

**A G E N D A**

**OCONEE COUNTY COUNCIL MEETING**

**TUESDAY, JUNE 20, 1995**

**3:00 PM**

1. Call to Order
2. Invocation
3. Approval of Minutes of Regular Meeting Held June 6, 1995
4. Approval of Minutes of Special Meeting Held June 13, 1995
5. Presentation of the 1995-96 Oconee County Sewer Budget

Consideration of Request to Return DHEC Fines to the Sewer Commission

First Reading of Ordinance 95-7, "An Ordinance To Provide For Wastewater Disposal, Discharge Limits, And Prohibitions, Pre-Treatment Requirements, Revenue, Permits And Reporting, Sampling, Monitoring And Enforcement Sewer Use And Pre-Treatment Regulation" in title only -

Mr. Howard Adams, Sewer Commission Chairman, Mr. Lamar Bailes, Finance Chairman & Mr. Robert Winchester, Director

6. Consideration of Request to Donate a Mirror at the Lunney Museum to Bowie Museum at Erskine College - Mr. Ernst Hesterberg
7. Discussion Regarding Workers Compensation, Property & Liability Coverages - Mr. Chris Carey, Sedgewick James og the Carolinas
8. Consideration of Bids for Drilling & Blasting at the Rock Crusher - Mr. Tommy Crumpton, Rock Crusher Director & Ms. Marianne Dillard, Purchasing Agent
9. Consideration of Bids for Containers & Compactors - Mr. Jack Hirst, Solid Waste Director & Ms. Marianne Dillard, Purchasing Agent
10. Consideration of Bids for Fuel Management System - Mr. Lee Davis, Motor Pool Foreman & Ms. Marianne Dillard, Purchasing Agent

**AGENDA**

June 20, 1995

Page 2

11. Consideration of Proposal to Update Purchasing Manual - Ms. Marianne Dillard, Purchasing Agent
12. Second Reading of Ordinance 95-5, "An Ordinance Amending Ordinance 75-5 So As To Change The Name Of The Oconee County Mental Retardation Board To The Oconee County Board Of Disabilities And Special Needs; To Provide For Its Membership Functions, Responsibilities, And Duties; To Provide The Method Of Appointment Of Its Membership; To Require Insurance Coverage For Employees And Board Members; To Establish The Separability And Severability Of This Ordinance; And To Establish The Effective Date Of This Ordinance"
13. Old Business
14. New Business
15. Adjourn

\*\*\*2:00 pm\*\*\* There will be a Roads & Transportation Committee Meeting for the purpose of discussing roadways in Park Ridge Subdivision

\*\*\*2:45 pm\*\*\* Administrative Briefing

**MEMBERS, OCONEE COUNTY COUNCIL**

Ms. M. Fran Burrell, District I    Mr. Harrison E. Orr, District II  
Mr. Harry R. Hamilton, District III    Mr. Roy B. Strickland, District IV  
Mr. Alton K. Williams, District V

**MINUTES, OCONEE COUNTY COUNCIL MEETING**

The regular meeting of the Oconee County Council was held Tuesday, June 20, 1995, at 3:00 pm in Council Chambers with all Council Members except Mr. Hamilton present. Mr. Cain, County Attorney, was also present.

Members of the press notified (by mail):    Press  
Journal/Tribune, Keowee Courier, Westminster News, Anderson  
Independent, Greenville News, WGOG Radio, WBFM Radio, WCCP  
Radio, WZLI/WLET Radio, WYFF TV, WLOS TV & SC Black Media  
Group.

Members of the press present: Ashton Hester  
- Keowee Courier & Dick Mangrum - WGOG Radio.

The meeting was called to order by Supervisor    Call to  
-Chairman Crain who welcomed the guests and media.    Order

The invocation was given by Mr. Williams.    Invocation

Mr. Orr made a motion, seconded by Mr.    Minutes  
Williams, approved 4 - 0 (Mr. Hamilton absent) that the minutes    (6/6/95)  
of the regular meeting held June 6, 1995 be adopted as printed.

Mr. Williams made a motion, seconded by Mr.    Minutes  
Orr, approved 4 - 0 (Mr. Hamilton absent) that the minutes of the    (6/13/95)  
special meeting held June 13, 1995 be adopted as printed.

Upon request of Mr. Howard Adams, Chairman,    Sewer  
Sewer Commission & Mr. Robert Winchester, Director, Sewer    Commission  
Commission, Mr. Strickland made a motion, seconded by Mr. Orr,    Budget  
approved 4 - 0 (Mr. Hamilton absent) that the attached proposed  
budget for the Sewer Commission be adopted and the Commission be  
allowed to make inter-departmental transfers with Council being  
sent copies.

Also, at the request of Mr. Adams & Mr.    DHEC Fines  
Winchester, Mr. Orr made a motion, seconded by Mr. Strickland,  
approved 4 - 0 (Mr. Hamilton absent) that environmental DHEC  
penalties in the amount of \$8,000 returned to the County be  
forwarded to the Sewer Commission.

Further, upon request of Mr. Adams & Mr.    Ord. 95-7  
Winchester, Mr. Orr made a motion, seconded by Mr. Strickland,  
approved 4 - 0 (Mr. Hamilton absent) that Ordinance 95-7, "An  
Ordinance To Provide For Wastewater Disposal, Discharge Limits  
And Prohibitions, Pretreatment Requirements, Revenue, Permits  
And Reporting, Sampling, Monitoring And Enforcement Sewer Use  
And Pretreatment Regulation" be adopted on first reading in  
title only.

Upon request of Mr. Ernst Hesterberg, Mr. Strickland made a motion, seconded by Mr. Williams, approved 4 - 0 that a mirror donated to Lunney Museum be donated to Bowie Museum at Erskine College. (See attached letter)

Lunney  
Museum

Mr. Chris Carey of Sedgwick James of the Carolinas, addressed Council regarding workers compensation and property liability insurance.

Workers  
Comp &  
Liability

Mr. Crain appointed a special committee of all Council Members, Mr. Cain, County Attorney, Ms. Dillard, Purchasing Agent & Mr. Hunnicutt, Finance Director, with Mr. Hamilton as Chairman to review this matter.

Upon recommendation of Mr. Tommy Crumpton, Rock Crusher Director & Ms. Marianne Dillard, Purchasing Agent, Ms. Burrell made a motion, seconded by Mr. Williams, approved 4 - 0 (Mr. Hamilton absent) that the bid for drilling and blasting at the Rock Crusher be awarded to Piedmont Explosives at \$ .44 per ton. (See attached bid)

Drilling &  
Blasting  
Bid

Upon recommendation of Mr. Lee Davis, Motor Pool Foreman & Ms. Marianne Dillard, Purchasing Agent, Mr. Orr made a motion, seconded by Mr. Strickland, approved 4 - 0 (Mr. Hamilton absent) that the bid for a fuel management system at the Motor Pool be awarded to Precision Petroleum, Eq., Inc. at a cost of \$28,451. (See attached bid)

Fuel  
System

Upon recommendation of Ms. Marianne Dillard, Purchasing Agent, Ms. Burrell made a motion, seconded by Mr. Williams, approved 4 - 0 (Mr. Hamilton absent) that the proposal of Mr. Virgil B. Carlsen to update the County purchasing procedures for a cost of approximately \$2,590 be adopted and that \$5,000 be encumbered for the expense. (See attached proposal)

Purchase  
Manual

Mr. Orr made a motion, seconded by Ms. Burrell that Ordinance 95-5, "An Ordinance To Repeal Ordinance 75-5 And To Create The Oconee County Board of Disabilities And Special Needs; To Provide For Its Membership, Functions, Responsibilities, And Duties; To Provide The Method of Appointment Of Its Membership; To Require Insurance Coverage For Employees And Board Members; To Establish The Separability And Severability Of This Ordinance; And Other Matters Relating Thereto" be adopted on second reading.

Ord.95-5

Mr. Strickland made a motion, seconded by Ms. Burrell, approved 4 - 0 (Mr. Hamilton absent) that the ordinance be amended to include a membership of seven (7) appointed by the Governor upon recommendation of the Delegation.

The ordinance as amended was then adopted  
4 - 0 (Mr. Hamilton absent).

Mr. Boone Crisp & Ms. Nicole Turner of Insurance Brokers and Mr. John Black of Carolina Benefit of America informed Council that they could not provide insurance as previously awarded by Council and offered the attached listing of options.

Health  
Insurance

After discussion, Mr. Orr made a motion, seconded by Mr. Strickland, approved 4 - 0 (Mr. Hamilton absent) to participate in option I of the attached proposal in which an employee would be covered at 90% when using a preferred provider and 80% when using a non participating provider.

Mr. Crain assigned to the Roads & Transportation Committee the request of Mr. Tommy Crumpton, Rock Crusher Director, to increase the cost of gravel at the Rock Crusher. He also assigned the committee roadway problems on Brittany Lane and Park Ridge Subdivision.

Roads  
Committee

The Roads & Transportation Committee scheduled a meeting Tuesday, July 18, 1995 at 2:00 pm in Council Chambers.

Ms. Burrell made a motion, seconded by Mr. Orr, approved 4 - 0 (Mr. Hamilton absent) that the contract with Otis Elevator to repair the elevator at the Health Department be adopted at a cost of \$17,662 and that \$10,000 from contingency be encumbered for this project.

Health  
Department  
Elevator  
(Cont'cy)

Mr. Strickland made a motion, seconded by Mr. Williams, approved 4 - 0 (Mr. Hamilton absent) that the following resolutions be adopted on first and final reading:

Res.95-14  
- Res.95-20

- 95-14 "A Resolution of Appreciation to Ms. Betty Dubose"
- 95-15 "A Resolution of Appreciation to Mrs. Nettie Keys"
- 95-16 "A Resolution of Appreciation to Mr. Carter Bolick"
- 95-17 "A Resolution of Appreciation to Mr. Lalon Green"
- 95-18 "A Resolution of Appreciation to Mrs. Merle P. Orr"
- 95-19 "A Resolution of Appreciation to Mrs. Evelyn Black"
- 95-20 "A Resolution of Appreciation to Mr. Earl Hanvey"

Adjourn: 5:10 pm

Minutes, Oconee County Council  
June 20, 1995  
Page 4

Norman D. Crain  
Norman D. Crain  
Supervisor-Chairman  
Oconee County Council



# Oconee County Sewer Commission

623 Return Church Road • Seneca, South Carolina 29678  
803-972-3900

June 9, 1995

Mr. Norman Crain  
Oconee County Supervisor  
208 Booker Drive  
Walhalla, S.C. 29691

Re: 1995-96 Sewer Commission Budget

Dear Mr. Crain:

Attached find a copy of the Oconee County Sewer Commission's 1995-96 budget for your review. This budget was approved by the Sewer Commission at the June 5, 1995 meeting. We have requested time on the agenda for the June 20, 1995 County Council meeting for presentation of this budget for Council approval.

Please note that:

- A) The total budget is up 8.75%, overall, above the 1994-95 approved budget.
- B) 5.9% of the total budget represents the State Revolving Loan Debt Service Reserve Fund (\$160,512).
- C) 24.7% of the total budget represents payments on bonds and loan.
- D) The Commission plans to transfer \$367,832 from Gross Revenue Reserves and Contingency Fund balance to the revenue side of this budget.
- D) The Contingency Fund will remain at \$95,000 for 1995-96.
- E) The budget will require \$.12 per 1,000 gallons increase in user fees to the Cities to fund the budget. The new rate is projected at \$1.80 per 1,000 gallons.

*OAM*  
*5190*  
*of budget*

The Sewer Commission requests that County Council approve the proposed 1995-96 budget; and, with this approval, allow the Sewer Commission to make adjustments to line items and transfer from Contingency within the total budget. (Tim Cain letter attached.)

Attached find a Fact Sheet with additional information about the budget.

Mr. Norman Crain  
Oconee County Supervisor

June 9, 1995  
Page 2

Please review this information; and, if you have questions or comments, please call.

