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Received - 2022-02-11 01:50:55 PM

Control Number - 53075

ItemNumber - 384

CCH#
11222
20483

**ORDER ADOPTING CONSOLIDATED RATE ORDER, AMENDED AND RESTATED
RULES AND REGULATIONS, EMERGENCY WATER POLICY AND WASTEWATER
CONTROL ORDER**

THE STATE OF TEXAS
COUNTY OF MONTGOMERY
STANLEY LAKE MUNICIPAL UTILITY DISTRICT

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WHEREAS, the Board of Directors (the "Board") of Stanley Lake Municipal Utility District (the "District"), a municipal corporation, created and operating under the provisions of the Texas Constitution, has from time to time adopted certain orders ("Rate Order") and Rules and Regulations establishing the rates and conditions under which water and sanitary sewer service would be provided, and

WHEREAS, the Board of the District has determined that it is in the best interest of the District to amend and restate its Rate Order;

It is therefore ordered by the Board of Directors of Stanley Lake Municipal Utility District that:

**ARTICLE I
DEFINITIONS**

For the purpose of this Order, the following terms shall have the meaning set out hereafter:

A. "Commercial" - shall mean any structure designed for business purposes including office buildings, hotels, retail stores, warehouses, service stations, churches, schools, recreational centers and all other establishments not generally considered as residential structures or defined herein as a residential structure.

B. "Customer" - shall mean any person, partnership, corporation, non-profit corporation, trust or other legal entity served by the District with water and/or sewer services to a residence or business establishment owned or occupied by such person, partnership, corporation, non-profit corporation, trust or legal entity.

C. "Domestic Waste" - shall mean liquid-carried sanitary sewage discharge which is normally discharged from residential food preparation, and bathroom facilities.

D. "Operator" - shall mean the person, company or corporation which is employed by or under contract with the District to operate and maintain the District's water and sewer system and reports routinely to the District on the operations of the District's System and performs any additional services set out in its contract with the District.

E. "Residential" - shall mean any structure designed for occupation as a residence whether by owner, renter, or lessee.

F. "Rules and Regulations" - shall mean the Amended and Restated Rules and Regulations Governing Water and Sanitary Sewer Facilities, Service Lines, and Connections attached to this Order as Appendix "A" and incorporated herein for all purposes.

G. "System" - shall mean the water and/or sanitary sewer facilities of the District and all extensions and additions thereto, whether now in place or hereafter constructed.

ARTICLE II TAP FEES AND CONNECTION POLICY

Section 2.01. Initiation of Water and Sanitary Sewer Connections. Each person desiring a water and sanitary sewer service connection and water and sewer service shall be required to pay such fees as set forth in this Order. Before the District will accept payment for Tap Fees, the District must have evidence that indicates the Customer's facility has been approved by an architectural control committee or the equivalent having jurisdiction over the facility. No service shall be established until such fees are paid. All service connections are subject to the provisions of the District's Rules and Regulations and all other rules, regulations, and policies of the District. ~~Application for water and sewer service must be made at least two (2) weeks before service is needed to allow time for checking of all records and to allow the District's Operator to schedule the tap. All taxes, standby fees, security deposits, and the appropriate fees must be paid in full before the tap will be made.~~

Section 2.02. Policies Governing Connections.

A. **Availability of Access/Obstruction on a New Facility.** By application for connection to the District's System, the Customer shall be deemed to be granting to the District and its representatives a right of ingress and egress to the meter or point of service for such installation, maintenance and repair as the District may deem reasonably necessary. The Customer shall also be deemed to be granting to the District and its representatives a right of ingress and egress to the Customer's property, including the interior and exterior of the Customer's premises, for the purpose of performing the inspections for assurance that the District's Rules and Regulations are satisfied. Taps and connections will not be made when, in the opinion of the District's Operator or designated agent, the work area is obstructed by building materials or other debris or the work area is not completed or finished to grade. When sidewalks, driveways or other improvements have been constructed prior to application for service, such application shall be construed and accepted as the Customer's waiver of a claim for any damages to such improvements resulting from the reasonable actions of the District's Operator in installation of the connection.

B. **Availability of Access/Obstructions on an Existing Facility.** For repair work to a District System located in a public utility easement on a Customer's property, the District will to the extent that is reasonable, restore the surface to its original condition including repouring of driveways and sidewalks, and replacement of existing fences and sodding. The District will avoid to the extent possible, damage to shrubs and trees, however,

the District cannot be responsible for damage to vegetation that has been growing in the easement.

Section 2.03. Connections to District's System.

A. Connections to District's Water System. All taps to the District's Water System must be made by the District's Operator or designated agent. The District shall bring the water supply line onto the public utility easement on the Customer's property and shall install a meter and meter box. The Customer's licensed plumber shall be responsible for connecting the Customer's water line to the District's meter. The licensed plumber shall install a double check valve and shut-off valve between the District's meter and Customer's facility. All plumbing lines and fittings inside the Customer's facility and the trench from the Customer's facility to the District's meter must remain open and exposed for inspection by the District's Operator or designated agent before water service will be provided. If all Rules and Regulations of the District have been satisfied, water service will be made available.

B. Connections to District's Sewer System. All connections to the District's sewer system shall be made in accordance with the District's Rules and Regulations. The District's Operator will stake the approximate location and elevation of the District sewer line. The Customer's licensed plumber will be responsible for bringing the Customer's sewer line to the District's line and for making the tap. The tap must be made with a properly sized saddle with stainless steel straps. If the District's sewer line is located across a road which is dedicated and maintained by Montgomery County, the Customer must first obtain a County permit (County Engineer's office, phone 936-539-7833) for boring underneath the road without disturbing the road's surface to facilitate bringing the Customer's line to the District's Sewer System. The trench containing the Customer's sewer line and the tap must remain open for inspection by the District's Operator or designated agent. The Customer is responsible for all costs of bringing the Customer's sewer line to the District's Sewer System, including County permit and road boring (if across the street), trenching, materials, tap connection and labor.

C. Elevation Differences Between Customer Sewer Service Line and District's Sewer System. The Customer's facility design must provide for proper gravity flow into the District's Sewer System. The design should be such that the potential of wastewater back-flow from the District System into the Customer's Service Line is minimized such as during electrical power outages which can cause System malfunctions. Customer facilities located adjacent to Lake Conroe and those facilities with equivalent low elevations should incorporate designs to prevent wastewater back-flows.

Section 2.04. Inspection Requirements and Fees.

A. All new connections to the District's water and/or sewer system must be inspected by the District's Operator or designated agent for compliance with the District's Rules and Regulations, reference Appendix A. Inspection fees are included in the tap fees described in Section 2.05 except if additional inspection(s) are required because of non-

compliance, or if specially required plumbing devices exist, such as backflow prevention device(s), which require an additional inspection by a certified "Backflow Prevention Assembly Tester". The cost of additional inspection(s) are payable by the Customer to the District equal to the actual inspection cost plus 30%.

B. Any noted existing Customer installation which fails to conform at any time with the Rules and Regulations of the District shall be disconnected by the District's Operator after notification to the Customer. After the noted deficiency has been corrected and inspected the Customer will be billed according to the Rules and Regulations of the District.

Section 2.05. Water and Sewer Tap Fees.

A. Water Tap with District's Line on Either Side of the Street

| | |
|---------------|---------|
| -- 3/4" meter | \$650 |
| -- 1.0" meter | \$1,000 |
| -- 1.5" meter | \$1,500 |
| -- 2.0" meter | \$2,000 |

B. Sewer Tap -- 4" line \$100

C. **Structures Requiring Special Sizes.** A separate agreement between Customer and the District is required for tap fees if line sizes differ from the water meter sizes listed above, or the customary 4-inch sewer tap. In no event shall the tap fees charged by the District shall not exceed three (3) times the actual cost for the tap(s).

Section 2.06. Temporary Water Service.

A. **Temporary Connections.** The District's Operator shall be authorized to make a temporary connection to any fire hydrant or flushing valve upon request for temporary water service. All temporary service shall be metered and billed to the temporary Customer as provided herein. All unauthorized withdrawal of water from flushing valves, fire hydrants, or other appurtenances of the District's System without prior approval of the District, except for emergency fire-fighting purposes, is prohibited.

B. **Security Deposit.** Each temporary Customer desiring temporary water service shall be required to execute an application for such service and shall provide a minimum security deposit based on the length of time service is required, the estimated amount of water to be used, and the cost to produce and supply the water. Each application shall be handled on a case by case basis. The deposit shall be made by cashier's check or money order payable to the District. The deposit shall be used by the District to secure the payment for temporary water supplied by the District, the installation fee, and the cost of repair of any damages caused by the temporary Customer. The balance of the security deposit, if any, shall be refunded after disconnection from the District's System.

Section 2.07 Service to Out-of-District Customers. All requests for water and sewer service from parties located outside the boundaries of the District shall be considered on a case by case basis and governed by separate agreement.

Section 2.08 Title to Facilities. Title to all water meters, water and sewer taps, and all other appurtenances, including meter boxes, shall remain with the District.

ARTICLE III SERVICE RATES

Section 3.01. Water/Sewer Service Rates. The following monthly rates for water/sewer service are in effect for each Separate Connection supplied by the District until such time as the Board of Directors amend said rates:

| Type Connection | Gallons Used | Rate |
|--|----------------------|------------------------|
| A. Single-family Residential and Builder | 0 - 10,000 gal. | \$20.00 (minimum) |
| | 10,001 - 50,000 gal. | \$2.00 per 1,000 gal. |
| | 50,001 and above | \$3.00 per 1,000 gal. |
| B. Commercial | 0 - 5,000 gal. | \$32.00 (minimum) |
| | 5,001 - 50,000 gal. | \$2.50 per 1,000 gal. |
| | 50,001 and above | \$3.00 per 1,000 gal. |
| C. Snug Harbor Condominiums | 0 - 300,000 gal. | \$2,730 (minimum) |
| | 300,001 and above | \$4.40 per 1,000 gal. |
| D. Exxon Service Station | 0 - 30,000 gal. | \$360 (minimum) |
| | 30,001 and above | \$12.00 per 1,000 gal. |

Section 3.02. Regulatory Assessment. Pursuant to Section 5.235, Texas Water Code, as amended, the District shall pay a regulatory assessment to the Texas Natural Resource Conservation Commission (the "Commission") quarterly in the amount required by law on the total charges for retail water and sewer service billed to its Customers quarterly.

