manifests in connection with disposal from the Trap.
- D Make available the records required in Section 4B and C above, to inspectors for the District when requested and mail copies to the District's operator within 30 days of disposal.

Section 5: No Establishment subject to these Rules and Regulations shall allow a discharge into the sewer system, when such discharge shall consist of more than two hundred (200) milliliters of grease or oil per one (1) liter of discharged water.

EXHIBIT G

RULES AND REGULATIONS GOVERNING DRAINAGE AND/OR STORM SEWER FACILITIES

The following rules, regulations and policies are adopted and promulgated by the District for the purpose of prohibiting the deposit or discharge of refuse into the drainage and storm sewer facilities of the District.

A. Unless the context requires otherwise, the following terms and phrases used in the Rules and Regulations shall have meanings as follows:

1. The term “person” means any individual, corporation, co-partnership, association, firm, trust, estate or any other entity whatsoever.

2. The term “refuse” means and includes gasoline and other motor fuels, cleaning solvents, greases, mineral oils, fats, waxes, oils and other similar non-volatile materials which are extracted from an acidified sample using the Soxhlet method; ashes, cinders, sand, gravel, tar, asphalt, ceramic wastes, plastics and other viscous substances, grass clippings, feathers, hair, rages, metal, metal filings, glass, paper and paper products, wood, wood shavings and sawdust, garbage from the preparation, cooking or dispensing of food or from the handling, storage or sale of produce; toxic, corrosive, explosive or malodorous gases; acetylene general sludge; sulphur or sulphur compounds; cyanides or cyanogen compounds; heavy metals or the salts thereof, including, but not limited to: Chromium as Cr, Copper as CU, Zinc as Zn, Nickel as Ni, and Cadmium as Cd and Cyanide as Cn; or other refuse matter of any kind or description whatever.

3. The term “Storm Sewer System” means the storm sewer system now owned or to be constructed or acquired by the District, including all appurtenances, extensions and additions thereto, for gathering, conducting, diverting and controlling local storm water or other harmful excesses of water.

4. The term “Drainage Ditches” means the open ditches constructed and/or owned or to be constructed or acquired by the District, including the banks or slopes thereof, for the collection and transportation of rainwater, drainage water and discharges from the District’s Storm Sewer System.

B. It shall constitute a violation of the Rules and Regulations for any person to throw, discharge or deposit, or to cause, suffer or procure to be thrown, discharged or deposited into the District’s Storm Sewer System or Drainage Ditches any refuse matter as that term is defined herein.

EXHIBIT H

RULES AND REGULATIONS GOVERNING UNAUTHORIZED CONNECTIONS OR SERVICES

The following rules, regulations and policies concerning unauthorized connections to District facilities and the unauthorized use of District services are adopted and promulgated by the Board of Directors of the District.

A. For purposes of the Rules and Regulations, the term “unauthorized connection” shall mean any connection, tap or other joinder, temporary or permanent, by any person of pipes, lines, boxes, meters or similar equipment to the District’s work, facilities or properties, whether or not capable or sufficient for necessary services, without the express, written consent and approval of the District or its duly authorized representative, or which does not conform to the District’s rules, regulations and policies.

The term “unauthorized use” shall mean the use or consumption by any person by means of an unauthorized connection of any services provided by the works, facilities or properties of the District.

The term “person” shall mean and include any person, firm, corporation, partnership, association or any other entity.

B. Upon making a determination of the existence of an unauthorized connection, the District’s operator may, at his discretion, and with or without notice, physically disconnect such unauthorized connection, remove or lock existing metering devices or otherwise suspend or interrupt any accompanying instance of unauthorized use, or may require the person responsible for such unauthorized connection to excavate and expose same, at such person’s sole expense, for inspection.

C. Upon excavation and disconnection by the District of an unauthorized tap, services by the District to the person responsible therefor shall remain suspended or interrupted until repair, reconstruction or adjustment and reconnection of the unauthorized connection to conform to the rules, regulations and policies of the District in materials and construction is made by the District’s operator, or such unauthorized connection is permanently disconnected and plugged and a proper tap is made, and until all reconnection, inspection, use or service fees and charges, and all tap fees at two (2) times the then currently applicable rate shall have been received by the District.

D. If, upon excavation and exposure of an unauthorized connection, the District’s operator determines that such connection complies in materials and construction with the rules, regulations, and policies of the District, then such connection shall be approved upon receipt by the District of all use or service fees and charges, inspection fees and all applicable tap fees, notwithstanding that such connection was not made and installed by the District.

If, however, such unauthorized connection is found to be unsatisfactory, the District, in its discretion, may require the person responsible for such unauthorized connection, at

its sole cost and expense, to repair, reconstruct or adjust and reconnect same to conform to the rules, regulations and policies of the District, or to permanently disconnect and plug such unauthorized connections and to make a proper connection in lieu thereof, and, in either instance, to pay to the District all use or service fees and charges, inspection fees and all applicable tap fees, notwithstanding that such connection was not made and installed by the District.

E. If the currently applicable tap fee is based in part on the District's costs incurred, the amount due the District shall be determined by the District operator's best estimate of such cost. The quantity of services received or consumed during any period of unauthorized use shall be determined on the basis of District operator's best estimate thereof, unless the user is able to produce reliable evidence showing otherwise.

F. It shall constitute a violation of the Rules and Regulations for any person to make or to cause, suffer or procure to be made an unauthorized connection to the works, facilities or properties of the District.

G. It shall constitute a violation of the Rules and Regulations for any person to make or to cause, suffer or procure to be made any services provided by the works, facilities or properties of the District.