Sincerely,

*Howard S. Adams* / *HW*  
Howard S. Adams  
Commission Chairman

HSA/kh

Attachments

cc: Ms. Frances Burrell  
Mr. Harry Hamilton  
Mr. Harrison Orr  
Mr. Roy Strickland  
Mr. Alton Williams  
Sewer Commissioners

OCONEE COUNTY SEWER COMMISSION

1995-96 BUDGET

ACCOUNT CODE	LINE ITEM	AMOUNT
700	Salaries	357,782
701	Overtime	11,000
702	Social Security	28,212
703	Retirement	25,262
704	Workers' Compensation	16,400
710	Travel & POV Mileage	280
715	Seminars, Meetings, Workshops	1,200
720	Professional Dues and Fees	805
721	Training Courses & Materials	800
725	Accounting Fees	2,040
725-1	Audit Fees	3,160
725-2	Engineering Fees	12,000
726	Legal Fees	12,000
727	Wachovia Management Fees	4,100
728	SCDHEC Fees	2,085
729	SCDHEC Fines	0
805	Insurance, Health	39,000
806	Insurance, Buildings	1,970
807	Insurance, Vehicles	4,300
808	Insurance, Liability	2,290
809	Insurance, Unemployment	1,500
810	Insurance, Underground Tanks	0
811	Surety Bond	400
815	Supplies, Safety Equipment	1,000
816	Supplies, Office	1,250
816-1	Office Equip. & Service Contracts	2,900
817	Supplies, Janitorial	650
818	Lubricants	3,000
819	Supplies, Medical	100
819-1	Medical, Hepatitis B Vaccine	500
820	Supplies, Operations	500
821	Laboratory, Supplies	9,500
821-1	Laboratory, Equipment Calib.	500
821-2	Laboratory, Toxicity Analysis	5,000
821-3	Laboratory, Inf./Eff. Analysis	4,000
822	Process Chemicals	55,000
823	Uniforms	4,500
824	Telephone	2,400
825	Electricity	356,000
826	Water, Plant	800
826-1	Water, Pump Stations	800

827	Fuels	9,000
828	Printing and Publications	500
829	Postage	1,450
830	Equipment Rentals	240
831	Advertising	350
832	Miscellaneous	200
832-1	Misc., UPS, Shipping, Freight	200
832-2	Misc., Employee Physicals	500
832-3	Misc., Christmas Dinner	575
832-4	Misc., Christmas Gifts, Candy	750
833	Sludge Disposal	123,526
834	USGS Gaging Station	4,200
835	Maint., Vehicles	5,000
835-1	Maint., Off-Road Vehicles	6,000
836	Maint., Buildings	12,050
837	Maint., Grounds	400
838	Maint., Pump Stations	65,684
839	Maint., Treatment Plant	28,750
840	Maint., Service Contracts	5,000
841	Maint., Tools Purchased	1,000
842	Maint., Collection System, R/W	6,000
846	Capital Expenditures	15,000
847	Capital Expend., Vehicles	14,000
848	Cap. Exp., Safety Equipment	4,000
866	School Dist. Expenditures	29,154
877	Pretreatment Expenditures	89,371

O & M TOTAL 1,397,886

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SCHOOL DISTRICT PACKAGE PLANTS - BREAKDOWN

856	School Dist., Salaries	17,064
857	School Dist., FICA	1,305
858	School Dist., Retirement	1,169
859	School Dist., Workers' Comp	600
860	School Dist., Insurance	1,532
861	School Dist., Materials	3,500
862	School Dist., Uniforms	384
863	School Dist., Travel	3,600
864	School Dist., Miscellaneous	0

SCHOOL DISTRICT TOTAL 29,154

INDUSTRIAL PRETREATMENT PROGRAM - BREAKDOWN

867	Pretreatment, Salaries	30,608
868	Pretreatment, FICA	2,342
869	Pretreatment, Retirement	2,098





# Oconee County Sewer Commission

623 Return Church Road • Seneca, South Carolina 29678  
803-972-3900

May 8, 1995

## 1995-96 DRAFT BUDGET

### FACT SHEET

- The total budget figure represents an increase of 8.75%, or \$239,556, for 1995-96.
- The O & M portion represents an increase of 7.1%, or \$99,140, from the 1994-95 original budget.
- O & M represents 51% of the total budget.
- Significant changes in the O & M budget for 1995-96:
  - #822 Process Chemicals - Increased \$ 7,000
  - #825 Electricity - Increased \$36,000
  - #838 Pump Station Maint. - Increased \$39,116
- Debt Service represents 30.6%, or \$836,239, of the proposed budget (1988 Bonds, SRLF Reserve, & SRLF Loan).
- The Debt Service Reserve Fund represents 5 monthly payments of \$32,102.48.
- The Debt Service SRLF represents 6 monthly payments of \$50,828.92 x 120%.
- Debt Service Loan payments are calculated at 120% (1988 Bonds and SRLF).
- The SRLF Debt Service for 1996-97 will be \$609,947.04. This is \$83,466 more than SRLF and SRLF Reserve for 1995-96.
- Depreciation funds represent 14.9% of the total 1995-96 budget.
- The Depreciation Fund is not increased for added equipment or facilities during the plant upgrade.
- One penny per 1,000 gallons is worth \$12,214 based upon projected 1995-96 flows.
- The 1996-97 budget will require an additional rate increase to generate the needed funding for Debt Service.

FEDDER & CAIN

APR 13 1994

ATTORNEYS AT LAW

339 Bypass 123, P.O. Box 698  
Seneca, South Carolina 29679  
(803) 882-6608  
Facsimile (803) 882-7182

TIMOTHY M. CAIN, P.A.

W. J. FEDDER (OF COUNSEL)

April 12, 1994

Mr. Robert C. Winchester  
Oconee County Sewer Commission  
623 Return Church Road  
Seneca, South Carolina 29678

Re: Request For Opinion

Dear Bob:

This letter is in response to your request for a written opinion concerning whether or not the Sewer Commission is authorized to make reappropriations between line items in order to keep line items from exceeding their allocated amounts.

Your attention is invited to Oconee County Ordinance No. 78-2, which provides for the creation of the Oconee County Sewer Commission. Section 5(b) of this Ordinance states that "the Commission shall be charged with the responsibility of operating the facilities of the Oconee County Wastewater Treatment Program." This section goes on to state that "the Commission shall prepare or cause to be prepared, annually, a budget for the operation of the facilities and of the program, and shall provide Oconee County Council and each of the major users with a copy of such proposed budget in compliance with the contract entered into between the County and the three municipal major users. The Commission will hire the necessary personnel to operate the system, PROVIDED, HOWEVER, all acts of the Commission contractually binding on Oconee County and involving the expenditure of funds and the hiring of personnel shall be subject to review and approval by Oconee County Council.

Enclosed please find a copy of the relevant portions of the Minutes of the October 5, 1993 Meeting of the Oconee County Council which indicates that the Oconee County Council, by a vote of four to one approved the request of the Sewer Commission that the Commission be given authorization to transfer money from the contingency fund within the Sewer Commission Budget when needed and that the Commission be given the authorization to make reappropriations between line items in order to keep line items from exceeding their allocated amounts.

Mr. Robert C. Winchester  
April 12, 1994  
Page 2

In this regard, inasmuch as the County Council has reviewed and approved the request, I have no objection to the Commission making reappropriations between line items in order to keep line items from exceeding their allocated amounts. However, any changes in the budget must be sent to the Oconee County Council and should also be sent to the Municipalities.

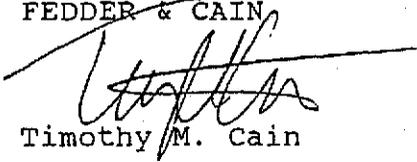
The approval by Council may only apply to the particular budget year in question, which I understand is fiscal year 1993-1994, therefore authorization for such transfer would only extend to that particular budget.

I trust this information sufficiently addresses your inquiry, however if additional information is needed, please do not hesitate to call upon me.

Thanking you for your attention to these matters, I remain,

Sincerely,

FEDDER & CAIN



Timothy M. Cain

TMC/trl

cc: Mr. Howard Adams  
Mr. Norman D. Crain

WORKSHEET FOR THE  
1995-96 PROPOSED BUDGET  
OCONEE COUNTY SEWER COMMISSION

Prior 3 Calendar Years

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Gallons Metered, All Cities  
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1994	1,157,546,480
1993	1,158,127,500
1992	1,348,527,040
	-----
	3,664,201,020 / 3 = 1,221,400,340

-----  
Percentages and Metered Flows By Cities  
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	SENECA		Walhalla		Westminster	
	%	Gallons	%	Gallons	%	Gallons
	-----	-----	-----	-----	-----	-----
1994	50.7	586,324,664	24.0	277,754,611	25.4	293,467,205
1993	53.0	613,632,866	24.5	283,523,200	22.5	260,971,434
1992	47.7	643,625,457	27.8	375,007,696	24.5	329,893,887
	-----	-----	-----	-----	-----	-----
Total		1,843,582,987		936,285,507		884,332,526
3 Yr Avg	50.5	614,527,662	25.4	312,095,169	24.1	294,777,509

1,221,400,340 Gallons/Year (Projected Flow 1995-96) Based on 3 Year Average

User fees needed to balance budget	=	\$2,198,234
Seneca	=	\$1,110,108.17 /yr.      \$92,509.01 /mo.
Walhalla	=	\$558,351.44 /yr.      \$46,529.29 /mo.
Westminster	=	\$529,774.39 /yr.      \$44,147.87 /mo.

Projected at a rate of \$1.80/1,000 gallons

Total 1994 unmetered flows (\$31,962.57) were credited to the cities on a monthly basis based on the following percentages:

Seneca	=	49.0%
Walhalla	=	26.6%
Westminster	=	24.4%

BUDGET 1995-96

Summary - Increase in GRF (Gross Revenue Fund) - 9 Months Fiscal '94-'95

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	6-30-94 Audit	3-31-95 9 Months of Fiscal 94-95
	-----	-----
Cash	41,154	55,524.47
Investments	413,442	460,184.37
Fees Receivable	179,070	170,240.43
Unbilled Fees	0	0.00
Int. Receivable	37,683	37,683.00
	-----	-----
	671,349	723,632.27

Difference = \$52,283.27

Increase in Gross Revenue Fund	= \$ 52,283.00
Estimated Quarterly Pretreatment Fees Receivable	= 28,000.00
Projected Contingent Revenue for 3 months '95-'96	= 23,749.00
Finance Committee Recommendation:	
Additional Transfer from GRF	= 200,000.00
	-----
Transfer to '95-'96 Budget	= \$304,032.00

BALANCE - RESTRICTED FUNDS

3-31-95

Special Expansion Fund	- \$ 659,300.00
Depreciation Fund	- \$2,349,874.69
Obligations to JJ&G from Depreciation Engineering, Upgrade	- \$ 179,319.11
Finance Committee Recommendation: Funding of Development of O & M Manual by JJ&G from Depreciation	- \$ 50,000.00

WHEREAS, Oconee County Ordinance 79-4, known as an Ordinance To Establish Regulations Governing Use Of The Oconee County Sewer System, was adopted to comply with then existing State and Federal requirements and to establish regulations governing the use of and discharge to such system; and

WHEREAS, recent developments in Federal and State law have imposed additional requirements upon public wastewater treatment facilities and, as a result, it is necessary to update and amend Oconee County Ordinance 79-4 so as to comply with applicable State and Federal laws and regulations;

NOW THEREFORE, be it ordained by the Oconee County Council, in session duly assembled and with a quorum present and voting, that Oconee County Ordinance 79-4 is hereby amended to provide as follows:

NOTE: I suggest that the Ordinance may be concluded as follows:

U 28 1995 12:43PM FROM CAIN AND NORTON 0000027102 P.1

Ratified and adopted on first reading this \_\_\_\_\_ day of  
June, 1995, by a vote of \_\_\_\_\_ Yes, \_\_\_\_\_ No.

\_\_\_\_\_  
Opal O. Green, Council Clerk

Ratified and Adopted on second reading this \_\_\_\_\_ day of  
June, 1995, by a vote of \_\_\_\_\_ Yes, \_\_\_\_\_ No.

\_\_\_\_\_  
Opal O. Green, Council Clerk

Ratified and on third and final reading this \_\_\_\_\_ day of  
June, 1995, by a vote of \_\_\_\_\_ Yes, \_\_\_\_\_ No.

\_\_\_\_\_  
Norman D. Crain  
Supervisor-Chairman  
Oconee County Council

Attest:

\_\_\_\_\_  
Opal O. Green, Council Clerk

COUNTY OF OCONEE  
ORDINANCE NO. \_\_\_\_

TO PROVIDE FOR WASTEWATER DISPOSAL, DISCHARGE LIMITS AND PROHIBITIONS, PRETREATMENT REQUIREMENTS, REVENUE, PERMITS AND REPORTING, SAMPLING, MONITORING AND ENFORCEMENT SEWER USE AND PRETREATMENT REGULATION

ARTICLE \_\_\_\_

SECTION 1 - INTRODUCTION

Section 1.1 - Purpose and Policy

Recent developments in both federal and state law have created increasing and more stringent requirements upon public wastewater treatment facilities and demand compliance to avoid incurring severe sanctions and penalties. The purpose of this Ordinance is to update requirements and to bring the Ordinance into compliance with the Federal Water Pollution Control Act Amendments of 1972 (P.L. 92-500) and subsequent amendments, including the Water Quality Act of 1987 (P.L. 100-4) together with the South Carolina Pollution Control Act and other State and federal statutes and regulations.

This Ordinance sets forth uniform requirements for discharges to the POTW and enables the Oconee County Sewer Commission (Commission) to comply with all applicable State and federal laws and the Pretreatment Regulations (40 CFR Part 403). The objectives of this Ordinance are: (1) To prevent discharges to the POTW which will interfere with the operation of the POTW or contaminate the resulting sludge; (2) To prevent discharges to the POTW which will pass through the system, inadequately treated, into receiving waters or the atmosphere; (3) To improve the opportunity to recycle and reclaim wastewaters and sludges; and (4) To protect Commission personnel and the general public; (5) To promote economic growth including residential and industrial development; and (6) To provide for equitable distribution of the cost of the wastewater disposal system. This Ordinance provides for the regulation of discharges to the POTW through the issuance of permits, authorizes enforcement of limitations and requirements, authorizes monitoring activities, compliance and enforcement activities, requires user reporting, and provides for the setting of fees for the equitable distribution of expenditures. This Ordinance shall apply to the Commission and to persons who are, by permit or agreement with the Commission, users of the POTW. Except as otherwise provided herein, the General Superintendent of Commission shall administer the provisions of this Ordinance.

Section 1.2 - Definitions

Unless the context indicates otherwise, the terms and phrases used in this Ordinance shall have the following meanings:

Act shall mean the Federal Water Pollution Control Act and amendments. (33 U.S.C. §1251 et seq.)