At the end of each quarter, the District shall prepare a written statement indicating (i) the total charges for retail water and sewer service for the quarter and (ii) the regulatory assessment due and payable to the Commission. The District shall retain an administrative fee equal to ten (10) percent of the amount due to the Commission for costs incurred in collecting and remitting the assessment.

Section 3.03 No Reduced Rates or Free Service. All Customers receiving water and/or sewer service from the District shall be subject to the provisions of this Order and shall be charged the rates established in this Order, and no reduced rate or free service shall be furnished to any Customer; provided, however, this provision shall not prohibit the District from establishing

reasonable classifications of customers for which rates differing from the rates stated herein may be adopted.

Section 3.04. Standby Fees. Pursuant to certain deed restrictions filed of record covering Cape Conroe Sections I and II, the District is charged with the responsibility for imposing a standby charge not to exceed \$7.50 per month per residential lot until such time as water and sewer service is commenced to such lot. Accordingly, there shall be assessed to and collected by the District's Tax Assessor/Collector, from the owner of each residential lot in Cape Conroe, Sections I and II, to which no water or sewer service has been initiated, a monthly utility standby charge of three dollars and seventy-five cents (\$3.75) per connection for available water service and three dollars and seventy-five cents (\$3.75) per connection for available sewer service. Standby fees shall be billed to and paid by such property owner quarterly, unless the owner qualifies and files for an exemption as described in "Affidavit Regarding Standby Fees," as available at the District's office.

Section 3.05. Where to Make Payments.

A. Payments for tap fees, security deposit, and water/sewer service are payable to: Stanley Lake Municipal Utility District, 875 Lake View Drive, Montgomery, TX 77356

B. Payments for standby fees are to be mailed to: Stanley Lake Municipal Utility District, c/o Hagen & Hagen Enterprise, P.O. Box 1945, Conroe, TX 77305
Tele: 936-321-8666 FAX: 936-273-6005

**ARTICLE IV
SERVICE POLICY**

Section 4.01. Security Deposits. Security deposits shall be required as follows:

A. **Residential Deposits.** Each Customer establishing a new account for residential service is required to pay a security deposit of \$50. A Customer re-establishing an account that has been terminated for non-payment shall be required to pay a security deposit of \$50 and a reconnect fee of \$50 prior to restoration of service.

B. **Commercial Deposits.** Each Customer establishing a commercial account and each Customer re-establishing a commercial account that has been terminated for non-payment, shall be required to make a security deposit equal to two (2) times the estimated average monthly bill for such connection, as determined by the District based on typical requirements for similar uses.

C. **Full Payment Required.** Service shall be initiated only upon payment of the security deposit and all other fees and charges that are due and payable to the District at the time service is commenced.

D. Refund of Deposit. Following payment of the final bill and payment of all fees and charges, the balance of the security deposit, if any, shall be refunded by check mailed to the Customer. No interest shall be payable to the Customer on any security deposit.

Section 4.02. Billing Procedures. All accounts shall be billed in accordance with the following procedures:

A. Meter Reading, Billing and Due Date:

1. All residential and commercial meters shall be read on or near the 20th day of the month to determine the quantity of water used for the month just ending.
2. All bills will be prepared at the end of the month for the month just ending.
3. All bills will be dated the first day of the month and mailed during the final week of the preceding month.
4. All bills are due and payable upon the receipt of the bill, and become delinquent if not paid in full and received by the District by the twentieth (20th) day of the month following the preceding month's service.

B. Due Date and Delinquency. Payment shall be due on or before the due date shown on the bill. After such date, a late charge of ten percent (10%) will be assessed on the unpaid balance on the water and sewer bill. All accounts not paid by the due date shall be deemed delinquent. When a Customer has failed to pay two (2) monthly bills in succession, discontinuation of service procedures shall commence. At the beginning of the third month, the Customer will be advised of intent to disconnect service. If payment has not been received by the tenth (10th) day of the third month, notice of intent to disconnect Customer's service will be given and a "meter pull" order given to the District's Operator. This property will then be placed on standby status if the property was developed prior to 1989. Restoration of service will be made within 48 hours after all fees and charges due the District, including the current month's billing, plus a reconnect fee of fifty dollars (\$50.00), has been paid by the Customer.

C. Notice and Appeal. Prior to termination of service, a Customer who is delinquent in payment shall be sent a notice that service will be discontinued unless payment in full is received. Notice shall be sent by first class United States mail and will provide the Customer with an opportunity to appear in person or by written correspondence at a scheduled meeting of the Board of the District to contest, explain, or correct the charges, services, or disconnection. The notice shall inform the Customer of the amount of the delinquent bill, the date service will be disconnected if payment is not made, and of the right to contest, explain, or correct the charges, services, or disconnection. Service shall not be disconnected where a Customer has informed the District or the District's Operator of his or her desire to contest or explain his bill. If the Customer appears before the Board, in person

or by written correspondence, the Board shall hear and consider the matter and inform the Customer of the Board's determination by sending written notice to the Customer by first class United States mail stating whether service will be continued or disconnected.

D. Unexplained High Usage. In the event a Customer experiences an incident of unexplained high water usage, the District shall adjust the bill by charging the Customer the average bill for such account for the prior three (3) months plus \$50.00. Such billing adjustment shall be made only once per customer, unless otherwise approved by the Board of Directors.

E. Returned Checks. A \$25.00 charge will be charged to the Customer's account for any check returned by the bank. Any amounts due on an account which have been paid with a check that has been returned by the bank must be paid in full by cash, cashier's check or money order, including all late charges and returned check charges, within five (5) days from the day the Operator hangs a notice on the Customer's door or otherwise notifies the Customer that the check has been returned by the bank.

Section 4.03. Entitlement. Customers are not guaranteed a specific quantity or pressure of water or specific capacity in sewer facilities for any purpose whatsoever; furthermore, in no instance shall the District be liable for failure or refusal to furnish water or any particular amount or pressure of water or to provide capacity in sewer facilities.

Section 4.04. Unauthorized and Extraordinary Waste. The rates established herein are applicable for Domestic Waste as defined herein. Industrial wastes or wastes other than from food preparation or bathroom facilities are prohibited.

Section 4.05. Damage to District Facilities.

A. Damage to Meter and Appurtenances. No person other than a duly authorized agent of the District shall in any way alter, change, interfere with a meter, meter box, service line or other water and/or sewer system appurtenance. The District reserves the right, immediately and without notice, to remove the meter or disconnect water service to any Customer if the District's System has been tampered with and to assess charges to the Customer consistent with repair and damage costs.

B. Right to Repair. The District reserves the right to repair any damage to the District's System and appurtenances without prior notice and to assess against any Customer such penalties as are provided by law and such penalties provided for in this Rate Order in addition to those charges necessary to repair the portion of the System so damaged.

**ARTICLE V
ADOPTION OF RULES AND REGULATIONS CONCERNING
WATERWORKS AND SANITARY SEWER SYSTEM**

To preserve the sanitary condition of all water controlled by the District, to prevent waste or the unauthorized use of water controlled by the District, and to secure and maintain safe, sanitary and adequate plumbing installation, connections and appurtenances, the Board of the District hereby adopts the Amended and Restated Rules and Regulations Governing Water and Sanitary Sewer Facilities, Service Lines, and Connections attached hereto as Appendix "A" and incorporated herein for all purposes.

**ARTICLE VI
POLICY REGULATING WATER USE DURING EMERGENCIES**

The Board of the District hereby adopts the Policy Regulating Water Use During Emergencies attached hereto as Appendix "B" and incorporated herein for all purposes.

**ARTICLE VII
WASTEWATER CONTROL ORDER**

The Board of the District hereby adopts the Wastewater Control Order, attached hereto as Appendix "C" and incorporated herein for all purposes.

**ARTICLE VIII
ENFORCEMENT/CIVIL PENALTIES**

Section 8.01. Enforcement.

A. Civil Penalties. The Board hereby imposes the following civil penalties for breach of any rule of the District: The violator shall pay the District twice the costs the District has sustained due to the violation up to \$5,000. A penalty under this Section is in addition to any other penalty provided by the laws 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 any reasonable fees for attorneys, expert witnesses, and other costs incurred by the District before the court. The amount of the attorneys' fees shall be fixed by the court.

B. Liability for Costs. Any person violating any of the provisions of this Order and/or the Rules and Regulations Governing Water and Sanitary Sewer Facilities, Service Lines, and Connections shall become liable to the District for any expense, loss or damage occasioned by the District by reason of such violation, and enforcement thereof shall be in accordance with Section 8.01(A) of this Order and Article X of the Rules and Regulations.

Section 8.02. Non-waiver. The failure on the part of the District to enforce any section, clause, sentence, or provision of this Order shall not constitute a waiver of the right of the District later to enforce any section, clause, sentence, or provision of this Order.

Section 8.03. Appeal. Any determination by the District's Operator or the District's engineer or any authorized agent of the District of any dispute regarding the terms and provisions of this Order may be appealed to the Board of the District, which shall conduct a hearing on the matter. The District's authorized agent and/or attorney shall provide the Customer with information regarding appeals and hearing procedures upon the Customer's request.

ARTICLE IX MISCELLANEOUS

Section 9.01. Amendments. The Board of the District has and specifically reserves the right to change, alter or amend any rate or provision of this Order at any time.

Section 9.02. Severability. The provisions of this Order are severable, and if any provision or part of this Order or the application thereof to any person or circumstance shall ever be held by any court of competent jurisdiction to be invalid or unconstitutional for any reason, the remainder of this Order and application of such provision or part of this Order shall not be affected thereby.

Section 9.03. Headings. The section and paragraph headings used herein are for reference only and are not to be construed as part of the text of the section or paragraph.

ARTICLE X REPEAL OF PREVIOUS ORDERS

All previous Orders adopted by the Board of Directors pertaining to the subject matter hereof are each hereby repealed in their entirety as of the effective date hereof.

ARTICLE XI EFFECTIVE DATE

This Order shall be effective as of March 12, 1999.

The President or Vice President is authorized to execute and the Secretary or any Assistant Secretary is authorized to attest this Order on behalf of the Board and to do all things necessary and proper to carry out the purpose and intent hereof.