Authorized Representative of Industrial User shall mean: (1) A responsible corporate officer as defined in 40 CFR 403.12, if the Industrial User is a corporation; (2) A general partner or proprietor if the Industrial User is a partnership or proprietorship, respectively; or (3) A duly authorized representative

of the individual designated above if such representative is responsible for the overall operation of the facilities from which the discharge originates, if authority to sign documents has been assigned or delegated to that individual in accordance with corporate procedures.

Billable Biochemical Oxygen Demand shall mean the discharge in pounds of BOD calculated using the billable flow and concentration of BOD in the wastewater in excess of 250 mg/l or as otherwise might be changed and shown on Exhibit "B".

Billable Chemical Oxygen Demand shall mean the discharge in pounds of COD calculated using the billable flow and concentration of COD in the wastewater in excess of three times the BOD or as otherwise might be changed and shown on Exhibit "B".

Billable Flow shall mean recorded water usage as determined by the appropriate water utility, plus measured water from wells and other sources, times the Commission approved percentage factor for wastewater entering the wastewater disposal system. Alternatively, industrial users may have their billable flow determined by continuously measuring their discharge in a manner approved by the Commission.

Billable Total Kjeldahl Nitrogen shall mean the discharge in pounds of TKN calculated using the billable flow and concentration of TKN in the wastewater in excess of 40mg/l or as otherwise might be changed and shown on Exhibit "B".

Billable Total Suspended Solids shall mean the discharge in pounds of TSS calculated using the billable flow and concentration of TSS in the wastewater in excess of 250 mg/l or as otherwise might be changed and shown on Exhibit "B".

Billable Total Phosphorus shall mean the discharge in pounds of total phosphorus calculated using the billable flow and concentration of total phosphorus in the wastewater in excess of 7 mg/l. or as otherwise might be changed and shown on Exhibit "B".

Biochemical Oxygen Demand shall mean the quantity of oxygen, expressed in milligrams per liter utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five days at twenty degrees Centigrade.

Building Drain shall mean that part of the lowest horizontal piping of a drainage system which receives wastewater and is located inside the walls of a building and conveys the wastewater to the building sewer, which begins five feet outside the building wall.

Building Sewer shall mean the extension from the building drain to the sanitary sewer or other discharge location.

Chemical Oxygen Demand shall mean the total amount of oxygen required to oxidize the organic matter in a waste as prescribed in 40 CFR, Part 136 or equivalent methods approved by EPA.

Color shall mean the color value obtained by the ADMI colorimetric method as approved by 40 CFR Part 136 or equivalent methods approved by EPA.

Combined Sewer shall mean a sewer intended to receive both wastewater and storm or surface water.

Commission shall mean the Oconee County Sewer Commission.

Cooling Water shall mean the water used for air conditioning, refrigeration, or other cooling applications.

County shall mean the County of Oconee.

Direct Discharge shall mean the discharge of wastewater directly to the waters of the State.

Enforcement Management Strategy shall mean the methods and mechanisms for achieving enforcement under this Ordinance as set forth in Attachment C.

Environmental Protection Agency shall mean the United States Environmental Protection Agency or, where appropriate, the Administrator or other duly authorized official of the EPA.

Floatable Oil shall mean oil, fat, or grease in a physical state such that it will separate by gravity from wastewater.

Garbage shall mean the animal or vegetable wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the commercial handling, storage, and sale of produce.

General Superintendent shall mean the person designated by the Commission to manage the activities and responsibilities of the Commission, or his duly authorized representative.

Headworks-Analysis shall mean an evaluation of the capability of the POTW to receive pollutants performed in accordance with DHEC and EPA regulations.

Holding Tank Waste shall mean any wastewater from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum pump tank trucks.

Indirect Discharge shall mean the discharge of nondomestic pollutants from any source regulated under Section 307(b) or (c) of the Act to the POTW.

Industrial User shall mean a source of indirect discharge which does not constitute a "discharge of pollutants" under regulations issued pursuant to Section 402 of the Act.

Infiltration shall mean the extraneous groundwater entering the wastewater disposal system through such means as, but not limited to, defective pipes, pipe joints, connections, or manhole walls.

Inflow shall mean the surface water entering the wastewater disposal system from such sources as, but not limited to: roof leaders; cellar, yard and area drains; foundation drains; unpolluted cooling water discharges; drains from springs and swampy areas; manhole covers; cross connections from storm sewers and/or combined sewers; catch basins; storm waters; surface runoff; street wash waters, or drainage.

Interference shall mean the inhibition or disruption of the POTW treatment processes or operations which contributes to a violation of any requirements of the POTW's NPDES Permit. The term includes prevention of sewage sludge use or disposal by the POTW in accordance with 405 of the Act, or any criteria, guidelines, or regulation developed pursuant to the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA), the Clean Air Act, the

Toxic Substances Control Act, or more stringent State criteria (including those contained in any State sludge management plan prepared pursuant to Title IV of SWDA) applicable to the method of disposal or use employed by the POTW.

Local Limitation shall mean a more stringent local standard imposed by DHEC or the Commission.

Medical Waste shall mean isolation wastes, infectious agents, human blood and blood byproducts, pathological wastes, sharps, body parts, fomites, etiologic agents, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes and dialysis wastes.

National Categorical Pretreatment Standard shall mean any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act which applies to a specific category of Industrial Users.

National Pollutant Discharge Elimination System Permit shall mean a permit issued for discharge to the navigable waters of the United States.

Natural Outlet shall mean any outlet into a watercourse, pond, ditch, lake, or other surface water or groundwater.

New Source shall mean any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which is commenced after the publication of proposed National Categorical Pretreatment Standards under Section 307(c) of the Act which will be applicable to such source, if such standard is thereafter promulgated in accordance with that Section, with the provisions stipulated in 40 CFR 403.3(k).

Operation and Maintenance Costs shall mean all costs, direct and indirect, not including debt service and capital related expenditures, but inclusive of expenditures attributable to administration, monitoring, inspections, reviewing applications, maintenance of equipment, and treatment and collection of wastewater, necessary to assure adequate wastewater collection and treatment on a continuing basis which conforms to applicable regulations and assures optimal long term facility management.

Pass Through shall mean a discharge which exits the POTW into waters of the U.S. in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the Commission's NPDES permit (including an increase in the magnitude or duration of a violation).

Person shall mean any individual, partnership, co-partnership, firm, company, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns. The masculine gender shall include the feminine, the singular shall include the plural where indicated by context.

pH shall mean the term used to express the intensity of the acid or base condition of a solution as prescribed in 40 CFR, Part 136, or equivalent methods approved by EPA.

Pollutant shall mean any dredged spoil, solid waste, incinerator residue, sewage, garbage, sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, and industrial, commercial, agricultural waste, or other pollutant,

including the characteristics of wastewater (i.e. pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, odor) as may be defined by EPA or DHEC Regulations, discharged into water.

Pollution shall mean the man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.

Pretreatment shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging such pollutants to the POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, or process changes of other means, except as prohibited by 40 CFR Section 403.6(d).

Pretreatment Requirements shall mean any substantive or procedural requirement related to pretreatment, other than a National Categorical Pretreatment Standard imposed on an Industrial User or Local Limitation.

Private Sewer shall mean a sewer which is not owned by a public body.

Public Sewer shall mean a trunk or transportation sewer line or sewer facilities which is owned and controlled by the Commission or a collection of lateral lines or adjunct facilities owned and controlled by the cities.

Publicly Owned Treatment Works (POTW) shall mean treatment works as defined by Section 212 of the Act, which is owned by the Commission. This definition includes any sewers that convey wastewater to the POTW treatment plant, but does not include pipes, storm sewers or other conveyances not connected to a facility providing treatment.

Qualified Laboratory shall mean laboratories currently certified by the State to perform wastewater analyses.

Sanitary Sewer shall mean a sewer which carries wastewater.

Shall is mandatory and requires compliance: May is permissive.

Significant Industrial User shall mean any Industrial User of the POTW who (1) is subject to National Categorical Pretreatment Standards; (2) discharges an average of 25,000 gallons per day or more of process wastewater to the POTW; (3) discharges more than five percent or more of any design or treatment capacity of the POTW; or (4) is found by the Commission, DHEC, or EPA to have a reasonable potential for adversely affecting, either singly or in combination with other discharges, on the wastewater disposal system, the quality of sludge, the system's effluent quality, the receiving stream, or air emissions generated by the system.

Significant Noncompliance shall mean a violation of discharged limitations that meets one or more of the following criteria or a violation of compliance schedule milestones or reporting requirements. These include chronic violations in which sixty-six percent or more of all the measurements taken during a six-month period exceed by any magnitude the daily maximum or average limit for the same pollutant; or technical review criteria (TRC) violations in which thirty-three percent or more of all the measurements taken during a six-month period for the same pollutant equal or exceed the product of the daily maximum

limit or average limit multiplied by the applicable TRC (TRC = 1.4 for BOD, COD, TSS, fats, oils, and grease; and TRC = 1.2 for all other pollutants except pH; TRC violation for pH is when any measurement is less than 6.0 units unless other limits are approved by the General Superintendent). Significant noncompliance shall also mean a violation of a limit (daily maximum or average) that the General Superintendent determines has caused, alone or in combination with other discharges, interference or pass-through; which involves a failure to comply with compliance schedule milestones contained in permits, consent agreements, or administrative orders; which involves a failure to accurately report noncompliance; which has caused imminent endangerment to human health or welfare or to the environment; which involves a failure to comply with 30 days after the due date with the reporting requirements in discharge permits or this Ordinance and applicable regulations; which resulted in the Commission exercising its emergency authority; or which the General Superintendent determines adversely affects the operation of the POTW.

Slug Load shall mean any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standards in Section 4.1 Prohibited Discharges of this ordinance or any discharge of a nonroutine, episodic nature, including but not limited to, an accidental spill or a non-customary batch discharge.

Standard Industrial Classification (SIC) shall mean a classification pursuant to the current edition of the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget.

Standard Methods shall mean the laboratory procedures set forth in the latest edition of Standard Methods for the Examination of Water and Wastewater, prepared and published jointly by the American Public Health Association, American Water Works Association, and Water Pollution Control Federation or any other procedures recognized by the DHEC and EPA.

State shall mean the State of South Carolina.

Storm Sewer shall mean a sewer that carries only storm water, surface runoff, street wash, and drainage, and to which wastewater is not intentionally admitted.

Storm Water shall mean any flow occurring during or following any form of natural precipitation and resulting therefrom.

Suspended Solids shall mean the total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and which is removable by laboratory methods as prescribed by 40 CFR, Part 136, or equivalent methods approved by EPA, and referenced as non-filterable residue.

Total Ammonia Nitrogen shall mean the sum of inorganic nitrogen content of a wastewater as prescribed in 40 CFR, Part 136, or equivalent methods approved by EPA.

Total Kjeldahl Nitrogen shall mean the sum of organic nitrogen and ammonia nitrogen content of a wastewater as prescribed in 40 CFR, Part 136, or equivalent methods approved by EPA.

Total Phosphorus shall mean the sum of the dissolved and suspended organic and inorganic phosphorus content of a wastewater as prescribed in 40 CFR, Part 136, or equivalent methods approved by EPA.

Toxic Pollutant or Substances shall mean any substances whether gaseous, liquid, or solid, which when discharged to the POTW in sufficient quantities may tend to interfere with any wastewater treatment process, or to constitute a hazard to the environment or recreation in the receiving waters of the effluent from the POTW. These substances include but are not limited to those 126 pollutants, or combination of those pollutants, listed as toxic in regulations promulgated by the EPA under the provisions of 307 (33 U.S.C. 1317) of the Act, or other acts.

Unpolluted Water shall mean water of sufficient quality that it would not be in violation of federal or State water quality standards if such water were discharged to waters of the State.

User shall mean any person who directly or indirectly discharges, causes or permits the discharge of wastewater to the POTW.

User Charge System shall mean the system of charges levied on users for the operation and maintenance costs of the wastewater disposal system by Commission.

Wastewater shall mean the combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, including cooling water, holding tank waste, and infiltration/inflow.

- (1) Sanitary Wastewater shall mean the combination of liquid and water carried wastes discharged from toilet and other sanitary plumbing facilities.
- (2) Industrial Wastewater shall mean a combination of liquid and water carried wastes discharged from any industrial establishment and resulting from any trade or process carried on in that establishment and shall include the wastes from pretreatment facilities and cooling water.

Wastewater Disposal System shall mean the land, structures, equipment and processes owned and controlled by the Commission (unless specified otherwise) required to collect, transport, and treat wastewater and to dispose of the effluent and accumulated residual solids.

Waters of the State shall mean all streams, lakes, ponds, marshes, water courses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State or any portion thereof.

### Section 1.3 - Abbreviations

The following abbreviations shall have the designated meanings:

<u>BOD</u>	- Biochemical Oxygen Demand
<u>CFR</u>	- Code of Federal Regulations
<u>COD</u>	- Chemical Oxygen Demand
<u>CWA</u>	- Clean Water Act
<u>DHEC</u>	- Department of Health and Environmental Control of the State of South Carolina
<u>EPA</u>	- Environmental Protection Agency
<u>gpd</u>	- Gallons Per Day

<u>mg/l</u>	- Milligrams Per Liter
<u>NPDES</u>	- National Pollutant Discharge Elimination System
<u>POTW</u>	- Publicly Owned Treatment Works
<u>RCRA</u>	- Resource Conservation and Recovery Act
<u>SIC</u>	- Standard Industrial Classification
<u>SWDA</u>	- Solid Waste Disposal Act
<u>TKN</u>	- Total Kjeldahl Nitrogen
<u>TSS</u>	- Total Suspended Solids
<u>USC</u>	- United States Code

## SECTION 2 - USE OF PUBLIC SEWERS

### Section 2.1 - Permits Required

Prior to connection to the Wastewater Disposal System, the applicant shall obtain approval from Commission. Application shall be made in writing on forms provided by the Commission. All new industries discharging industrial wastewater shall complete the application and obtain approval to connect and use the sewer facilities, regardless of the amount of discharge. All currently permitted industrial users shall apply for renewal of their permit by completing an industrial discharge application and submitting it to the General Superintendent at least 180 days prior to expiration of the current permit. The industrial discharge application shall be as provided by the General Superintendent. This application shall be obtained from the Commission. Facilities to be deeded to and accepted by the Commission shall be completed, construction requirements for engineering standards or regulations met, and be inspected and approved by the County Codes Department, and DHEC. New Industrial Users shall also complete an industrial discharge application provided by the General Superintendent.

### Section 2.2 - Responsibility for Costs

All costs and expense incident to the installation and connection of building sewers shall be borne by the Owner.

### Section 2.3 - Use of Public Sewers Required

It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property in areas under the jurisdiction of the Commission any human or animal excrement, garbage, or objectionable waste. It shall be unlawful to discharge to any natural outlet in areas under the jurisdiction of the Commission any wastewater, except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance and with regulations of the DHEC. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater. The Owner of all houses, buildings or properties used for human occupancy, employment, recreation, or other purposes, abutting on any street, alley, or right-of-way in which there is a public sanitary sewer, is hereby required at the expense of the Owner to install suitable toilet facilities therein, and to connect such facilities directly with the public sewer in accordance with the provisions of this Ordinance, within ninety days after date of official notice to do so, provided that said public sewer is within three hundred feet of the property line. Under unusual or specific circumstances, the General Superintendent may waive this provision.

#### Section 2.4 - Sewer Material

All sewers, including building sewers, to be connected with or to discharge to the wastewater disposal system shall be constructed of one of the following:

- (1) Vitrified clay pipe complying with ASTM C200 and with compression type, flexible joint conforming to ASTM C425.
- (2) Ductile iron pipe with a mechanical or push-on joint as described in ANSI A21.11.
- (3) ABS (acrylonitrile - butadiene - styrene) pipe and fittings conforming to ASTM D2661.
- (4) PVC (polyvinyl chloride) pipe and fittings conforming to minimum requirements of ASTM D3034, heavy wall, joint quality to conform with ASTM C425.
- (5) Other materials specifically approved in writing by the General Superintendent.

#### Section 2.5 - Certain Connections Prohibited

##### (a) Connection Not Allowed To Sewer

No person shall make any connection of roof downspouts, exterior foundation drains, area drains, or other sources of inflow, infiltration, or other unpolluted waters to a building sewer or building drain which in turn is connected, directly or indirectly, to a sanitary sewer.

##### (b) Connection Not Allowed To Storm Sewers

No sanitary wastewater shall be discharged into a storm sewer.

#### Section 2.6 - Multiple Connections Through One-Building Sewer

A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no sanitary sewer is available nor can be constructed to the rear building through an adjoining alley, court, yard or driveway. The building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

#### Section 2.7 - Use of Old Building Sewers

Old building sewers may be used in connection with new buildings only when they are found, upon examination and testing to meet all requirements of this Ordinance.

#### Section 2.8 - Compliance with Other Regulations

The size, slope, alignment, materials of construction, excavating methods, pipe placement, jointing, testing and backfilling shall all conform to the building code, plumbing code and all other regulations of the County. In cases of conflict and in absence of other provisions, materials and procedures set forth in ASCE-WPCF Manual of Practice No. 9 shall govern. All joints of the building sewer shall be tight

and waterproof. The building sewer shall pass a low pressure air test as specified in ASTM C828. The General Superintendent reserves the right to determine which testing procedure shall be used for a given installation.

#### Section 2.9 - Connection of Building Sewer to Public Sewer

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, wastewater carried by such building drain shall be lifted by a means approved by the Commission and discharged to the building sewer. The connection of the building sewer into the public sewer shall conform to the requirements of applicable building and plumbing codes and other applicable rules and regulations of the Commission. All such connections shall be made gastight and watertight. Any connection to a public sewer shall be made at an existing manhole where possible. Any deviation from the prescribed procedures and materials must be approved by the General Superintendent before installation.

#### Section 2.10 - Supervision of Building Sewer Construction

The applicant for the building sewer permit shall notify the Commission when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Commission. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Commission. Construction shall comply with the provisions of PL 91-596, the Occupational Health and Safety Act of 1970.

#### Section 2.11 - Special Interceptors

Grease, oil, and sand interceptor sewers shall be provided when, in the opinion of the General Superintendent, they are necessary for the proper handling of liquid wastes containing floatable oil in excessive amounts, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the General Superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection. Where installed, all grease, oil and sand interceptors shall be maintained by the Owner at his expense in continuously efficient operation at all times. In the maintaining of these interceptors, the Owner shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal which are subject to review by the Commission, the State, the County, or the General Superintendent. Any removal and hauling of collected materials shall be performed according to applicable State, federal, and local regulations.

#### Section 2.12 - General Guidance

Commission approval of plans and specifications for expansion or modification to treatment works shall be generally based on the Recommended Standards for Sewage Works (commonly referred to as "Ten States Standards"), as modified by the Commission, and these Standards and the modifications are recommended for use by any entity developing facilities for connection to the wastewater disposal system.

#### Section 2.13 - Connection Constitutes Consent

Connection to the Commission's system shall constitute consent and agreement by the user to be bound by and to abide with all of the Commission's rules and regulations.

### SECTION 3 - PRIVATE WASTEWATER DISPOSAL

#### Section 3.1 - Responsibility for Construction and Operation

Where a public sanitary sewer is not available according to the provisions of this Ordinance, building sewers shall be connected to private wastewater disposal systems subject to the requirements of the County or DHEC. Where the Owner desires the Commission to assume responsibility for the operation and maintenance of new treatment works, trunklines or lift stations, all such facilities shall be designed and constructed in accordance with the Commission's requirements and shall be subject to their review and approval and be in compliance with any applicable DHEC requirements. The Commission, subject to Commission policies, may assume responsibility for the operation and maintenance costs of treatment systems and lift stations upon such terms and conditions as it deems appropriate.

#### Section 3.2 - Tank Truck Hauler

The contents of a tank truck operated by a DHEC licensed hauler of holding tank waste shall be discharged to the POTW only at a location approved by the General Superintendent. The discharge of such wastes shall be subject to the procedures and limitations established by the General Superintendent, and to fees as are established or may be established from time to time by the Commission. The initial fees are shown on Attachment B of this Ordinance. Future fees shall be published by the Commission and incorporated into Attachment B. Such wastewater must have prior written approval of the General Superintendent before being discharged. The discharge of these wastes shall be subject to the procedures, limitations, and fees set by the General Superintendent in his letter of acceptance, and a copy of this letter shall be attached to the tank truck content disposal form. No toxic materials or petroleum based grease and oils shall be accepted. The licensed hauler shall provide the information requested on a Discharge Disposal Permit Form as shown in Attachment A of the Ordinance. Only wastes originating within the Commission's boundaries or Oconee County may be accepted.

#### Section 3.3 - Requirements of Other Authorities

No requirement contained in this Section shall be construed to relieve the applicant of any additional requirements that may be imposed by other authorities having legal jurisdiction.

### SECTION 4 - PROHIBITIONS AND LIMITATIONS ON WASTEWATER DISCHARGES

#### Section 4.1 - Prohibited Discharges

It shall be unlawful for any person to discharge wastewater which causes a hazard to human life, creates a public nuisance, exceeds specific limitations set forth hereinafter, or causes pass through or interference. These general prohibitions apply to all such users of the POTW whether or not the user is subject to National Categorical Pretreatment Standards or any other federal, State, or local regulations or ordinances. When the General Superintendent determines that a user is discharging such wastewater, the

General Superintendent shall advise the user of the potential impact of the discharge and develop effluent limitations for such discharge to protect the POTW. A user shall not discharge the following substances to the POTW:

- (1) Uncontaminated cooling water may be discharged to the storm sewer under the jurisdiction of the Commission in accordance with applicable DHEC requirements.
- (2) 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 POTW or to the operation of the POTW. Wastewater shall not have a closed cup flashpoint of less than one hundred forty degrees Fahrenheit using test methods specified in 40 CFR 261.21. Materials specifically prohibited from discharge into the POTW include gasoline, kerosene, naphtha, fuel oil, lubricating oil, and any other substances which the Commission, State, or EPA has notified the user is a fire hazard or a hazard to the system.
- (3) Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference, such as, but not limited to: floatable oil, garbage with particles greater than one-half inch in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud or glass grinding or polishing wastes.
- (4) Wastewater having a pH less than 5.0 units, unless other limits are approved by the General Superintendent, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the POTW.
- (5) Wastewater containing pollutants in sufficient quantity, either singly or by interaction with other pollutants which will cause interference, constitute a hazard to humans or animals, or create a toxic effect in the receiving waters of the POTW.
- (6) Noxious liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for their maintenance and repair.
- (7) Wastewater, liquid, or vapors having a temperature higher than one hundred fifty degrees Fahrenheit, or results in a temperature higher than one hundred four degrees Fahrenheit at the influent to the POTW or heat in such an amount as will inhibit biological activity in the POTW and result in interference.
- (8) Wastewater containing radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by applicable federal or State regulations.
- (9) Wastewater which constitutes a slug discharge as defined herein.
- (10) Substances which may cause the POTW's effluent or any other product of the POTW such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the

process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the SDWA, the Clean Air Act, the Toxic Substances Control Act, or State criteria applicable to the sludge management method being used.

- (11) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that may cause interference or pass-through.
- (12) Any pollutants which result in the presence of toxic gases, vapor or fumes within the POTW in a quantity that may cause acute worker health and safety problems.
- (13) Any trucked or hauled pollutants not authorized under Section 3.2.
- (14) Any wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent thereby violating the Commission's NPDES permit. Color (in combination with turbidity) shall not cause the treatment plant effluent to reduce the depth of the compensation point for photosynthetic activity by more than 10 percent from the seasonably established norm for aquatic life.
- (15) Any sludges, screenings, or other residues from the pretreatment of industrial wastes.
- (16) Any medical wastes, except as specifically authorized by the General Superintendent in a wastewater discharge permit.
- (17) Any wastewater causing the treatment plant's effluent to fail a toxicity test.
- (18) Any wastes containing detergents, surface active agents, or other substances in sufficient concentrations which may cause excessive foaming in the POTW.

The Commission may establish limitations and requirements which are more stringent than those required by State or federal regulations.

#### Section 4.2 - Conditionally Prohibited Discharges

Certain discharges may be prohibited in the event the General Superintendent determines it necessary to protect the POTW, receiving stream, or that the discharge will endanger lives, limbs, public property, or constitute a nuisance. The General Superintendent may revise the limitations established in this section if, in his opinion, different limitations are necessary to meet the above objectives. Wastewater as described below shall not be discharged to the POTW without the prior written approval of the General Superintendent.

(1) Grease and Oils:

- A. Wastewater containing more than 100 mg/l of petroleum oil, cutting oils, coolants, or products of mineral oil origin (hydrocarbons).
- B. Wastewater containing more than 200 mg/l of oil or grease of animal or vegetable origin.

(Total recoverable grease and oils shall be measured in accordance with the approved methods specified in Table 1B. - List of Approved Inorganic Test Procedures, under Part 136 - Guidelines Establishing Test Procedures for the analysis of Pollutants in the latest edition of 40 CFR. The oils of petroleum or mineral origin shall be measured in accordance with procedures outlined in 503E. - Hydrocarbons of the latest edition of Standard Methods for the Examination of Water and Wastewater. The difference between the hydrocarbon analysis and the total recoverable grease and oil analysis will be considered grease or oil of animal or vegetable origin.)

- C. Wastewater containing substances which may solidify or become viscous at a temperature between 32 and 150 degrees Fahrenheit.
- (2) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the General Superintendent in compliance with applicable State or federal regulations.
  - (3) Wastewater containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed.
  - (4) Holding tank waste.
  - (5) Wastewater with a pH less than 6.0 units or greater than 10.0 units.

#### Section 4.3 - National Categorical Pretreatment Standards or Local Limitations

Upon the promulgation of National Categorical Pretreatment Standards for an industrial subcategory, each National Categorical Pretreatment Standard, if more stringent than the corresponding limitation imposed under this Ordinance for sources in that subcategory, shall immediately supersede the limitations imposed under this Ordinance. The General Superintendent shall notify all affected users of the applicable reporting requirements under 40 CFR, Section 403.12. Commission shall develop and set all limitations, in accordance with applicable law and shall publish these limitations periodically. Compliance with categorical pretreatment standards for existing sources subject to such standards or for existing sources which hereafter become subject to such standards shall be within three years following promulgation of the standards unless a shorter compliance time is specified in the standard. Specific pollutant limitation and compliance schedules shall be developed by the General Superintendent and made a part of the user's discharge permit. Compliance with National Categorical Pretreatment Standards or Local Limitations for new sources shall be required within ninety days of initiation of a discharge. The Commission operates several wastewater treatment plants and specific pollutant limitation will vary at the various plants. These specific limits and definitions of duration and maximums shall be on file at the Commission's office and available upon request. A current listing of the limitations developed and set by Commission is attached as Attachment A to this Ordinance. Future changes or additions to these limitations shall be developed, set and adopted by Commission and will be published, and when adopted by Commission be automatically incorporated into Attachment A.