PASSED, ADOPTED, ORDERED and APPROVED as of the 12th day of March, 1999.

/s/ Jack D. Collins
President, Board of Directors

ATTEST:

/s/ Leo St. Aubin
Secretary, Board of Directors

(DISTRICT SEAL)

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APPENDIX "A" - Amended and Restated Rules and Regulations Governing Water and Sanitary Sewer Facilities, Service Lines, and Connections

- Exhibit 1 - Water and Sewer Service Connection Inspection
- Exhibit 2 - Backflow Prevention Assembly Test and Maintenance Report

APPENDIX "B" - Policy Regulating Use of Water During Emergencies

- Exhibit 1 - Notice to Customers regarding Serious Water Period
- Exhibit 2 - Notice to Customers regarding Emergency Water Period
- Exhibit 3 - Notice to Customers regarding End of Water Use Restrictions
- Exhibit 4 - Notice to Customer regarding Violation of Water Use Restrictions
- Exhibit 5 - Notice to Customer regarding Violation of Water Use Restrictions (weekly watering)
- Exhibit 6 - Second Notice to Customer regarding Violation and Termination of Services

APPENDIX "C" - Wastewater Control Order

**APPENDIX A
AMENDED AND RESTATED RULES AND REGULATIONS
GOVERNING WATER AND SANITARY SEWER FACILITIES,
SERVICE LINES, AND CONNECTIONS**

THE STATE OF TEXAS
COUNTY OF MONTGOMERY
STANLEY LAKE MUNICIPAL UTILITY DISTRICT

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**ARTICLE I.
PURPOSE**

The following Amended and Restated Rules and Regulations Governing Water and Sanitary Sewer Facilities, Service Lines, and Connections (the "Rules and Regulations") shall govern the design, installation and inspection of all connections and taps made to the District's water distribution system and sanitary sewer collection system, the limitations of the flow of waste into the sanitary sewer system, protection of all facilities which are part of the District's waterworks and sanitary sewer system, and the enforcement of these Rules and Regulations.

**ARTICLE II.
GENERAL**

Section 2.01. Definitions.

1. "Customer" is any person, partnership, corporation, non-profit corporation, trust or other legal entity served by the District with water and/or sewer services.
2. "District" is Stanley Lake Municipal Utility District of Montgomery County, Texas, a political subdivision of the State of Texas.
3. "Engineer" is the person, company or corporation which is under contract with the District to design the District's Water Supply System and Sanitary Sewer Collection System and performs any additional services as set forth in the contract with the District.
4. "High Health Hazard" is a cross-connection, potential cross-connection, or any other situation involving any substance that can cause death, illness, spread of disease, or that has a high possibility of causing such effects if introduced into the District's Water Supply System.
5. "Operator" is the person, company or corporation which is under contract with the District to operate and maintain the District's Water Supply System and Sanitary Sewer Collection System, and reports to the District on the operations of the District's Water Supply System and Sanitary Sewer Collection System and performs any additional services as set forth in the contract with the District.
6. "Rate Order" shall mean the District's Order Adopting Consolidated Rate Order and Rules and Regulations; Establishing Policy Regulating Water Use During Emergencies; Establishing

a Wastewater Control Order; and Providing Penalties for Violation Thereof which may be amended from time to time.

7. "Sanitary Sewer Collection System" constitutes the underground sanitary sewer lines owned or leased and operated by the District. This system is composed of all interconnecting laterals, mains, and trunk lines with manholes, clean-outs, stacks, tees, and wyes located within the publicly dedicated utility easements owned or leased and operated by the District. This system is maintained by the District.

8. "Sanitary Sewer Service Line" is any line from a residential dwelling or commercial building which connects with the District's Sanitary Sewer Collection System, including any grease traps or other facilities constructed to prevent non-domestic waste from being introduced into the District's Sanitary Sewer Collection System. This service line is owned and maintained by the property owner of the residential dwelling or commercial building.

9. "Sewer Tap" is the physical connection between the Sanitary Sewer Service Line and the District's Sanitary Sewer Collection System and shall be made by the Customer's licensed plumber.

10. "Sewer Tap Inspection" is the inspection performed by the District's Operator or designated agent to assure that the proper materials and connections to the Sanitary Sewer Collection System have been accomplished in accordance with these Rules and Regulations.

11. "State Approved Plumbing Code" is a set of rules governing plumbing practices which are at least as stringent and comprehensive as one of the following nationally recognized codes:

- a. Southern Standard Plumbing Code.
- b. Uniform Plumbing Code.
- c. National Standard Plumbing Code.

12. "Tap Fee" is the fee paid to the District for application for water and sewer service, to obtain connections to the District's Water Supply System and Sanitary Sewer System, and for the inspection of the Sanitary Sewer Service Line and Tap and Water Supply Line and its connection to the meter. The amount of the Tap Fee shall be established in the District's Rate Order.

13. "Utility Easement" is an interest in land, granted by dedication, to public utility entities, including the District, to install and maintain utilities across, over, or under private land together with the right to enter thereon with machinery, other vehicles and personnel necessary for the maintenance, repair or construction of said utilities.

14. "Water Supply System" is composed of all water lines, valves, valve boxes, flushing valves, blow-off valves, water meters, water meter service lines, and meter boxes located within public rights-of-way or easements owned or leased and operated by the District. This system is maintained by the District.

15. "Water Meter" is the recording device that registers the amounts of water consumed by each Customer of the District. This meter is owned and maintained by the District.

16. "Water Service Line" is any line from a residential dwelling or commercial building, which connects to the District's Water Supply System. This service line is owned and maintained by the property owner of the residential dwelling or commercial structure.

17. "Water Tap" is the physical connection of the District's meter and the District's Water Service Line. This connection shall be made only by the District's Operator or designated agent. The connection between the water service line and the District's meter shall be made by the Customer's licensed plumber.

Section 2.02. Platting Requirement.

No connection shall be made to the District's Water Supply System or Sanitary Sewer Collection System unless the tract, parcel, or lot of land to be served by such connection:

1. was first connected to the District's Water Supply System or Sanitary Sewer Collection System prior to September 1, 1987, or
2. is part of an area covered by a development plat duly approved and recorded pursuant to Sections 212.0115 and 212.012 of the Local Government Code, as amended, or
3. is not required to be platted and written certification to that effect, in accordance with Section 212.0115(e), has been presented to the District's Operator. If platting is not required the Customer shall grant to the District a public utility easement which meets the requirements of the District Consolidated Rate Order and the Rules and Regulations.

Section 2.03. Approval of Plans and Specifications.

Prior to any non-residential connection to the District's Water Supply System or the Sanitary Sewer Collection System, the plans and specifications for the Water Service Line and the Sanitary Sewer Service Line must be submitted to the District's Engineer or designated agent for review and approval. The cost of the review and approval of the plans and specification shall be paid by the Customer.

Water & sewer line plans - not construction

Section 2.04. Water and Sewer Service Application and Tap Connection Policy.

To make application for water and sewer service for a new residence or commercial facility, see Article II of the Rate Order entitled, "Tap Fees and Connection Policy".

ARTICLE III. WATER CONNECTIONS

Section 3.01. Water Supply System Approved Materials. Only the following types of pipe and fitting materials shall be approved for the installation of water supply and water service lines in residential commercial connections:

1. Any meter approved by the City of Conroe;
2. Brass curb stops, corp stops, and related fittings manufactured by Ford, Hays or Muller;
3. Polyethylene water service pipe, 3/4" to 2";
4. Cast iron or polyvinyl chloride (C-900) water service pipe, larger than 2";
5. Water main pipe of the type originally installed;
6. Plastic meter box up to 2" meter;
7. Concrete meter box, where traffic use is specified; and
8. Concrete meter vault per City of Conroe specifications for 3" and larger meter.

Section 3.02. Water Supply, Private Plumbing Lines and Fittings Material Prohibitions.

Following materials are prohibited for the installation and repair of the District's Water Supply System, the Customer's Water Service Line and all private plumbing lines, fittings, and fixtures within the customer's facility:

1. any pipe or pipe fitting which contains more than 8.0% lead; and
2. any solder or flux which contains more than 0.2% lead.

This prohibition may be waived for lead joints that are necessary for repairs to cast iron pipe.

Section 3.03. Connection and Fixture Prohibitions.

A. No water connection from the District's Water Supply System shall be made to any establishment where an actual or potential contamination or system hazard exists without an air gap separation between the drinking water supply and the source of potential contamination. Where a containment air gap is impractical, individual "internal" air gaps or mechanical backflow prevention devices shall be required at the meter in the form of a 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. Additionally, all pressure relief valves and thermal expansion devices must be in compliance with state plumbing regulations.

B. No water connection from the District's Water Supply System shall be made to any condensing, cooling, or industrial process or any other system of nonpotable usage over which the District does not have sanitary control, unless the said connection is made in accordance with the requirements of paragraph (A) of this section. Water from such systems cannot be returned to the District's Water Supply System.

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.

D. No new or replacement plumbing line or fixture shall be installed which is not in compliance with a State Approved Plumbing Code.

Section 3.04. Backflow Prevention Assemblies.

A. Backflow prevention assemblies shall be installed on any connection which poses a High Health Hazard and any other connection which the District or the District's Operator reasonably believes poses a threat to the District's Water Supply System. Water service provided for lawn sprinklers, swimming pool supply, reflection pool supply or other such applications must incorporate a back flow prevention assembly in accordance with a State Approved Plumbing Code for the particular designated use. No permanent water service will be provided or continued to any new connection which requires a backflow prevention assembly and if such assembly does not exist.

B. Effective January 1, 1996, all backflow prevention assemblies shall be tested upon installation by a Certified Backflow Prevention Assembly Tester and certified to be operating within specifications. The Test Report, as described in Exhibit "3" attached hereto, shall be retained for a minimum of three (3) years. The District shall provide these records to the Commission for inspection upon request.

C. Recognized Backflow Prevention Device Testers shall have completed a Commission approved course on cross-connection control and backflow prevention and passed an examination administered by the Commission or its designated agent. The accredited tester classification shall be broken down into two categories:

1. The "General Tester" is qualified to test and repair backflow prevention assemblies on any domestic, commercial, industrial or irrigation service.