#### Section 4.4 - Limitations on Wastewater Strength and Flow Rate

No person shall discharge wastewater in excess of the concentration or mass limit set forth in National

Categorical Pretreatment Standards or Local Limitations or their wastewater discharge permit. The General Superintendent shall establish permit limitations on a case-by-case basis in accordance with DHEC and EPA regulations and an approved headworks analysis. Where appropriate and allowed by applicable regulations, the General Superintendent may impose both concentration and mass limitations on a discharge.

#### Section 4.5 - Revision of Limitations

The General Superintendent may impose limitations more stringent than the National Categorical Pretreatment Standards in wastewater discharge permits where it is necessary to comply with the objectives of this Ordinance.

#### Section 4.6 - Dilution Prohibition

Except where authorized by an applicable pretreatment standards, no user shall deliberately dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations developed by the Commission or State. This provision may be waived for National Categorical Pretreatment Standards or Local Limitations only if the standard or requirements specifically allow dilution and the General Superintendent determines the discharge would otherwise comply with the provisions of this Ordinance.

#### Section 4.7 - Accidental Discharge/Slug Control Plans

The General Superintendent may require an industrial user to develop and implement an accidental discharge/slug control plan. Users shall provide protection from accidental discharge of prohibited materials or other substances regulated by this Ordinance. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the expense of the Owner. When required, detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the General Superintendent for review, and shall be approved by the Commission and DHEC before construction of the facility. No person who commences discharge to the POTW after the effective date of this Ordinance shall be permitted to discharge until accidental discharge procedures have been approved by the General Superintendent. Review and approval of such plans and operating procedures shall not relieve the responsibility to modify the facility as necessary to meet the requirements of this Ordinance. In the case of an accidental discharge or a slug load, it is the responsibility of the user to immediately notify the General Superintendent of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions.

Within five days following an accidental discharge or slug load, the user shall submit to the General Superintendent a detailed written report describing the cause of the discharge and the measures to be taken to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the wastewater disposal system, fish kills, or any other damage to person or property; nor shall such notification relieve the user of any fines, civil penalties, or other liability which may be imposed by this Ordinance or other applicable law.

The accidental discharge/slug control plan when required shall be submitted to the General Superintendent and to DHEC containing at a minimum the following:

- A. Description of discharge practices, including nonroutine batch discharges.
- B. Description of stored chemicals.
- C. Procedures for immediately notifying the POTW of any accidental or slug discharge. Such notification must also be given for any discharge which would violate any of the prohibited discharges.
- D. Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measure for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response.

The General Superintendent at least once every two (2) years shall evaluate whether each Significant Industrial User needs such a plan.

Section 4.8 - Upset Provision, An Affirmative Defense.

(a) Definition.

For the purposes of this section, "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with categorical pretreatment standards because of factors beyond the reasonable control of the Industrial User. An Upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

(b) Effect of an Upset.

An Upset shall constitute an affirmative defense to an action brought for noncompliance with categorical Pretreatment Standards if the requirements of paragraph (c) are met.

(c) Conditions Necessary For Demonstrating Upset

Any user which experiences an upset in operations which places the user in a temporary state of noncompliance shall comply with the requirements of 40 CFR 403.16 if the user seeks to establish an affirmative defense of upset. The following information must be given to the General Superintendent within twenty-four (24) hours of becoming aware of the upset (if given orally, written submission must follow up within five (5) days):

- (1) Description of the upset, the cause thereof and the expected impact on the user's compliance status;
- (2) Duration of noncompliance, including exact dates and times of noncompliance, and if the noncompliance is continuing, the time by which compliance is reasonably expected to occur; and
- (3) All steps taken or to be taken to reduce, eliminate and prevent recurrence of such an

upset or other conditions of noncompliance.

(d) User Responsibility in Case of Upset.

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

Section 4.9 - Notice of Process Change/Interruption of Operation

Notice by the user shall be given to the General Superintendent in advance or at the earliest possible time when normal operations of the industry as identified by the industry in its permit application will be interrupted for forty-eight hours or longer, when wastewater will not be discharged, or prior to implementation of a process change which will alter characteristics of the wastewater.

Section 4.10 - Pretreatment

4.10.1 Pretreatment Measures

Users shall provide pretreatment as required to comply with this Ordinance or discharge permit, and shall achieve compliance with this Ordinance and all pretreatment standards within the specified time limitations. Any facilities required to pretreat wastewater shall be constructed, operated, and maintained at the expense of the Owner. A permit to construct pretreatment facilities shall be obtained from DHEC. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the General Superintendent for review. Submittal of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the General Superintendent under the provisions of this Ordinance. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to the General Superintendent prior to the initiation of the changes.

4.10.2 Additional Pretreatment Measures

A. Whenever deemed necessary, the General Superintendent may require industrial users to restrict their discharge during peak flow periods, designate that certain wastewater be discharge only into specific sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and such other conditions as may be necessary to protect the POTW and determine the industrial user's compliance with the requirements of this ordinance.

B. A Significant Industrial User may be required to install and maintain, on his property and at his expense, a suitable storage and flow control facility to insure equalization of flow over a period determined by the General Superintendent. The facility shall have a reasonable capacity for the daily discharge volume and shall be equipped with alarms and a rate of discharge controller, the regulation of which shall be directed by the General Superintendent. A wastewater discharge permit may be issued solely for

flow equalization.

C. Grease, oil and sand interceptors shall be provided when, in the opinion of the General Superintendent, they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil, or sand; except that such interceptors shall not be required for residential users. All interception units shall be of type and capacity approved by the General Superintendent and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned and repaired regularly, as needed, by the owner at his expense.

D. Industrial users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

#### Section 4.11 - Bypass, Affirmative Defense

Any user which bypasses treatment facilities as defined in 40 CFR 403.17 shall comply with the requirements of that section and applicable State and federal regulations. An Industrial User may allow a bypass to occur only when it does not cause National Categorical Pretreatment Standards or Requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. If an Industrial User knows in advance of the need for a bypass, it shall submit prior notice to the General Superintendent, if possible at least ten days before the date of the bypass. An Industrial User shall submit oral notice of an unanticipated bypass that exceeds applicable pretreatment standards to the General Superintendent within 24 hours from the time the Industrial User becomes aware of the bypass. A written submission shall also be provided within five days of the time the Industrial User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The General Superintendent may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

The General Superintendent may take enforcement action against an Industrial User for a bypass, except where the user establishes an affirmative defense of bypass. For this affirmative defense the user must show the following:

- (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastewater, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgement to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
- (3) The Industrial User submitted notices as required in this section.

The General Superintendent may approve an anticipated bypass, after considering its adverse effects if the General Superintendent determines that it will meet the conditions listed in this section.

#### Section 4.12 - Recovery of Preventative Expenses

When any discharge in the opinion of the General Superintendent appears to be in violation of Section 4, Prohibitions and Limitations on Wastewater Discharges, to the extent that the discharge may cause an interference with, or have an adverse impact upon, the operation of facilities, the Commission may act to take preventative action. All costs and expenses, losses and damages, including the reasonable value or cost of the use of Commission personnel and equipment caused or incurred by the implementation of preventative measures shall be charged to and paid by the discharger.

### SECTION 5 - REVENUE SYSTEM

#### Section 5.1 - Fees and Charges

Fees shall be assessed to users for discharges to the POTW and for executing or enforcing the provisions of this Ordinance. These charges shall be developed, set and adopted by the Commission no less frequently than biennially in accordance with the User Charge System policies of the Commission and applicable federal and state statutes. Charges may be developed for the following purposes:

- (1) Industrial monitoring, inspections, and surveillance procedures;
- (2) Reviewing accidental discharge procedures and construction;
- (3) Reviewing permit applications;
- (4) Reviewing appeals;
- (5) Special industrial discharges;
- (6) Recovering capital related expenditures or retiring bonded indebtedness;
- (7) Other charges, including user charges based on billable flow and excessive pollutant discharges to the POTW, necessary to recover the operation and maintenance costs of the wastewater disposal system.
- (8) Availability, impact, and connection fees or similar fees to recover, or to provide for, capital costs expended for the system and/or its expansion.

Current fees and charges of Commission are shown upon Attachment B. Future charges and fees as are set and developed by Commission will be published by the Commission and when adopted by Commission be automatically incorporated into an Attachment B.

### SECTION 6 - DISCHARGE PERMITS AND REPORTING

#### Section 6.1 - Wastewater Discharge Permits

##### (1) Application Requirements

Any person desiring to discharge industrial wastewater shall complete an official application and file it with the Commission together with permit approval from any city having jurisdiction. Approval shall be evidenced by written notice from the General Superintendent. The person shall provide all data required by the current official application, copies of which shall be obtained from the General Superintendent. The General Superintendent shall evaluate the data and may

require additional information. After evaluation and acceptance of the data provided, the General Superintendent may grant permission to discharge subject to the terms and conditions provided herein. The General Superintendent may issue a permit with specific limitations different from those listed in this Ordinance if he determines that the discharge will otherwise comply with the remaining provisions in this Ordinance. All significant Industrial Users shall obtain a permit to discharge to the POTW. Authorized representatives of significant Industrial Users shall sign the permit application. Significant Industrial Users which through changes in the use of the premises or water usage cause a significant change in wastewater volume, strength, or characteristic shall submit a new application prior to making the change or alteration.

Applicable persons and users shall complete and submit an application, accompanied by any application fee in the amount prescribed, including the following information:

- (a) Name, address, and location (if different from the address) of the facility, name of the operator and owner;
- (b) Applicable SIC number(s) and a list of any environmental control permits held by or for the facility;
- (c) Analytical data on wastewater constituents and characteristics including but not limited to those mentioned in this Ordinance;
- (d) Time and duration of discharge;
- (e) Average daily wastewater discharge rates, including daily, monthly and seasonal variations if any;
- (f) Schematic site, floor, mechanical and plumbing plans, with details to show all drains, sewers, sewer connections, and appurtenances by the size, location and (if available) elevation (these must show point of discharge to the POTW);
- (g) Description of activities, facilities and plant processes on the premises unless subject to the confidentiality provisions of Section 6.4;
- (h) Where known, the nature and concentration of any pollutants in the wastewater which are limited by any local limitations, or National Categorical Pretreatment Standards, a statement regarding whether or not the person is complying or will comply with National Categorical Pretreatment Standards on a consistent basis and, if not, whether additional pretreatment or operational modifications are required to comply with applicable limitations or National Categorical Pretreatment Standards, or Local Limitations;
- (i) If additional pretreatment or operational modifications will be required to comply with limitations or National Categorical Pretreatment Standards or Local Limitations, the shortest schedule by which the person will comply;
- (j) Where required to develop pretreatment standards, a brief description of each product produced by type, amount, process or processes and rate of production;

- (k) Where required to develop pretreatment standards, type and amount of raw materials processed (average and maximum per day);
- (l) Hours of operation of plant, and proposed or actual hours of operation of pretreatment facilities;
- (m) Any other information as may be deemed by the General Superintendent to be necessary to evaluate the permit application.
- (n) Application Signatories and Certification. All wastewater discharge permit applications and industrial user reports must contain the following certification statement and be signed by an authorized representative of the industrial user.

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The General Superintendent shall review the application, conduct an on-site inspection of the plant and any pretreatment facilities, and shall prepare a written evaluation and tentative determination to issue or deny the permit. If the tentative determination is to issue the permit, the General Superintendent shall draft the permit in accordance with the Regulation and State regulations. A synopsis of the application shall be prepared by the General Superintendent for submission to the applicant, the DHEC, and to the public upon request. The contents of such shall include a sketch or detailed description of the process if not in violation of Section 6.4 on confidentiality and pretreatment facilities including the location of all points of discharge to the POTW and all compliance monitoring points. This shall also include the rate or frequency of the proposed discharge, average daily flow, average daily discharge in pounds of any limited pollutant and any pollutant identified in the application as known or suspected present, and the basis for the pretreatment limitations including the documentation of any calculations in applying National Categorical Pretreatment Standards or Local Limitations, and all other information required by the State. The user shall have thirty days from the receipt of the draft permit to review and comment on the draft permit. The General Superintendent shall issue the final permit at the end of the comment period.

(2) Hearings

Any person whose permit is denied, or is granted subject to conditions he deems unacceptable, shall have the right to request an Adjudicatory Hearing under the procedures provided in Section 8 and the Enforcement Management Strategy, Attachment "C", mutatis mutandis, except insofar as that procedure relates to appeals from the decision of the hearing examiner. After a determination is made by the hearing examiner in any case other than an enforcement proceeding, any party may apply to the Commission for a review of the determination of the hearing examiner

prior to a final decision in the matter by the Commission. However, application must be submitted in writing within fifteen (15) days of receipt of the determination stating specifically the grounds of objection to such determination. The Commission may on its own motion take up the review of the determination of the hearing examiner at a regularly scheduled Commission meeting. On the basis of the complete record of proceedings and testimony and evidence presented before the hearing examiner, his or her determination shall be affirmed, modified, or set aside by the Commission in a final decision on the matter.