2. The "Fireline Tester" is qualified to test and repair backflow prevention assemblies on firelines only. The State Fire Marshall's office requires that a person performing maintenance on firelines must be employed by an Approved Fireline Contractor.

D. Individuals who can show proof of completion of a course and passage of an exam based on the ABPA or ASSE National Exam, prior to the effective date of these

regulations, may be recognized as accredited for the term of their current certification (not to exceed three (3) years).

F. 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's Operator for record keeping purposes.

G. Repairs to backflow prevention assemblies shall be performed by authorized individuals as recognized by the Texas State Board of Plumbing Examiners, the Commission, Texas Irrigators' Advisory Council, or the Texas Commission on Fire Protection-State Fire Marshall's Office, depending upon application and use.

H. 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 a State Approved Plumbing Code.

ARTICLE IV. SANITARY SEWER CONNECTIONS

Section 4.01. Sanitary Sewer Service Line Installation.

A. Only one Sanitary Sewer Service Line connection to the District's Sanitary Sewer Collection System is permitted for each residence or commercial building. The Sanitary Sewer Service Line shall remain fully within the boundaries of the lot until the line reaches a utility easement or street right-of-way.

B. No opening in the District's Sanitary Sewer Collection System will be allowed to remain overnight or during rain.

C. All Sanitary Sewer Service Lines must be constructed to true alignment and grade. Warped and/or sagging lines will not be permitted. Sanitary Sewer Service Lines must have continuous contact with firm trench bottom throughout their entire run. Lines placed in such manner as to increase the likelihood of being displaced during backfill will be rejected.

D. All Sanitary Sewer Service Lines should be run from wyes or stacks directly to the houses without meanders or bends.

Section 4.02. Sanitary Sewer Service Line Materials. Only the following types of pipe and fitting materials are approved for constructing Sanitary Sewer Service Lines. Pipe and fittings in each Sanitary Sewer Service Line must consist of the following material or other material approved by the District's Engineer:

1. Vitrified clay pipe conforming to ASTM Specification C700 with joint coupling conforming to ASTM Specifications C425 or C594 and installed according to ASTM C12.
2. Cast iron soil pipe, standard weight, conforming to ASTM Specification A74 with rubber gasket joint coupling conforming to ASTM Specification C564.
3. Poly-vinyl-chloride PSM (PVC) pipe conforming to ASTM Specification D3034 or ASTM specification F789 (with UL listing) and installed according to ASTM D2321.
4. Ductile Iron Pipe conforming to ANSI A21.51 with rubber gasket joints ANSI A21.11 and installed according to manufacturer's recommendations.
5. Acrylonitrile-butadiene-styrene (ABS) pipe material conforming to ASTM Specification D2751.

Section 4.03. Size and Grade of Sanitary Sewer Service Lines.

A. Minimum Sizes for Sanitary Sewer Service Lines shall be as follows:

1. Residential - - - 4 inches in diameter; and
2. Commercial - - - 6 inches in diameter.

B. The minimum grades for Sanitary Sewer Service Lines shall be as follows:

1. 4 inch pipe - - - 14 inch drop per hundred feet (1.2%);
2. 6 inch pipe - - - 8 inch drop per hundred feet (0.7%); and
3. 8 inch pipe - - - 5 inch drop per hundred feet (0.4%).

C. The maximum grades for Sewer 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%); and
3. 8 inch pipe - - - one foot drop per hundred feet (1%).

Section 4.04. Connection of Building Sewer Outlet.

A. On all building waste outlets, the building tie-on connections shall be made directly to the stub-out from the building plumbing at the foundation.

B. Water-tight adapters of a type compatible with the materials being joined shall be used at the point of connection of a Sanitary Sewer Service Line to the building plumbing. No cement grout materials shall be permitted.

C. Unless an exception is permitted by the District's Operator, existing wye and stack connections must be utilized for connection of a Sanitary Sewer Service Line to the District's Sanitary Sewer Collection System.

D. Commercial users shall install a sampling well constructed to City of Conroe standards and a grease trap with sampling port constructed to City of Conroe standards when required by the District's Engineer and Operator.

Section 4.05. Fittings and Clean-outs.

A. No bends or turns at any point will be greater than forty-five degrees (45°).

B. Each horizontal Sanitary Sewer Service Line will be provided with a clean-out at its upper terminal; and each such run of piping which is more than ninety (90) feet in length will be provided with a clean-out for each ninety (90) feet or fraction thereof in the length of such piping.

C. Each clean-out will 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 clean-outs, clean-outs will be installed vertically above the flow line of the pipe.

D. Clean-outs will be made with air-tight mechanical plug.

Section 4.06. Installation of Sewer Taps and Issuance of Permits.

A. Sanitary Sewer Service Lines must be at least 24 inches below (vertically) and at least 9 feet from (horizontally) any Water Service Line (far side or near side connection). If this is not possible, a cast iron casing over the Water Service Line must be installed by the Customer, which casing will be inspected by the Operator.

B. Excavation for Sewer Taps shall be water tamped in all areas within 5 feet (vertically or horizontally) of any existing sewer lines, sidewalks or driveways. Soil not suitable for water tamping (clay modules, organic material or silty soils) shall be removed and replaced with suitable backfill materials.

C. All stacks shall be installed in locations shown on the plans. Stacks shall be capped and the cap lightly cemented in place. Wyes will not be installed by the line contractor. Wye saddles will be paid for in the line contract, but will be delivered to the District's Operator. The District's Operator will furnish the Customer a saddle at the time of inspection.

D. When the Sanitary Sewer Service Line is complete, and prior to backfilling the pipe trench, the Customer shall request an inspection of the Sanitary Sewer Service Line. Requests for inspections (or re-inspections) shall be made to the District's Operator at least twenty-four (24) hours in advance of the inspection.

E. Any damage to the District's facility shall be repaired promptly by the Customer under the direction of the District's Operator. Major damage will be repaired by the District's Operator at the Customer's expense.

F. Backfilling of a Sanitary Sewer Service Line trench must be accomplished within twenty-four (24) hours of inspection and approval. Backfill material shall be sand or loam free of large lumps or clods. No debris will be permitted in the trench or backfill.

G. During inspection of the Sanitary Sewer Service Line, the District's Operator will examine all District facilities, such as manholes, valves, flush valves, and inlets on and adjacent to the lot. The connection permit will not be granted until any damage to these facilities has been repaired.

H. The District's Operator will complete the Inspection Form (a copy of which is attached as Exhibit "6") and file it for record with the Application.

I. A connection permit will be issued after the Sewer Tap Inspection is performed and the District's Operator confirms that all requirements of these Rules and Regulations have been met.

J. Connection permits which are rejected for any deficiency shall be promptly corrected and a reinspection requested. A reinspection fee as set forth in the District's Rate Order shall be paid at the time the reinspection is requested.

ARTICLE V. PRIVATE WELLS/TANKS

The construction of water wells and/or the installation of septic tanks is prohibited without prior written approval by the Board of Directors. Said approval, if granted by the Board of Directors, will state the purpose for the construction of a water well and the intended use of the water.

ARTICLE VI. AVAILABILITY OF ACCESS/OBSTRUCTIONS

By application for connection to the District's Sanitary Sewer Collection System and/or Water Supply System, the Customer shall be deemed to be granting to the District and its representatives a right of ingress and egress to and from the meter or point of service for such installation, maintenance and repair as the District, in its judgment, may deem reasonably necessary. The Customer shall also be deemed to be granting to the District and its representatives a right of ingress and egress to the Customer's property, including the interior and exterior of the Customer's

premises, for the purpose of performing the inspections and completing the Customer Service Inspection Certifications required by these Rules and Regulations. Taps and connections will not be made when, in the opinion of the District's Engineer or Operator, the work area is obstructed by building materials or other debris or the work area is not completed or finished to grade. When sidewalks, driveways or other improvements have been constructed prior to application for service, such application shall be construed and accepted as the Customer's waiver of a claim for any damages to such improvements resulting from the reasonable actions of the District's Operator in installation of the connection.

**ARTICLE VII.
PROTECTION OF DISTRICT'S WATER SUPPLY SYSTEM AND
SANITARY SEWER COLLECTION SYSTEM**

A. Damage to the District's Water Supply System or the Sanitary Sewer Collection System by the District's Customers, including developers and builders' plumbers, will be repaired by the District at the Customer's expense.

B. After a water meter has been set or a fire hydrant installed, the Customer shall at all times keep the area in, around and upon such facilities and District easements and property under Customer's control free from rubbish or obstructions of any kind, including shrubbery. Failure to keep such facilities and District easements and property under Customer's control free from rubbish or obstructions of other kind, including shrubbery, shall result in disconnection of water service and/or the assessment of charges necessary to remove said obstructions. Customers are prohibited from introducing material into the District's Sanitary Sewer Collection System which could cause obstruction of said system. In the event that an inspection by the District's Engineer or Operator reveals foreseeable damage to the District's Sanitary Sewer Collection System resulting from a Customer's failure to prevent obstructions from entering said system, the District reserves the right to remove the obstruction immediately and without notice. Any costs incurred by the District for removal of an obstruction to the District's system, plus a District administration fee of 20% of said costs, shall be assessed to the Customer.

C. 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 as a result of willful action injure, deface, or destroy any facilities that are a part of the District's Water Supply System or Sanitary Sewer Collection 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 local fire department shall have the right to use such flushing valves for fire protection purposes.

D. It shall be unlawful for any person to connect any building to the District's Water Supply System without a meter or to have a straight line connection to a building without being metered. It shall also be unlawful for any person, other than the District's Operator or Engineer, to draw water from the District's Water Supply System (except for the use of water for fire fighting purposes) without being metered, including the unauthorized use of a flushing valve or unmetered water taps.

E. 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 Water Supply System or Sanitary Sewer Collection System any debris or foreign substance that would interfere with the proper and routine functioning thereof.

**ARTICLE VIII.
ENFORCEMENT OF RULES AND REGULATIONS.**

Any and all of the following remedies may be employed by the District to abate and prevent any violation of the provisions of these Rules and Regulations:

1. Discontinuance of water service.
2. Disconnection and sealing of sanitary sewer connection.
3. The Board hereby imposes the following civil penalties for breach of any rule or regulation of the District: The violator shall pay the District twice the costs the District has sustained due to the violation up to \$5,000. A penalty under this Section is in addition to any other penalty provided by the laws 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 any reasonable fees for attorneys, expert witnesses, and other costs incurred by the District before the court. The amount of the attorneys' fees shall be fixed by the court.
4. A Customer found in violation of these Rules and Regulations shall be liable to the District for all expenses borne by the District including laboratory fees, legal fees, engineering fees and other costs incurred by the District in establishing the violation and resolving the cause of the violation.
5. A Customer found in violation of these Rules and Regulations who causes or contributes to a violation by the District's Sanitary Sewer Collection System of effluent parameters shall be liable to the District for all expenses borne by the District, including legal and engineering fees related to any lawsuit filed by federal, state, or local authorities regarding violations by the District of effluent parameters applicable to the District's Sanitary Sewer Collection System.

**ARTICLE IX.
EFFECTIVE DATE**

These Rules and Regulations shall become effective immediately.

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WATER AND SEWER SERVICE CONNECTION INSPECTION
Exhibit 1 - Appendix A

Subdivision _____ Section _____ Block _____ Lot _____

Street Address _____

Residence _____ Business and type _____

Property Owner's Name _____ Contractor's Name _____

Tap Fee Application Date _____ Amount Paid _____

Date Connections Made, Sewer Tap _____ Water Connection _____

Sewer Line Information

Wye Location _____

Stack Location _____

Manhole Location _____

Clean-out Location _____

Pipe Material - Size: PVC
(D3034) _____ ABS (D2751) _____ Other _____

Sewer tap and service line properly installed: Yes _____ No _____

Water line Information

This Section to be certified by Customer's Licensed Plumber

Is there a direct or cross connection(s) in Customer's Service Line: Yes _____ No _____
If yes, a "back-flow prevention assembly" was installed and tested by a certified "Back-flow Prevention Assembly Tester" per inspection report, attached.

Name of "Backflow Prevention Assembly Tester"

1. There is a double check valve and shut-off valve in the Water Service Line.
2. There are no pipe or fittings that contain more than 8.0% lead, and no solder or flux with more than 0.2% lead.
3. There is no connection that would allow contaminated water to back-flow into the District's Water Supply System.
4. All plumbing fixtures are in compliance with State Approved Plumbing Code.

Plumber _____ License# _____ Date _____

Final Inspection by District's Operator or Agent

Connections to District's water and sewer systems are approved _____ Not approved _____
Date of Inspections: 1st _____ 2nd _____ 3rd _____

Signed by _____ date _____

BACKFLOW PREVENTION ASSEMBLY TEST REPORT Exhibit 2 - Appendix A

Stanley Lake Municipal Utility District requires the completion of this form for each assembly tested. A signed and dated original must be submitted to the District for record keeping purposes.

Location of Service:

Subdivision _____ Section _____ Block _____ Lot _____

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"/> Double Check Valve | <input type="checkbox"/> Atmosphere Vacuum Breaker |
| <input type="checkbox"/> Not Needed at this Address | |

Manufacturer _____ Size _____

Model Number _____ Serial # _____

| | Reduced Pressure Principle Assembly | | | Pressure Vacuum Breaker | |
|----------------------------|---|--|---------------------|---------------------------------------|---------------------------------|
| | Double Check Valve Assembly | | Relief Valve | Air Inlet | Check Valve |
| | 1st Check | 2nd Check | | Opened at _____ psi | |
| Initial Test | DC-Close Tight <input type="checkbox"/> RP- _____ psi Leaked <input type="checkbox"/> | Closed Tight <input type="checkbox"/> Leaked <input type="checkbox"/> | Opened at _____ psi | Did not Open <input type="checkbox"/> | Leaked <input type="checkbox"/> |
| Repairs and Materials Used | | | | | |
| Test After Repair | DC-Closed Tight <input type="checkbox"/> RP _____ psi | Closed Tight <input type="checkbox"/> | Opened at _____ psi | Opened at _____ psi | _____ psi |

The above is certified to be true.

| | |
|---------------------|-------------------------|
| Firm Name: _____ | Certified Tester: _____ |
| Firm Address: _____ | Cert. Tester No.: _____ |
| | Date: _____ |

Signature of District Operator or Agent _____

APPENDIX B

POLICY REGULATING USE DURING EMERGENCIES

THE STATE OF TEXAS
COUNTY OF MONTGOMERY
STANLEY LAKE MUNICIPAL UTILITY DISTRICT

§
§
§

Section 1. Definitions.

A. A "Serious Water Period" shall mean a failure of the District's Water Supply System to deliver treated water at adequate levels or pressures attributable to:

- (i) A period of hot and/or dry weather;
- (ii) Failure of any one or more components of the Water Supply System;
- (iii) A lowering of the groundwater table of the District's wells; or
- (iv) Other causes as determined by the Board of the District.

B. An "Emergency Water Period" shall mean the failure of the District's Water Supply System to deliver treated water so as to pose a serious threat to the public health, safety or welfare which may be caused by any of the items enumerated above.

C. Definitions from Article I of the Order Adopting Consolidated Rate Order and Rules and Regulations shall apply in this Appendix B.

Section 2. Notice

A. Upon the occurrence of a "Serious Water Period" or an "Emergency Water Period," the Operator shall notify each District water Customer (one notification per connection). Such notice shall inform the Customer (i) of the occurrence of the Serious Water Period and/or the Emergency Water Period; (ii) that water usage restrictions are now in effect; and (iii) of the penalties for failure to comply with the imposed restrictions. Notification shall be given by delivering written notice to the front door or the main entrance of every District water Customer in the forms attached hereto as Exhibit "1" and "2." Additional means of notification may be employed at the discretion of the Board of the District.

B. At such time as the Water Supply System has been restored to acceptable levels, the Serious Water Period or Emergency Water Period shall be cancelled and Customers may resume normal water usage. The District's Operator shall provide written notice to each Customer in the same manner as provided in Section 8.02(a) hereof and in the form attached hereto as Exhibit "3."

Section 3. Water Use Restrictions.

A. During a Serious Water Period, customers are prohibited from allowing, permitting, or causing water received from the District's Water Supply System to be released through a sprinkler, faucet, hose or similar pressurized source for use outside of a residence, building or enclosed structure except between the hours of 10:00 p.m. and 6:00 a.m. as outlined below:

- (i) Customers whose street address ends with an even number digit (0, 2, 4, 6, or 8) may discharge water for use outside of a residence, building or enclosed structure, on even numbered days commencing at 10:00 p.m. and ending at 6:00 a.m. the following calendar day.
- (ii) Customers whose street address ends with an odd number digit (1, 3, 5, 7, or 9) may discharge water for use outside of a residence, building or enclosed structure on odd numbered days commencing at 10:00 p.m. and ending at 6:00 a.m. the following day.

B. During an Emergency Water Period, customers are prohibited from allowing, permitting, or causing water received from the District's Water Supply System to be released through a sprinkler, faucet, hose or similar pressurized source for use outside of a residence, building or enclosed structure except between the hours of 10:00 p.m. and 6:00 a.m. ONCE A WEEK as outlined below:

- (i) Customers whose street address ends with an even number digit (0, 2, 4, 6, or 8) may use water for use outside a residence, building or enclosed structure commencing at 10:00 p.m. on Friday and ending at 6:00 a.m. the following Saturday morning.
- (ii) Customers whose street address ends with an odd number digit (1, 3, 5, 7, or 9) may use water for use outside a residence, building or enclosed structure commencing at 10:00 p.m. on Saturday and ending at 6:00 a.m. the following Sunday morning.

Section 4. Water Use Guidelines. During a Serious Water Period or Emergency Water Period, customers are encouraged to:

1. Take showers instead of baths;
2. Wash only full loads of clothing or dishes when using automatic appliances;
3. Avoid unnecessary flushing of toilets;

4. Minimize the length of time water faucets are allowed to run (i.e., when washing hands or face, washing dishes, or when preparing for shower, etc.).

Section 5. Permitted Water Use During A Serious Period or Emergency Water Period.

Customers are allowed to use water during a Serious Water Period or Emergency Water Period for the following:

1. Grass or plants which have been planted or transplanted on the same calendar day on which such usage occurs, or
2. Trees or plants (excluding grass) between the hours of 10:00 a.m. and 12:00 noon if such use is accomplished through a hose held at all times in a person's hand, or
3. for sanitary purposes, or
4. for the purpose of flushing water lines to prevent or eliminate stagnation, contamination or discoloration of water in any District water facility, or
5. for the suppression of fire, or
6. for the wetting of any surface for the purpose of complying with the air pollution laws of the State of Texas or the United States of America.

Section 6. Penalties for Violating Water Use Restrictions During a Serious Water Period or Emergency Water Period. The following penalties shall be enforced for violating the water use restrictions during a Serious Water Period and/or an Emergency Water Period:

1. The Operator for the District shall notify the Customer in writing of a violation by hand delivery of a citation in the form attached hereto as Exhibits "4" and "5" and by affixing the citation to the front door or main entrance of the place of violation.
2. In the event that a District Customer violates the prohibited use on two (2) occasions during any single Serious Water Period or Emergency Water Period, service shall be discontinued after written notice in the form attached hereto as Exhibit "6" and shall not be initiated or restored until non-compliance is discontinued and payment of a \$100 reconnect fee is paid.
3. Violators shall reimburse the District for any and all expenses incurred by the District, including reasonable attorneys' fees, in enforcing the terms of this Policy. The penalties provided for in this Policy shall in no way limit liability for violations of these regulations and are in addition to any and all other remedies available, both legal and equitable.

Section 7. Water Conservation. In addition to the water use guidelines and restrictions specified herein, conservation of water is encouraged by the District. To this end, the Board of the District may, from time to time, distribute additional water use and/or conservation guidelines. The issuance of such information does not modify or invalidate the restrictions and guidelines stated herein.