The Commission will review the determination of the hearing examiner in the following manner:

1. Briefs may be submitted to the Commission by the parties but are not required unless specifically requested by the Commission.
2. All briefs shall be submitted to the Commission at least fifteen (15) days prior to the scheduled meeting with ten (10) separate copies. Briefs shall state specifically the grounds for affirmation, modification, or denial of the determination of the hearing examiner. Reply briefs may be filed five (5) days before the Commission meeting.
3. Oral arguments shall be limited in duration to not more than one (1) hour, or as otherwise provided by the Commission, from each party in the hearing, including intervening parties.
4. A full and complete record shall be kept of all proceedings and reported and transcribed by a qualified reporter furnished by the Authority. A copy of the transcript may be requested by any interested party, who shall pay the cost of preparing such transcript.
5. The Commission, at its discretion, may require a reopening of the adjudicatory hearing before the hearing examiner for the taking of additional testimony upon all issues or particular issues prior to its final decision on the determination of the hearing examiner.
6. The Commission will make its decision upon the record presented by the hearing examiner alone, unless the Commission determines it needs additional evidence during its consideration. In such event a proper opportunity for rebuttal by the party will be granted.

Any party aggrieved by a final decision of the Commission, other than in an enforcement case, may appeal such decision to the Court of Common Pleas in the county in which the Commission is located under the same guidelines applied to state agencies which are set forth in S. C. Code Ann. §1-23-380.

(3) Permit Modifications

Within nine months of the promulgation of a National Categorical Pretreatment Standard, or adoption of a Local Limitation, the permit of users subject to such standards shall be revised to require compliance with such standard within the time frame prescribed by such standard. Where a user, subject to a National Categorical Pretreatment Standard, or Local Limitation, has not previously submitted an application for a permit, the user shall apply for a permit within 180 days after the promulgation of the National Categorical Pretreatment Standard. In addition, the user with an existing permit shall submit to the Commission within 180 days after the promulgation

of an applicable standard information regarding the nature and concentration of the regulated pollutant and a schedule for providing additional pretreatment, if necessary.

Other modifications of permits shall be subject to the same procedural requirements as the issuance of permits except the following changes may be made upon thirty (30) days notice:

- (a) modifications of the monitoring program contained in the permit;
- (b) changes in the ownership of the discharge when no other change in the permit is indicated;
- (c) a single modification of any compliance schedule not in excess of four months; or
- (d) modification of compliance schedules in permits for new sources where the new source will not discharge until process or pretreatment facilities are operational.
- (e) modifications incorporating new or revised federal, state or local pretreatment standards or regulations; or
- (f) other modifications determined necessary by the General Superintendent under the Regulations.

(4) Permit Conditions

The General Superintendent shall have the authority to grant a permit with such conditions attached as he believes necessary to achieve the purpose of this Ordinance, State, and federal regulations. Such conditions shall include but are not limited to the following:

- (a) a statement of duration (in no case more than five years);
- (b) a statement of non-transferability;
- (c) applicable effluent limits based on National Categorical Pretreatment Standards or Local Limitations;
- (d) applicable monitoring and reporting requirements;
- (e) notification requirements for slug discharges as defined by 40 CFR Part 403.5(b);
- (f) a statement of applicable penalties for violation of permit conditions; and
- (g) a compliance schedule that outlines dates and actions for obtaining compliance with final limitations or other pretreatment requirements.

(5) Permit Duration

Permits may be issued for a specified time period, not to exceed five years. A permit may be issued for a period less than a year or may be stated to expire on a specific date. The user shall apply for permit reissuance a minimum of 180 days prior to the expiration of the permit.

(6) Permit Transfer

Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation. In such event a new application shall be submitted with full information. This application will be expedited if the new owner or operator certifies (1) that there is no immediate intent to change the facility's operation and process, (2) the date the new owner or operator shall take over, and (3) acknowledgement is made that the new owner or operator has full responsibility for complying with the existing wastewater discharge permit.

Section 6.2 - Reporting Requirements for Permittee

- (1) Within 180 days after the effective date of a National Categorical Pretreatment Standard, or 180 days after the final administrative decision made upon a category determination submission under 40 CFR 403.6, whichever is later, existing Significant Industrial Users subject to such National Categorical Pretreatment Standards shall be required to submit to the General Superintendent a report which contains the information required in 40 CFR 403.12 and applicable State and federal regulations. At least ninety days prior to commencement of discharge, new sources and sources that become Significant Industrial Users subsequent to the promulgation of an applicable National Categorical Pretreatment Standard, shall be required to submit to the General Superintendent a report which contains the information required in 40 CFR 403.12. The General Superintendent shall require appropriate reporting from those Significant Industrial Users not subject to National Categorical Pretreatment Standards. Reports required by this Ordinance shall be signed by an authorized representative of the Significant Industrial User.
- (2) Within ninety days following the date for final compliance with applicable National Categorical Pretreatment Standards or, in the case of a new source, following commencement of the discharge of wastewater into the POTW, any user subject to National Categorical Pretreatment Standards and Requirements shall submit to the General Superintendent a report containing the information required in 40 CFR 403.12.
- (3) Any user subject to a National Categorical Pretreatment Standard, after the compliance date of such National Categorical Pretreatment Standard, or, in the case of a new source, after commencement of the discharge into the POTW, shall submit to the General Superintendent quarterly unless required more frequently in the National Categorical Pretreatment Standard or by the General Superintendent, a report indicating the nature and concentration, of pollutants in the effluent which are limited by such National Categorical Pretreatment Standards. In addition, this report shall include a record of all measured or estimated average and maximum daily flows during the reporting period. At the discretion of the General Superintendent and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the General Superintendent may agree to alter the months during which the above reports are to be submitted. The General Superintendent may impose mass limitations on users which are using dilution to meet applicable National Categorical Pretreatment Standards or Requirements, or in other cases where the imposition of mass limitations are appropriate. In such cases, the required periodic reports shall indicate the mass of pollutants regulated by National Categorical Pretreatment Standards in the discharge of the user. These reports shall contain the results of sampling and analysis of the discharge, including the flow and the nature and concentration, or production and

mass where requested by the General Superintendent, of pollutants contained therein which are limited by the permit or applicable National Categorical Pretreatment Standard.

- (4) All users shall notify the General Superintendent immediately of discharges that could cause problems, including any slug discharges.
- (5) Sampling and analysis may be performed by the Commission in lieu of the user. If done by the Commission, the user shall be charged such fees or charges as are established by the Commission. Where the Commission performs the required sampling and analysis in lieu of the user, the user shall not be required to submit the compliance certification required under 40 CFR 403.12(b) (6) and 403.12(d). In addition, where the Commission itself collects all the information required for the report, including flow data, the user shall not be required to submit the report.
- (6) If sampling performed by a user indicates a violation, the user shall notify the General Superintendent within 24 hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Commission within thirty days after becoming aware of the violation, except the user may not be required to resample if the Commission performs sampling of the discharge at a frequency of at least once per month, or the Commission performs sampling between the time when the user performs its initial sampling and the time when the user receives the results of this sampling.
- (7) If a user subject to these reporting requirements monitors any regulated pollutant at the location(s) designated in the discharge permit more frequently than required by the General Superintendent, the results of this monitoring shall be included in the report in accordance with 40 CFR Part 136.
- (8) The General Superintendent shall require appropriate reporting from those users with discharges that are not subject to National Categorical Pretreatment Standards. Significant Industrial Users shall submit to the General Superintendent at least once each quarter (on dates specified by the General Superintendent) a description of the nature, concentration, and flow of the pollutants required to be reported by the General Superintendent. This sampling and analysis may be performed by the Commission in lieu of the noncategorical Significant Industrial User. Where the Commission itself collects all the information required for the report, the Significant Industrial User shall not be required to submit the report.
- (9) Significant Industrial Users shall promptly notify the General Superintendent in advance of any substantial change in the volume or character of pollutants in their discharge in excess of the amounts allowed in the discharge described in the application or the permit, including the listed or characteristic hazardous wastes for which the Industrial User has submitted initial notification under 40 CFR 403.12. Significant Industrial Users shall notify the General Superintendent, the EPA Regional Waste Management Division Director, and State hazardous waste authorities in writing of any discharge of a substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the Significant Industrial User discharges more than 100 kilograms of such waste per calendar month to the POTW, the notification shall also contain the following information to the extent such information is known and readily available to the Significant Industrial User: (1) an identification of the hazardous constituents contained in the

wastes; (2) an estimation of the mass and concentration of such constituents in the wastewater discharged during that calendar month; and (3) an estimation of the mass of constituents in the wastewater expected to be discharged during the following twelve months. Significant Industrial Users shall provide the notification no later than 180 days after the discharge of the listed or characteristic hazardous waste. Notification need be submitted only once for each hazardous waste discharge. However, notifications of changed discharges must be submitted under 40 CFR 403.12(j). The notification requirement does not apply to pollutants already reported under the self-monitoring requirements of 40 CFR 403.12(b), (d), and (e). Users are exempt from the requirements during a calendar month in which they discharge no more than fifteen kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the Significant Industrial User discharges more than such quantities of any hazardous waste do not require additional notification.

- (10) In the case of any new regulations under section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the Industrial User shall notify the General Superintendent, the EPA Regional Waste Management Division Director, and State hazardous waste authorities of the discharge of such substance within ninety days of the effective date of such regulations.
- (11) In the case of any notification, the Significant Industrial User shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

Notice:

The reports and other documents required to be submitted or maintained under this section may be subject to the provisions of 18 USC section 1001 relating to fraud and false statements; the provisions of section 309(c)(4) of the Act, as amended, governing false statements, representation or certification; and the provisions of section 309(c) regarding responsible officers.

Section 6.3 - User Records

Users shall maintain and retain for three years all plant records as specified by the General Superintendent and afford the Commission access thereto. These records include but are not limited to wastewater self monitoring records, records related to compliance with National Categorical Pretreatment Standards, Local Limitations and other State and EPA required records.

Section 6.4 - Confidentiality

Information and data on a user obtained from reports, questionnaires, discharge applications and monitoring programs and from inspections shall be available to the public or other governmental agency without restriction unless the user specifically requests and is able to demonstrate to the satisfaction of the General Superintendent that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the user. When requested by the person

furnishing the report, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public. It shall, however, be made available upon written request to governmental agencies for uses related to this Ordinance, the NPDES Permit, or other uses determined appropriate by the General Superintendent. The information shall be available for use by the State in judicial review or enforcement proceedings involving the person furnishing the information. Wastewater constituents and characteristics shall not be recognized as confidential information.

## SECTION 7 - SAMPLING AND MONITORING

### Section 7.1 - Right of Entry

Whenever it shall be necessary for the purposes of this Ordinance and upon presentation of proper credentials and identification, Commission, State, and EPA personnel shall be permitted to enter upon any property of users for the purpose of inspecting and copying records, facility inspection, observation, measurement, sampling, or testing in the area of the control structure. Any user completing and filing an application to discharge wastewater shall thereby grant the Commission permission to enter his premises for said purposes. Where a user has security measures in force which would require proper identification and clearance before entry into their premises, the user shall make necessary arrangements with their security guards so that upon presentation of suitable identification, Commission personnel shall be permitted to enter, without delay, for the purposes of performing their specific responsibilities.

### Section 7.2 - Compliance Determination

Compliance determinations with respect to prohibitions and limitations shall be made on the basis of composite and discrete samples of wastewater. Composite samples may be taken over a twenty four hour period, or over a different time span, as determined necessary by the General Superintendent to meet the needs of specific circumstances.

### Section 7.3 - Analysis of Industrial Wastewaters

All measurements, tests and analyses of the characteristics or properties of wastewater to which reference is made in this Ordinance shall be made in accordance with 40 CFR 136 and shall be performed by a qualified laboratory. In the event that there is no approved method in to CFR 136 for a particular parameter, testing shall be performed in accordance with Standard Methods, herein defined, or a method approved by the General Superintendent.

### Section 7.4 - Sampling Frequency

Sampling of industrial wastewater for the purpose of compliance determination with respect to prohibitions and limitations shall be done at such intervals as the General Superintendent may designate. As a minimum the Commission shall conduct compliance sampling or to cause such sampling to be conducted by all Significant Industrial Users and other industrial users at least twice in every one year period and more frequently as required in Attachment "E".

### Section 7.5 - Control Structure

When determined by the General Superintendent to be feasible, the Owner of any property served by a

building sewer carrying industrial wastewater, shall build a control structure in the building sewer from his premises just prior to the entrance of the building sewer into the public sewer suitable for sampling and measuring his wastewater. Plans for this structure shall be approved by the General Superintendent. The construction permit must be obtained from DHEC. There shall be ample room in or near such sampling facility to allow accurate flow measurement, sampling, and preparation of samples for analysis. The facility, sampling, and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the Owner.

## SECTION 8 - ENFORCEMENT

### Section 8.1 - Enforcement Management Strategy

The General Superintendent shall enforce the provisions of this regulation in accordance with the current Commission Enforcement Management Strategy, Attachment C in accordance with S. C. Code Ann. §6-11-285 and other applicable law.