EXHIBIT 1
TO APPENDIX B

STANLEY LAKE MUNICIPAL UTILITY DISTRICT
OF
MONTGOMERY COUNTY, TEXAS

(Date)

Dear Customer:

Due to the hot and dry weather conditions, the water supply system of Stanley Lake Municipal Utility District cannot continue to provide water at the customary levels or pressures. In accordance with the Policy Regulating Water Use During a Serious Water Period, you are hereby notified that Water Use Restrictions are now in effect. You are prohibited from allowing, permitting, or causing water received from the District's Water Supply System to be released through a sprinkler, faucet, hose or similar pressurized source for use outside of a residence, building or enclosed structure except between the hours of 10:00 p.m. and 6:00 a.m. as outlined below:

- (1) Customers whose street address ends with an even number digit (0, 2, 4, 6, or 8) may discharge water for use outside a residence, building or enclosed structure, on even numbered days commencing at 10:00 p.m. and ending at 6:00 a.m. the following calendar day.
- (2) Customers whose street address ends with an odd number digit (1, 3, 5, 7, or 9) may discharge water for use outside a residence, building or enclosed structure on odd numbered days commencing at 10:00 p.m. and ending at 6:00 a.m. the following day.

Failure to comply with the Water Use Restrictions is deemed a violation of the Policy Regulating Water Use During a Serious Water Period and will result in the termination of water and sewer service to your property. Water and sewer service will not be restored until non-compliance is discontinued and a reconnect fee of \$100 is paid.

The Board of Directors appreciates your cooperation and perseverance during this Serious Water Period. Once the Serious Water Period ends, we will notify you and you may then return to normal usage.

Very truly yours,

Board of Directors

EXHIBIT 2
TO APPENDIX B

STANLEY LAKE MUNICIPAL UTILITY DISTRICT
OF
MONTGOMERY COUNTY, TEXAS

(Date)

Dear Customer:

As a result of _____, Stanley Lake Municipal Utility District is unable to provide water at the customary levels or pressure.

In accordance with the Policy Regulating Water Use During an Emergency Water Period, you are hereby notified that Water Use Restrictions are now in effect. You are prohibited from allowing, permitting, or causing water received from the District's Water Supply System to be released through a sprinkler, faucet, hose or similar pressurized source for use outside of a residence, building or enclosed structure except between the hours of 10:00 p.m. and 6:00 a.m. ONCE A WEEK as outlined below:

- (1) Customers whose street address ends with an even number digit (0, 2, 4, 6, or 8) may use water outside a residence, building or enclosed structure commencing at 10:00 p.m. on Friday and ending at 6:00 a.m. the following Saturday morning.
- (2) Customers whose street address ends with an odd number digit (1, 3, 5, 7, or 9) may use water outside a residence, building or enclosed structure commencing at 10:00 p.m. on Saturday and ending at 6:00 a.m. the following Sunday morning.

Failure to comply with the Water Use Restrictions is deemed a violation of the Policy Regulating Water Use During an Emergency Water Period and will result in the termination of water and sewer service to your property. Water and sewer service will not be restored until non-compliance is discontinued and a reconnect fee of \$100 is paid.

The Board of Directors appreciates your cooperation and perseverance during this Emergency Water Period. Once the Emergency Water Period ends, we will notify you and you may then return to normal usage.

Very truly yours,

Board of Directors

**EXHIBIT 3
TO APPENDIX B**

**STANLEY LAKE MUNICIPAL UTILITY DISTRICT
OF
MONTGOMERY COUNTY, TEXAS**

(Date)

Dear Customer:

The Serious Water Use Period or Emergency Water Period has ended. You may return to normal water usage. The Board of Directors of Stanley Lake Municipal Utility District appreciates your cooperation and perseverance during this period.

Very truly yours,

Board of Directors

**EXHIBIT 4
TO APPENDIX B**

**STANLEY LAKE MUNICIPAL UTILITY DISTRICT
OF
MONTGOMERY COUNTY, TEXAS**

CITATION

(Date)

Dear Customer:

You are hereby notified that you are violating the Water Use Restrictions of Stanley Lake Municipal Utility District. The Water Use Restrictions prohibit you from allowing, permitting, or causing water received from the District's Water Supply System to be released through a sprinkler, faucet, hose or similar pressurized source for use outside of a residence, building or enclosed structure except between the hours of 10:00 p.m. and 6:00 a.m. as outlined below:

- (1) Customers whose street address ends with an even number digit (0, 2, 4, 6, or 8) may discharge water for use outside a residence, building or enclosed structure, on even numbered days commencing at 10:00 p.m. and ending at 6:00 a.m. the following calendar day.
- (2) Customers whose street address ends with an odd number digit (1, 3, 5, 7, or 9) may discharge water for use outside a residence, building or enclosed structure on odd numbered days commencing at 10:00 p.m. and ending at 6:00 a.m. the following day.

You have been observed using water in a manner which is prohibited under the above described Water Use Restrictions. Unless the use of water in a prohibited manner is ceased immediately, water and sewer service to your property will be terminated, and service will be only restored upon payment of a \$100 reconnect fee.

Sincerely,

Board of Directors

EXHIBIT 5
TO APPENDIX B

STANLEY LAKE MUNICIPAL UTILITY DISTRICT
OF
MONTGOMERY COUNTY, TEXAS

CITATION

(Date)

Dear Customer:

You are hereby notified that you are violating the Water Use Restrictions of Stanley Lake Municipal Utility District. The Water Use Restrictions prohibit you from allowing, permitting, or causing water received from the District's Water Supply System to be released through a sprinkler, faucet, hose or similar pressurized source for use outside of a residence, building or enclosed structure except between the hours of 10:00 p.m. and 6:00 a.m. ONCE A WEEK as outlined below:

- (i) Customers whose street address ends with an even number digit (0, 2, 4, 6, or 8) may discharge water for use outside of a residence, building or enclosed structure, on even numbered days commencing at 10:00 p.m. on Friday and ending at 6:00 a.m. the following Saturday morning.
- (ii) Customers whose street address ends with an odd number digit (1, 3, 5, 7, or 9) may discharge water for use outside of a residence, building or enclosed structure on odd numbered days commencing at 10:00 p.m. on Saturday and ending at 6:00 a.m. the following Sunday morning.

You have been observed using water in a manner which is prohibited under the above described Water Use Restrictions. Unless the use of water in a prohibited manner is ceased immediately, water and sewer service to your property will be terminated, and service will be only restored upon payment of a \$100 reconnect fee.

Sincerely,

Board of Directors

**EXHIBIT 6
TO APPENDIX B**

**STANLEY LAKE MUNICIPAL UTILITY DISTRICT
OF
MONTGOMERY COUNTY, TEXAS**

CITATION

(Date)

Dear Customer:

On _____, you were notified that you are violating the Water Use Restrictions of Stanley Lake Municipal Utility District. This second violation has resulted in the termination of water and sewer service to your property. Service will be restored upon discontinuation of the prohibited use and upon payment of \$100 reconnect fee. To have service restored you should contact the operator of Stanley Lake Municipal Utility District at _____.

Sincerely,

Board of Directors

APPENDIX C

WASTEWATER CONTROL ORDER

THE STATE OF TEXAS
COUNTY OF MONTGOMERY
STANLEY LAKE MUNICIPAL UTILITY DISTRICT

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PURPOSE

This Wastewater Control Order set forth below is to govern all connections made to the sanitary sewer collection system within the District.

**II.
DEFINITIONS**

Definitions from the District's Order Adopting Consolidated Rate Order and Rules and Regulations; Establishing Policy Regulating Water Use During Emergencies; Establishing a Wastewater Control Order; and Providing Penalties for Violation Thereof are incorporated herein by reference. Unless the context requires otherwise, the terms and phrases used herein shall have meanings as follows:

1. The term "amenable to treatment" shall mean susceptible to reduction in concentration by Treatment routinely provided in the District's wastewater treatment plant, to a level which is in compliance with federal and state effluent limitations for discharges into the waters of the State of Texas.

2. The term "B.O.D." (Biochemical Oxygen Demand) means the quantity of oxygen by weight expressed in milligrams per liter ("mg/l") utilized in the biochemical oxidation of organic matter under standard laboratory conditions for five days at a temperature of twenty (20) degrees centigrade 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 in accordance with the latest rules of the Texas Natural Resource Conservation Commission (the "Commission").

3. The term "Control Manhole" or "Control Point" means a manhole, sample well or other facility which provides access to a Customer's Sanitary Sewer Collection System and is located at a point before the Waste discharges in the Waste Disposal System.

4. The term "C.O.D." (Chemical Oxygen Demand) 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 in accordance with the latest rules of the Commission.

5. The term "Commercial Waste" means the liquid and water-carried waste resulting from any process of industry, manufacturing, trade, business, or commercial enterprise, or any other process resulting in the discharge of waste 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.

6. The term "Commercial Waste Charge" means the charge made to persons who discharge or are responsible for the discharge of non-residential waste into the Waste Disposal System which discharge is amenable to treatment but which exceeds the concentration levels of normal domestic wastewater.

7. The term "Customer" means any person who is served by the wastewater collection and treatment system of the District (the "Waste Disposal System").

8. The term "Customer's 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.

9. The term "daily composite" means the composite of all samples of a Customer's wastewater that may be taken in any 24-hour period selected by the District. A daily composite shall be prepared from not less than three (3) grab samples collected no closer together than one (1) hour per sample.

10. 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.

11. The term "grab sample" means an individual sample collected in less than 15 minutes.

12. The term "grease" means fats, waxes, oils, and other similar volatile material and waste which are extracted by procedures specified in the latest edition of Standard Methods, or such other manuals as the District may adopt from time to time in accordance with the latest rules of the Commission.

13. The term "infiltration water" means water which leaks into the District's Waste Disposal System or its customers' sanitary sewer collection systems.

14. The term "interference" means the inhibition or disruption of the Waste Disposal System treatment process or operations which causes or contributes to causing a violation of the District's NPDES Permit or its permit issued by the Texas Natural Resource Conservation Commission.

15. The term "mg/l" means milligrams per liter.

prepared, approved, and published jointly by the American Public Health Association, the America Water Works Association, and the Water Pollution Control Federation.

26. The term "storm sewer" means sewers which carry storm and surface waters and drainage and into which waste is not intentionally discharged.

27. The term "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.

28. 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.

29. The term "waste" means normal domestic wastewater and commercial waste collected by a public sanitary sewer collection system, together with such infiltration water as may be present.

30. 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.

31. 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.