### Section 8.2 - Administrative Remedies

#### (1) Notifications of Violation

Whenever the General Superintendent finds that any person has violated or is violating this Ordinance, a permit, or any prohibition, limitation or requirement contained in the Ordinance or permit, the General Superintendent may serve upon such a person an appropriate written notice stating the nature of the violation. An oral notice shall be sufficient in emergency circumstances. The General Superintendent may require a response to the notice of violation. When required in the notice and within fifteen (15) days from the date of the notice, an explanation of the violation and a plan for the satisfactory correction thereof shall be submitted to the General Superintendent. Submission of this plan shall not relieve the person of liability for any violations occurring before or after receipt of the notice of violation. A simple Notice of Violation (NOV), a Notice of Significant Noncompliance Violation (NOSNV) or a Notice of Emergency Violation (NOEV). Reference is made to Attachment C as to these procedures.

#### (2) Administrative Consent Order

The General Superintendent is empowered to enter into Administrative Consent Orders, assuring of voluntary compliance, or other similar documents establishing an agreement with the person responsible for the violation. Such orders may be negotiated in an Informal Conference. Such agreements shall include specific action to be taken by the person to correct the violation within a time period also specified by the Administrative Consent Order and contain other terms and conditions. Reference is made to Attachment C. A violation of an Administrative Consent Order shall constitute a violation or violations under this Ordinance.

#### (3) Notice to Show Cause at Adjudicatory Hearing

The General Superintendent may order any user who causes or is responsible for an unauthorized discharge or other violations to show cause at an Adjudicatory Hearing why a proposed enforcement action should not be taken. A notice shall be served on the user specifying the time

and place for the hearing, the proposed enforcement action, and the reasons for such action, and a request that the user show cause why this proposed enforcement action should not be taken.

(4) Service

The notice of the hearing to the user shall be served personally or by registered or certified mail (return receipt requested) at least ten days before the hearing. Service may be made on any agent or officer of the user.

(5) Request By User for an Adjudicatory Hearing or for an Informal Conference Prior to Show Cause Hearing

(a) Requests for an Adjudicatory Hearing must be served on the Commission within fifteen (15) days following any final administrative action or decision by the Commission on any violation, application, permit, certificate or other licensing matter;

(b) A request for an informal conference prior to the show cause hearing may be made by a user but not to delay the hearing date. If the request is granted, an Informal Conference may be held by the General Superintendent or his designee to explore ways and means to obtain compliance by consent without the necessity of a formal Adjudicatory Hearing.

(6) Record

At any hearing held pursuant to this Ordinance, testimony shall be taken under oath and recorded stenographically. The transcript, so recorded, shall be made available to any member of the public or any party of the hearing upon payment of the usual charges thereof.

(7) Hearing Officer

A hearing officer or officers may be appointed by the General Superintendent to preside over the Adjudicatory Hearing. The hearing officer may be an employee of the Commission or be specially appointed for such purpose. He shall have no connection with the preparation or presentation of the evidence at the hearing.

(8) Procedure

The procedure for an Adjudicatory Hearing and other enforcement procedures are set forth in Attachment C, the Enforcement Management Strategy.

(9) Enforcement Orders

When the hearing officer finds that a user has violated or is violating the provisions, prohibitions or limitations of this Ordinance, or those contained in any permit issued hereunder, he may issue an order to cease and desist, and may direct those persons in violation to:

(a) comply forthwith;

- (b) comply in accordance with a compliance time schedule set forth in the Order; or
- (c) take appropriate remedial or preventive action in the event of a continuing or threatened violation.
- (d) prohibit or reduce the discharge;
- (e) provide wastewater storage or flow equalization;
- (f) make payment by the user to cover added costs of handling and treatment costs and the administrative costs of the enforcement action;
- (g) post performance bonds;
- (h) act to take other steps to achieve compliance;
- (i) pay fines and penalties;
- (j) pay reasonable attorney's fees, hearing costs, reporting costs, and other expenses incurred by the Commission for the hearing or enforcement procedure.

(10) Administrative Penalties - *Consistent with State Law*

A user may be fined up to two thousand dollars (\$2,000.00) for each offense. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. In case of monthly or long-term discharge limits, fines may be assessed for each day during the period of violation. The Commission shall have such remedies for the collection of such assessments as it has for collection of other service charges.

(11) Payment of Costs

Payment of costs or fines shall not relieve the user from the requirement to pretreat wastewater or discharges in excess of the limitations required under its permits or the regulations of the Commission.

(12) Emergency Suspensions

The General Superintendent may suspend or revoke a user's permission to discharge when such action is necessary in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons or the environment, or causes interference. Any user notified of revocation of permission to discharge shall immediately stop or eliminate its discharge. A hearing shall be held within fifteen days of the notice of revocation to determine whether the suspension may be lifted or the user's permit terminated. The user shall submit a detailed written statement describing the causes of the violations and the measures taken to prevent any future violations to the General Superintendent prior to the date of the hearing. In the event of a failure of the person to comply voluntarily with the order, the General Superintendent shall take such steps as deemed necessary including immediate severance of the sewer connection. The General Superintendent may reinstate the

permission to discharge upon proof of the elimination of the violations.

(13) Termination or Revocation of Permit

Any user who violates the conditions of this Ordinance, or applicable State and Federal regulations, is subject to having his permission to discharge revoked. The General Superintendent may revoke a permit for the following reasons:

- (a) failure to factually report the wastewater constituents and characteristics of his discharge;
- (b) failure to report significant changes in operations, or wastewater constituents and characteristics;
- (c) refusal of reasonable access to the user's premises for the purpose of inspection and monitoring;
- (d) failure to meet effluent limits;
- (e) tampering with or deliberately altering monitoring equipment;
- (f) falsifying self-monitoring reports;
- (g) changes in the POTW's NPDES permit, receiving stream water quality standards, POTW treatment plant process, sludge disposal practices or requirements, or other modifications of a similar nature that impact the Commission's ability to accept industrial wastewater; or
- (h) for causes necessitating an emergency suspension.
- (i) discharge of wastewater prohibited by this Ordinance;
- (j) significant noncompliance with schedules, pretreatment standards or requirements, of any terms of the wastewater discharge permit or the Ordinance;
- (k) non-payment of sewer user charge or other charges, fines, costs and expenses.

A user whose permission to discharge has been revoked may apply for new permission to discharge and shall pay all delinquent fees, charges, penalties, and such other sums as may be due to the Commission.

Section 8.3 - Judicial Remedies

Notwithstanding the administration procedure provided herein, when any person discharges wastewater into the wastewater disposal system contrary to the law of this State or the provisions of this Ordinance, or any order or permit issued hereunder, or otherwise violates applicable law or the provisions of this Ordinance or any order or permit issued hereunder, the General Superintendent may commence an action for appropriate legal or equitable relief in the Court of Common Pleas. The remedies provided by this regulation are not exclusive.

#### Section 8.4 - Injunctive Relief

The General Superintendent, in the name of the Commission, may file in Common Pleas Court, a suit seeking the issuance of an injunction, damages, or other appropriate relief to enforce the provisions of this Ordinance or other applicable law or regulation and the determination of the hearing examiner. Suit may be brought on behalf of the Commission, at the same time or separately, to recover any and all damages suffered by the Commission as a result of any action or inaction of any User or other person who causes or suffers damage to occur to the POTW or for any other expense, loss or damage of any kind or nature suffered by the Commission. Such damages shall include, but not be limited to, claims for damages, takings, losses, expenses, costs, fines, penalties and attorneys' fees for which the Commission may become liable or responsible and which arise out of or result from the User's noncompliance with its permit or the User's violation of State or Federal Pollution Control laws, rules or regulations.

#### Section 8.5 - Criminal Violations

Facts or circumstances which tend to indicate a criminal activity or action by any person may be reported to the proper state and federal law enforcement agencies for prosecution.

#### Section 8.6 - Performance Bonds

The General Superintendent may refuse to reissue a permit to any user which has failed to comply with the provisions of this Ordinance or any order or previous permit issued hereunder unless such user first files with it a satisfactory bond, payable to the Commission, in a sum not to exceed a value determined by the General Superintendent to be necessary to meet the costs of any scheduled improvements and to achieve consistent compliance.

#### Section 8.7 - Discontinuance of Sewer Service For Non-Payment

The General Superintendent shall have the right to discontinue sewer service to the property of a user of such service in the event of non-payment of sewer charges; provided that no discontinuation shall be made until the user shall have been given notice of his right to be heard in person or by counsel on the question of discontinuation before the Commission or any person designated by the Commission after not less than five days written notice specifying the basis of the discontinuation. The Commission or its agents shall have the right of entry in and upon the premises and the right of ingress and egress to determine the location of the service line or to dig it up or to uncover it for the purpose of disconnecting the service line from the property, or sealing, or plugging such line, or any collection line, upon the notice as provided under the County Ordinance or Commission regulations.

#### Section 8.8 - Tenant Responsibility

Where an industrial user of property leases the premises to a subsidiary or affiliate or other entity in which the industrial user has a direct or indirect interest, the tenant or industrial user or both may be held responsible for compliance with the provisions of this Ordinance.

#### Section 8.9 - Vandalism

No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface,

tamper with or prevent access to any structure, appurtenance or equipment, or other part of the POTW. Any person found in violation of this requirement shall be subject to the sanctions set out in Section 8 above.

#### Section 8.10 - Publication of Industrial Users in Significant Noncompliance

The Authority shall publish annually, in the largest daily newspaper published in the area where the POTW is located, a list of the industrial users which, during the previous twelve months, were in significant noncompliance with applicable pretreatment standards and requirements. All records relating to compliance with National Categorical Pretreatment Standards shall be made available to DHEC and EPA. The term significant noncompliance shall mean:

1. Violations of wastewater discharge limits
  - a. Chronic violations. Sixty-six percent or more of the measurements exceed the same daily maximum limit or the same average limit in a six-month period (any magnitude of exceedance).
  - b. Technical Review Criteria (TRC) violations. Thirty-three percent or more of the measurements exceed the same daily maximum limit or the same average limit by more than the TRC in a six-month period.
  - c. Any other violation(s) of effluent limit (average or daily maximum) that the Commission believes has caused alone or in combination with other discharges, interference or pass-through or endangered the health of the sewage treatment personnel or the public.
  - d. Any discharge of a pollutant that has caused imminent endangerment to human health/welfare or to the environment and has resulted in the POTW's exercise of its emergency authority to halt or prevent such a discharge.
2. Violations of compliance schedule milestones contained in a local control mechanism or enforcement order, for starting construction, completing construction, and attaining final compliance by 90 days or more after the schedule date.
3. Failure to provide reports for compliance schedules, self-monitoring data, or categorical standards (baseline monitoring reports, 90-day compliance reports, and periodic reports) within 30 days from the due date.
4. Failure to accurately report noncompliance.
5. Any other violation or group of violations that the Commission considers to be significant, including, without limitation, the failure to respond to a NOV for which a response was required, to comply with a Consent Order or administrative orders.

## SECTION 9 - GENERAL REQUIREMENTS

### Section 9.1 - Application of Ordinance

This Ordinance shall apply to persons within the County of Oconee and to persons outside the County who by contract with the Commission are users of the Commission wastewater facilities. The General Superintendent shall implement and enforce the provisions of this Ordinance and the governing body of the Commission shall adopt such regulations as it deems necessary to implement the provisions and requirements of this Ordinance.

### Section 9.2 - Use of System Constitutes Acceptance

The use of the wastewater treatment facilities of the Commission by any user shall constitute the user's consent to and agreement to comply with and abide by the terms and conditions of this Ordinance and the rules and regulations promulgated hereunder, including enforcement and penalty provisions.

### Section 9.3 - Garbage Grinder

No commercial, institutional or industrial garbage grinder shall be installed or any discharge made from such grinder unless written permission has been granted by the General Superintendent.

## SECTION 10 - SEVERABILITY

If any provision, paragraph, word, section or article of this Ordinance is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, and articles shall not be affected and shall continue in full force and effect.

## SECTION 11 - CONFLICT

All regulations and parts of regulations inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

## SECTION 12 - EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after passage, approval and publication, as provided by law.

First Reading - PASSED this the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Second Reading - PASSED this the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

APPROVED and ADOPTED this the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

ATTEST:

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Clerk

Published the \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_, 1992.

Effective Date: \_\_\_\_\_, 1992.

ATTACHMENT C  
COUNTY OF OCONEE  
ENFORCEMENT MANAGEMENT STRATEGY

This Enforcement Management Strategy has been developed by the County of Oconee for the Oconee County Sewer Commission as a comprehensive and effective enforcement response plan in coordination with the Federal and State requirements and with the Commission's Sewer Use Ordinance. The intent is to give guidance to the staff regarding the methods and manner of enforcement and to provide information to Users who may become subject to enforcement proceedings.

1. Purpose of the Plan.

The Commission desires to make its staff and the public aware of its enforcement response plan by 1) describing how instances of non-compliance will be investigated; 2) stating the type of escalated enforcement actions for violation and the time period for action; and 3) reflecting its primary responsibility to enforce applicable pretreatment standards and other requirements of its Sewer Use Ordinance. The plan will also contain guidelines or requirements for inspections, sampling, monitoring, other reports, hearings, permitting, suspensions, revocations, sanctions, fines and penalties.

This plan will strengthen internal management, enhance the Commission's reputation as a responsible public agency, remove the subjective element from enforcement and involve other public and regulatory agencies in coordinated efforts in health, sanitation and environmental concerns.