III. PROHIBITED DISCHARGE

A. DISCHARGES INJURING OR INTERFERING WITH WASTE DISPOSAL SYSTEM

All waste discharged into the 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 Waste Disposal System any waste which by itself or by interaction with any other waste may (i) injure or interfere with the process or physical properties or facilities of the Waste Disposal System, (ii) constitute a hazard to humans or animals, and (iii) create a hazard in the receiving waters of the effluent of the Waste Disposal System. No person shall discharge any of the following substances into the Waste Disposal System:

1. Any inflows or infiltration, including but not limited to, storm water, groundwater, roof runoff, sub-surface drainage, noncontact cooling water, or from sources such as downspouts, yard drains, pool drains, yard fountains or ponds, or lawn sprinklers.

2. Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances, to cause fire or explosion or be injurious in any other way to the Waste Disposal System or to the operation of the Waste Disposal System. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system), be more than five percent (5%) nor any single reading over ten percent (10%) of the Lower Explosive Limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances in concentrations which the District, the State or EPA has identified or hereafter identifies as a fire hazard or a hazard to the system.

3. Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the Waste Disposal System including, but not limited to, garbage (other than properly shredded garbage) containing particles greater than one-half inch (1/2") in any dimension, animal guts or tissues, paunch manure, bones, hair hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal or metal ions, glass, straw, shavings, grass clippings, lettuce, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud, glass grindings or polishing wastes.

4. Any wastewater having a pH less than 6.0 or higher than 9.0, as determined from the average of at least four (4) grab samples taken at least one hour apart and measured instantaneously, or having a pH lower than 5.0 or higher than 10.0 for any single grab sample, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel of the Waste Disposal System.

5. Any wastewater containing toxic Pollutants in sufficient quantity, either singly or by interaction with other Pollutants, to injure or interfere with any wastewater treatment process, which constitute a hazard to humans or animals, which create a toxic effect in the receiving waters of the wastewater facilities, or which exceed the limitation set forth in a National Categorical Pretreatment Standard.

6. Any wastewater having a temperature which will inhibit biological activity in the wastewater treatment plant or result in the interference with the operations of such facility, but in no case wastewater with a temperature at the designated control point or sample well which exceeds 65°C (150°F) or which causes the temperature of waste at the entrance to the wastewater treatment plant to exceed 40°C (104°F). In addition, no wastewater with such a temperature that will cause the temperature of wastewater at the entrance to the wastewater treatment plant to rise more than 10°F per hour.

7. Any Pollutants, including oxygen demanding Pollutants released at a flow rate and/or Pollutant concentration which will cause interference to the Waste Disposal System. No slug discharges are allowed.

8. A volume of flow which will cause the influent flow to the Waste Disposal System to exceed 1.5 times the average dry weather flow rate for a period longer than one hour. The design and installation of surge basins shall be subject to the review and approval of the District and to the requirements of all applicable laws.

9. Waste containing B.O.D. or suspended solids in excess of 200 mg/l, or ammonia in excess of 35 mg/l, based on a grab sample, unless a variance is first obtained from the District. B.O.D. or suspended solids in monthly average concentrations above 200 mg/l, and ammonia in a monthly concentration above 35 mg/l, shall be subject to payment of Commercial Waste Charges pursuant to Section VIII herein.

Discharges prohibited by the foregoing parameters include, but are not limited to, slugs and materials which exert or cause: excessive discoloration or concentrations of suspended solids, B.O.D., C.O.D., or chlorine demands in excess of the ability of the Waste Disposal System to treat adequately and dispose of such waste in compliance with applicable regulatory requirements.

B. CHEMICAL DISCHARGES

The following chemicals shall not be admissible into the Waste Disposal System:

1. Cyanide or cyanogen compounds capable of liberating hydrocyanic gas upon acidification when present in concentrations in excess of 0.5 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. in excess of 500 mg/l for any daily composite sample or 1,000 mg/l for any 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 degrees and 65 degrees Centigrade) or which exceeds on analysis an average of 100 mg/l of soluble matter;
7. Dissolved sulfides whose concentrations exceed 30 mg/l;

8. Radioactive materials or isotopes of such half-life or concentrations which will permit a transient concentration higher than the maximum allowable as specified by the governing standards of all local, State and federal regulatory authorities;

9. Any other corrosive, explosive, malodorous, or objectionable chemicals in liquid, solid, or gaseous form.

C. HEAVY METALS AND METAL IONS AND TOXIC MATERIALS

The following metals and metal ions 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 wastewater treatment plant 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 this Part III 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, boron, cobalt, molybdenum, tin, uranyl ion, uranium, rhenium, strontium, tellurium, and such other heavy metals and their ions as may be prohibited by the District.

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

Not to Exceed (mg/l)

| <u>Metal</u> | <u>Monthly Average</u> | <u>Daily Composite</u> | <u>Grab Sample</u> |
|--------------|----------------------------|----------------------------|------------------------|
| Arsenic | 1.000 | 1.500 | 3.000 |
| Barium | 5.000 | 7.500 | 15.000 |
| Cadmium | 0.083 | 0.125 | 0.250 |
| Chromium | 5.000 | 7.500 | 15.000 |
| Copper | 0.600 | 0.900 | 1.800 |
| Lead | 0.400 | 0.600 | 1.200 |
| Manganese | 2.000 | 3.000 | 6.000 |
| Mercury | 0.0005 | 0.0010 | 0.002 |
| Nickel | 5.000 | 7.500 | 15.000 |
| Selenium | 0.467 | 0.700 | 1.400 |
| Silver | 0.050 | 0.050 | 0.100 |
| Zinc | 2.000 | 3.000 | 6.000 |

7. Any other heavy metals or metal ions 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.

D. SOLID WASTE

No person may discharge solid waste 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-fourth (3/4) horsepower (0.76 H.P. metric) or greater.

**IV.
MINIMUM PRELIMINARY TREATMENT CRITERIA
FOR COMMERCIAL WASTE**

It is not the intent of this Wastewater Control Order to cover all the possibilities for types of businesses that could potentially discharge wastes that can be adverse to the Waste Disposal System. However, the common commercial enterprises found in the vicinity of residential neighborhoods have been considered.

1. Gasoline Sales/Car Repair. All floor drains in shop areas shall include a combination mud and grease trap similar to City of Houston Dwg. 359-S-1. All flows into these drains should subsequently be treated in a specially designed oil separator with positive means for oil and grease removal. A 48-hour detention grease trap (minimum 1,500 gallons) or a corrugated plate pack separator will provide such treatment. No drainage shall be pumped with a centrifugal pump prior to oil and grease separation. The traps shall be cleaned at least once a month. Safeguards shall be taken against contamination of

groundwater due to leakage from fuel tanks. All piping and tankage for both oil and grease pretreatment facilities and product storage shall be of double wall construction and shall include integral leak detection monitors to preclude contamination of groundwater.

2. Car Wash Facilities. All car wash facilities shall recycle the maximum amount of wash water through the best commercially available systems and install a mud/grease trap for each drain followed by 96-hour detention gravity grease separation (minimum 1,500 gallons) or a corrugated plate pack separator. Mud, sludge, and grease removal shall be required at least once a month. If the car wash facility has gasoline pump(s), then the car wash facility must also have floor drains to include a mud and grease trap similar to City of Houston Dwg. 359-S-1. All flows into these drains should subsequently be treated in a specifically designed oil separator with positive means for oil and grease removal. Traps shall be cleaned at least once a month. Safeguards shall be taken against contamination of groundwater due to leakage from fuel tanks. All piping and tankage for both oil and grease pretreatment facilities and product storage shall be double wall construction and shall include integral leak detection monitors to preclude contamination of groundwater. A ground water monitoring well must also be installed.

3. Food Service/Grocery Stores. Restaurants, meat markets, grocery stores, and other establishments dealing with the sale of unprocessed or cooked foods shall be prohibited from using garbage grinders, shall require grease traps (minimum 1,500 gallons), shall install an inspection manhole for sampling, and shall insure that scrap food and grease are collected in sealed containers and hauled away for reprocessing. Grease traps shall be cleaned a minimum of once a month.

4. Printing and Photoprocessing. Printing and photo-processing facilities shall install a ground water monitoring well and shall discharge only domestic waste from sinks and restrooms. All printing and photoprocessing chemicals shall be collected in sealed containers and hauled away for reprocessing.

5. Laundry/Dry Cleaning. Laundry and dry cleaning facilities shall install a ground water monitoring well and shall incorporate a lint trap system equivalent to two City of Houston Dwg. 533-S units in series, providing a minimum of 3,000 gallons of capacity. Cleaning of the lint trap is required at least once a month.

6. Landscaping/Nurseries. Landscaping and nurseries that use herbicides and pesticides shall install a ground water monitoring device and shall only discharge domestic waste from sinks and restrooms.

7. Discharge of Waters or Wastes Containing Toxic or Poisonous Substances; Submission of Written Statement. Where the operation of a person, firm, or corporation entails the discharge of water or wastes containing toxic or poisonous substances, a written statement setting forth the nature of the operation contemplated or presently carried on shall be filed with the District. The statement shall specify the amount of water that will be used and its source, the proposed point of discharge of wastes into the Waste Disposal System of

the District, and the estimated amount to be discharged; the statement shall include a laboratory statement setting forth the expected bacterial, physical, chemical, and other known characteristics of said wastes. Within thirty (30) days from receipt of such statement, the District shall issue an order stating minimum restrictions necessary in the judgement of the District's Engineer to protect the District's systems.

Where pretreatment or control is required by the District, it shall review and approve the design and installation of the equipment and processes in conformity with all applicable laws and regulatory requirements. Any person responsible for discharges requiring such pretreatment or control facilities shall provide and maintain such facilities in effective operating conditions.

V. TRAPS; INTERCEPTORS

Grease, oil, and sand interceptors shall be provided for the proper handling of liquid wastes containing grease in amounts that will impair the proper functioning of any sanitary sewer line and for preventing any flammable wastes, sand, and other harmful ingredients from entering into the sanitary sewers. Interceptors shall not be required for premises used exclusively as private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the District and shall be located as to be readily and easily accessible for cleaning and inspection.

Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily removable covers which when bolted in place shall be gas-tight and watertight. Where installed, all grease, oil, and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times. Any facility with a mud and grease trap or grease trap or pretreatment system shall be required to remove grease, grit, sludge, or other residue at least once a month and shall maintain records at the site of the date, time, name of hauler, volume removed, destination, waste hauling permit number, and a copy of a hauler's manifest. Records shall be available for inspection by District's representatives during normal working hours. A facility not complying shall be subject to having water service terminated until the facility is brought into compliance.

VI. SAMPLING; TESTING; INSPECTION; RIGHT OF ENTRY

A. Control Manholes: Installation, Location, and Maintenance. The owner of any property served by a sewer carrying Commercial Waste shall install a suitable control manhole in the sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole shall be accessible and safely located and shall be constructed in accordance with plans approved by the District Engineer. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

Owners of property served by a sewer carrying Commercial Waste and required to install a suitable manhole pursuant to this Article VI hereof and receiving water and sanitary sewer

service from the District on the initial effective date of this Wastewater Control Order shall have 180 days from the initial effective date to install a suitable control manhole. Failure to install the manhole within 180 days as described herein shall result in the termination of water and sewer service to the property. All new connections served by a sewer carrying Commercial Waste shall have a suitable control manhole installed prior to receiving water and sewer service from the District.

B. Sampling/Testing. The District or its duly authorized agent or representative may enter at all reasonable times 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.

After the effective date hereof and upon completion of the installation of a suitable control manhole pursuant to Section VI(A) hereof, the Operator for the District shall conduct an initial test which shall consist of a minimum of one (1) grab sample and a maximum of three (3) grab samples, as determined by the District's Operator, from the control manhole of all sewers carrying Commercial Waste. If the results of the grab samples indicate that the waste being discharged into the Waste Disposal System is in accordance with this Wastewater Control Order, testing shall then be conducted on a periodic basis.

In the event the grab samples indicate that the waste being discharged into the Waste Disposal System is in violation of this Wastewater Control Order, then the owner of the property shall be notified and shall be required to submit a plan for the satisfactory correction of the violation in accordance with Subsection C of this Section, unless the violation presents an imminent danger to the health or welfare of the public, then service shall be terminated in accordance with Article IX hereof. The cost for all additional testing conducted as a result of the violation shall be billed to the commercial Customer, and failure to pay such cost will result in the termination of water and sewer service.

Sampling and testing shall be conducted on connections carrying Commercial Waste 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 operation as the District may adopt from time to time in accordance with the latest rules of the Texas Natural Resource Conservation Commission and shall be determined from suitable samples taken at control points selected by the District. The cost to take and analyze such samples shall be added to the Customer's water and sewer service bill, and failure to pay for such sample will result in the termination of the Customer's water and sewer service.

C. Notification of Violation/Submission of Plan. Whenever the District finds that any Customer has violated or is violating this Wastewater Control Order, except when such violation presents an imminent danger to the health or welfare of persons, as provided in Article IX, the District shall serve upon such person a written notice stating the nature of the violation. Within a period of not more than thirty (30) days from the date of the notice, as

specified therein, a plan for satisfactory correction thereof shall be submitted in writing to the District. If such a plan is not timely submitted, or if such violation is not corrected, the District shall proceed with enforcement under Article XII. No prior notice shall be required for the imposition of the fine described in Article XI if such fine is assessed for a violation of this Wastewater Control Order.

VII. 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:

- A. Discontinuation of the discharge into the District's sewer system in its entirety.
- B. Pretreatment to an acceptable condition for discharge into the Waste Disposal System.
- C. Control over the quantities and rates of discharge.
- D. Waste surcharge payments sufficient to compensate the District for the cost of handling and treating the waste.

VIII. COMMERCIAL WASTE CHARGES

In addition to the wastewater service charges made by the District, the District may charge customers discharging commercial waste into the Waste Disposal System the Commercial Waste Charges provided for herein where the waste discharge exceeds the parameters of normal domestic wastewater.

1. The Commercial Waste Charge shall be calculated by the following formula:

$$UC = Q[X + Y(\text{BOD} - 200) + Z(\text{SS} - 200) + n(N-35)]$$

Formula values are:

- | | | |
|----|---|---|
| UC | = | Commercial Waste Charge (in dollars) |
| Q | = | Billable quantity (based on water billed or actual measurement of Wastewater discharged) of wastewater in thousands of gallons. |
| X | = | \$0.50 |

| | | |
|-----|---|--|
| Y | = | \$0.0018 |
| Z | = | \$0.0022 |
| n | = | \$0.0125 |
| BOD | = | Five-day, twenty (20) degrees celsius, biochemical oxygen demand content of the waste delivered, in mg/l based on monthly average concentration. |
| SS | = | Suspended solids content of the waste delivered, in mg/l based on monthly average concentration. |
| N | = | Ammonia content of the Waste delivered, in mg/l based on monthly average concentration. |

The District shall review and, if appropriate, adjust the Commercial Waste Charges to reflect changes in the characteristics of the commercial waste of each user based upon the results of sampling and testing. The District also shall review the basis for determining Commercial Waste Charges and shall adjust the unit treatment costs in the above formula to reflect increases or decreases in the wastewater treatment costs based upon the prior experience. Increases in Commercial Waste Charges shall continue for six (6) billing periods unless subsequent tests determine that the charges should be further increased. If another method of billing is determined by the District's Board to be a more effective method of allocating such costs to the Customer, based upon the particular facts of each case, the District may use such method in lieu of the above. The Commercial Waste Charges will be billed as a separate item from wastewater service charges. Failure to pay the Commercial Waste Charge shall result in termination of water and sewer service pursuant to provisions of the District's Order Adopting Consolidated Rate Order and Rules and Regulations; Establishing Policy Regulating Water Use During Emergencies; Establishing a Wastewater Control Order; Establishing Certain Other Policies; and Providing Penalties for Violation Thereof.

IX. EMERGENCY RELIEF

The District may immediately suspend the wastewater treatment service of a user when such suspension is necessary, in the opinion of the Board of the District, in order to stop or prevent an actual or threatened discharge that presents an imminent or substantial endangerment to the health or welfare of persons, to the environment, or to the Waste Disposal System of the District, or which would cause the effluent from the plant to exceed discharge parameters. The District may immediately suspend the wastewater treatment service of a user when such suspension is necessary, in the opinion of the Board of the District, to prevent contamination of sludge from the plant. The District shall reinstate the wastewater service upon proof of the elimination of the non-complying discharge. Such disconnection and reconnection shall be at the expense of the user. The District may permanently disconnect any user showing a history of flagrant or habitual violation of this Wastewater Control Order.

X. REVIEW

Any user objecting to a decision or order of the District under authority of this Wastewater Control Order shall have the right to a hearing before the Board of the District, at which time the contentions of both the District and user shall be reviewed. The Board President, or in his absence the Vice President, shall be the presiding officer and may, at his discretion, request other professional opinions prior to rendering his decision on the matter of review.

XI. PENALTY FOR VIOLATION OF ARTICLE

All violations of this Wastewater Control Order, including any failure to observe any discharge parameter set forth herein or permit issued pursuant to this Wastewater Control Order, shall be punishable with the Civil Penalties set forth in and under the Enforcement Provisions of the District's Rate Order and as set forth in Article XII of this Wastewater Control Order. Each day of a violation of any parameter or requirement constitutes a distinct and separate offense.

XII. ENFORCEMENT

Any or all of the following remedies may be employed by the District to abate and prevent any violation of the provisions of this Wastewater Control Order:

1. Discontinuance of water service.
2. Disconnection and sealing of sanitary sewer connection.
3. The District's attorney may and is hereby authorized to:
 - (a) File suit in a court of competent jurisdiction to secure appropriate judicial relief, including, but not limited to, injunctive relief and the penalty provided in the District's Rate Order for the violation by such user of the provisions of this Wastewater Control Order.
 - (b) Seek a resolution of the Board authorizing the filing of a lawsuit under the provision of Texas Water Code §26.124.
4. A user found in violation of this Wastewater Control Order shall be liable to the District for all expenses borne by the District including laboratory fees, legal fees, engineering fees and other costs incurred by the District in establishing the violation and resolving the cause of the violation.
5. A user found in violation of this Wastewater Control Order that causes or contributes to a violation by the District's Waste Disposal System of effluent parameters shall be liable to the District for all expenses borne by the District, including legal and engineering fees related to any lawsuit filed by federal, state, or local authorities regarding violations by the District of effluent parameters applicable to the District's sanitary sewer system.
6. Where a user discharges wastewater to the District's Waste Disposal System in violation of this Wastewater Control Order and such discharge causes or contributes to contamination of sludge from the wastewater treatment plant, the user shall be

liable for all costs borne by the District in disposing of the contaminated sludge over and above costs regularly incurred in sludge disposal.

**XIII.
SEVERABILITY**

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

**XIV.
SUPERSEDING REGULATION OR STATUTE**

Whenever any applicable statute, regulation, or permit of any state, federal, or other agency having jurisdiction over the subject matter of this Wastewater Control Order is in conflict with this Wastewater Control Order, the stricter requirement shall apply, unless mandated otherwise.

**XV.
REIMBURSEMENT TO DISTRICT**

In the event that any person, as defined in Section II herein, discharges industrial wastes as defined in this Wastewater Control Order, either with or without authorization by the District, such person shall be responsible for any extraordinary costs of operation of the wastewater treatment plant that might result from unauthorized wastes or improper handling of authorized wastes and shall also be responsible for any administrative fines, penalties or fees that may be assessed to the District for such discharge. Such charges may include, but not be limited to, the costs of determining the nature of the contaminant into the plant (a Toxicity Identification Evaluation), the costs of locating the source of the contaminant, and the costs of preventing the contaminant from entering the plant or eliminating the contaminant from the treatment units. Failure to pay such costs when billed may subject the entity to disconnection of services as set forth in Section XII above and to any other remedies available to the District.

**XVI.
EFFECT OF REGULATION; 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. The provisions hereof are subject to amendment, repeal, or alteration from time to time by the Board of Directors of the District.

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FAX TRANSMISSION
STANLEY LAKE M.U.D.
875 LAKE VIEW DR.
MONTGOMERY, TX 77356
TELEPHONE: (936) 582-1010
FAX: (936) 448-2128

To: Lori
TNRCC

Date: 1-3-01

Fax # _____

Pages: _____ including this cover sheet

From: Josi

Subject: _____

COMMENTS:

Rate Order