2. Duties.

The General Superintendent has been empowered to enforce compliance with permits and regulations and will act as Pretreatment Manager and shall be responsible for implementing the Pretreatment Program. He may designate a person who will act as Pretreatment manager. Sampling and analysis will be performed by Commission for surveillance monitoring of wastewater discharge permits or by a qualified laboratory. The Pretreatment Manager shall inform the General Superintendent of any violations of discharge limitations. The Pretreatment Manager shall be responsible for assuring that the Industrial Users comply with reporting requirements, and for enforcement actions. The Pretreatment Manager shall be responsible for all administrative actions such as the submissions of reports, industrial inspections, periodic survey update, and issuing permits. The Pretreatment Manager shall annually evaluate the Enforcement Program to assure it is effective and reasonable. A report on the findings of the evaluation shall be given to the General Superintendent.

3. Enforcement Procedures

Once a non-compliance is identified, the General Superintendent shall be advised of the nature of the violation. The Pretreatment Manager may demand monitoring in the event the violation was of a discharge limitation or which resulted in interference. The Pretreatment Manager shall notify the User of any violations and of any intended enforcement regarding the violation.

- A. The Warning of Minor Violation (WOMV) shall be in the form of a written Summary of Violations stamped Warning of Minor Violation. A WOMV shall be sent to the User and retained for record by the User. A WOMV does not require a response to the Commission but should prompt the User to take corrective action.
- B. The Notice of Violation (NOV) shall be in the form of a letter sent to the User within fifteen days after the violation is noted. The User shall respond, if required, within fifteen days of receipt to the NOV and state (1) the cause of the violation; and (2) what corrective action will be taken to prevent future violations. If the Pretreatment Manager does not receive a response, or receives an inadequate response to an NOV for which a response was required, a Notice of Significant Noncompliance shall then be issued.
- C. A Notice of Significant Noncompliance (NOSN) shall be sent to the User by certified mail within ten days of the determination of its need. The User shall respond within fifteen days of receipt of the NOSN and state (1) the cause of the violation; and (2) what corrective action will be taken to prevent future violations. The Pretreatment Manager may also require the User to propose and submit a schedule of compliance. If the User indicates that corrective action will take longer than ninety days, the Pretreatment Manager may ask the User to enter into a Consent Agreement.
- D. If a User fails to respond to a Notice of Significant Noncompliance, the Pretreatment Manager shall issue a Rule to Show Cause for an Adjudicatory Hearing and give notice of the relief, civil penalties, expenses, costs and fees to be sought at the Adjudicatory Hearing.
- E. If the violation is caused by a discharge that is of imminent danger to public health, or has resulted in observed damage to the wastewater system or receiving stream, then a Notice of Revocation (NOR) shall be sent immediately and may include a requirement to immediately cease the discharge. A hearing shall be held within fifteen days after the User is directed to cease the discharge.

4. Classification of Violations

The classification of violations under these regulations and permit are as follows:

- A. A Warning of Minor Violation (WOMV) shall be given when there is any violation less than that under the criteria for requiring a Notice of Violation.
- B. A Notice of Violation (NOV) shall be given when there is any violation less than that under the criteria for a Notice of Significant Noncompliance (NOSN) and more than that under the criteria for a Warning of Minor Violation (WOMV).
- C. A Notice of Significant Noncompliance (NOSN) indicates a greater violation, including but not limited to, those violations set out in paragraph 11.1.
- D. A Notice of Revocation (NOR) shall be given orally if time does not permit written notice. However, such oral notice shall be subsequently documented as time is

available. When practical, written notice shall be given. A NOR shall be given when a violation of a permit condition or limitation, or a violation of these regulations threatens to cause an interference with, or have an adverse impact upon, the operation of the facilities; or danger to human health, welfare, or the environment is imminent. A NOR shall result in the revocation of a User's permission to discharge. Any User notified of revocation of permission to discharge shall immediately stop or eliminate its discharge. A hearing shall be held within fifteen days of the NOR to determine whether the suspension may be lifted or the User's permit terminated. Prior to the date of the hearing the User shall submit to the General Superintendent a detailed written statement describing the causes of the violations and the measures taken to prevent any future violations. In the event the User fails to comply voluntarily with the Order, the General Superintendent shall take such steps as deemed necessary including immediate severance of the sewer connection. The General Superintendent may reinstate permission to discharge upon proof of elimination of the violations.

5. Revocation or Termination of Permit

- A. Any User who violates the conditions of this Ordinance, or applicable State and Federal regulations, is subject to having his permission to discharge terminated. The General Superintendent may terminate a permit for the following reasons:
1. Failure to factually report the wastewater constituents and characteristics of the discharge;
  2. Failure to report significant changes in operations, or wastewater constituents and characteristics;
  3. Refusal of reasonable access to the User's premises for the purpose of inspection and monitoring;
  4. Violation of conditions of permit;
  5. Tampering with, or deliberately altering, monitoring equipment;
  6. Falsifying self-monitoring reports;
  7. Changes in POTW NPDES permit, receiving stream water quality standards, POTW treatment plant process, sludge disposal practices or requirements, or other modifications of a similar nature that impact the Commission's ability to accept industrial wastewater;
  8. Causes necessitating an emergency suspension;
  9. Discharge of wastewater prohibited by this Ordinance;
  10. Significant noncompliance with schedules, pretreatment standards or requirements, or with any terms of the wastewater discharge permit or regulation; or
  11. Non-payment of sewer User charge or other charges, fines, costs and expenses.

A User whose permission to discharge has been revoked may re-apply for permission to discharge and shall pay all delinquent fees, charges, penalties, any impact fees which may be established by the Commission and be effective at the date of the re-application, and such other sums as may be due to the Commission.

6. Informal Conference Prior to Hearing Date

Upon request, the Pretreatment Manager will schedule an informal conference with the User and attempt to negotiate an enforceable Compliance Schedule by way of a Consent Agreement. The Consent Agreement may contain such other terms and conditions, including but not limited to, provisions for additional monitoring, full or partial cessation of discharge, interim limits, payment of all administrative costs, expenses, attorney's fees and civil penalties.

7. Failure to Comply with Consent Agreement

If a User fails to comply with a Consent Agreement, this failure shall constitute a separate and new violation and give rise to additional costs, fines and penalties, as well as grounds to seek other and different relief than that consented to in the original Consent Agreement.

8. Publication of List of Significant Violators

Pretreatment Regulations require the Commission to publish, at least annually, in the daily newspaper of the widest circulation in the area, a list of Users which were in Significant Noncompliance with applicable pretreatment standards and requirements during the previous twelve months. The procedures for compiling the list of such Users is as follows:

- A. The Pretreatment Section shall prepare a compliance history from the Commission records for each individual Significant Industrial User (SIU).
- B. The compliance history so obtained for each SIU shall be reviewed to determine if a pattern of noncompliance exists or if the industry has been, or continues to be, in SNC. To the extent that an industry meets these criteria, it will be placed on the list for publication.

9. Adjudicatory Hearings

Adjudicatory Hearing shall mean a hearing that is held pursuant to this regulation. Adjudicatory Hearings are trial-type proceedings where there is to be a determination made in a contested case pursuant to the power of the Commission.

Requests for an Adjudicatory Hearing shall be served on the Commission within fifteen days following any final administrative decision by the Commission on an application, permit, certificate or other licensing matter, or on a violation. Requests for Adjudicatory Hearings shall include the name of the requestor, his interest and the names of parties which he represents, the reasons for the request, the major issues which are proposed to be contested at the hearing, and a statement by the requestor agreeing to be subject to examination and cross-examination and to make any employee or consultant of such requestor, or other person represented by the requestor, available for examination and cross-examination at the expense of the requestor. The General Superintendent may grant or deny a request for an Adjudicatory Hearing on the basis of a consideration of whether the person making such a request has standing to seek a determination under the law and whether such request is a matter subject to an Adjudicatory

Hearing under these regulations.

An initial pleading as used herein shall refer to the document by which an Adjudicatory Hearing may be commenced. A request may be considered an initial pleading. Every initial pleading shall, at a minimum, contain the following:

- A. A title which indicates the nature of the proceeding and the parties involved therein;
- B. The complete name and address of the party filing the pleadings and, if applicable, the organization or interest whom he represents;
- C. The legal authority and the jurisdictional basis for the hearing;
- D. A clear and concise statement of the issues upon which the pleading is maintained and identification of the particular regulation, standard, guideline, or provision of law which is the subject of the hearing. If the party is unable to state the matters in detail at the time of the initial pleading or other notice is served, such initial pleading or other notice may be limited to a simple statement of the issues involved. Thereafter, upon application, a more definite and detailed statement shall be furnished to all parties;
- E. A prayer setting forth the relief sought;
- F. If the party filing the pleading is represented by counsel, the name and address of the attorney;
- G. A statement by the requestor agreeing to be subject to examination and cross-examination and to make any employee or consultant of such requestor available for examination and cross-examination at the expense of such requestor, or such person upon the request of the hearing examiner on his own motion, or on the motion of any party.

An answer to the initial pleading shall be served on the requestor within ten days after service of the document to which the answer is directed unless additional time is required pursuant to provisions of this section. Allegations contained in said initial pleading which are not specifically admitted by the party filing an answer are deemed denied. The answer shall contain, but not be limited to, the following:

- A. A clear and concise statement identifying the party filing the answer and the matter to which the answer relates;
- B. A clear and concise statement of all matters upon which the party filing the answer relies. There shall be no replies other than an answer.

Leave to file amendments to any pleading may be allowed or denied provided, however, leave to amend shall be freely given when justice requires it.

A party desiring to withdraw a pleading filed with the Commission or the hearing examiner

shall file a motion for withdrawal. If any party has an objection thereto, he shall, within ten days after the receipt of the motion, serve a statement on the hearing examiner setting forth the reasons for his objection and serve a copy of the same on each part. In the absence of objections or a request for a hearing, a motion of withdrawal shall, within ten days after filing thereof, be deemed allowed. The hearing examiner shall then file an order of dismissal, with or without prejudice.

Service by the Commission or initial pleadings, complaints, orders, decisions, pleadings, motions, processes, and other documents shall be by personal delivery or by first-class mail. Service on the Commission shall be by serving and filing two copies of the paper with the Oconee County Sewer Commission, 623 Return Church Road, Seneca, SC 29678, by personal service or by first-class mail upon all parties to the proceedings. A certificate of service shall accompany all papers when filed by any part and shall be filed within ten days after service is made.

The hearing examiner may, on motion, at any time during the course of any proceeding, permit such substitutions or additions of parties as justice may require. Third party intervenors should meet the same standards as required of those intervening in matters before the Court of Common Pleas.

The hearing examiner shall observe the rules of evidence observed by the Court of Common Pleas, with the exception that hearsay evidence may be admissible provided that it is deemed necessary to ascertain facts not reasonably susceptible of proof without such evidence and the hearsay evidence is properly identified as such and is given appropriate consideration in reaching a determination. The hearing examiner shall exclude hearsay evidence when such testimony would violate fundamental fairness.

All testimony shall be taken under oath and all parties shall have the right to cross-examination of the witness.

The hearing examiner and all other parties, through the hearing examiner, shall have the right to issue subpoenas requiring the attendance and testimony of witnesses and the production of any documents in question in the proceeding; provided, however, that where the issuance of such a subpoena is resisted or contested, the hearing examiner shall rule on the availability of the subpoena in that particular case.

A party may file a motion for the production or view of any object which relates to the subject matter of any proceeding then pending before the hearing examiner. The motion shall be granted where justice requires.

Any time during the course of the proceeding, the hearing examiner may order that testimony of a witness be taken by deposition. Application to take testimony by deposition shall be made by motion directed to the hearing examiner. Such motion shall set forth the reasons for desiring the deposition, the time when, the place where, the name and address of each witness, and the subject matter concerning which each witness is expected to testify. The hearing examiner shall allow the motion only upon showing that circumstances are such that the witness to be deposed cannot appear before the hearing examiner without substantial

hardship being caused. If such hardship is financial in nature, any party may agree to reimburse the witness for expenses, including loss of wages incurred by appearing. In such cases, the motion to allow taking of a deposition shall therefore be denied. Motions for the taking of depositions shall not be allowed if the depositions result in any undue burden to another party or in any undue delay of the proceeding. If the motion is allowed, the hearing examiner shall give at least five days notice of the taking of the depositions to all parties. Depositions shall be taken orally before a person having power to administer oaths. Each witness testifying upon deposition shall be duly sworn, and the adverse party shall have the right to cross-examine.

Objections to questions shall be in short form stating the grounds of objections relied upon. The questions asked, the answers thereto, and all objections shall be reduced to writing and certified by the officer before whom the deposition is taken. Said officer shall forward the deposition to the hearing examiner. Subject to appropriate rulings on evidence, the testimony taken as deposition shall be included in the record of the Hearing as if the testimony contained therein had been given by the witness in the presence of the hearing examiner. After notice is served for taking a deposition, upon motion of the party to be examined, made prior to the date set, the hearing examiner may, for good cause shown, order that the deposition shall not be taken; that certain matters shall not be inquired into; or that the scope of the examination shall be limited to certain matters. The hearing examiner may make any other order necessary to protect the party or witness from harassment or oppression.

The parties may file a written stipulation with the hearing examiner at any stage of the proceeding. At the hearing, a stipulation may be orally read into the record. Contested cases may be resolved by informal disposition through means of stipulation, agreed settlement, consent order (with or without a financial penalty), or default.

On the basis of the evidence presented, the hearing examiner shall issue the determination. The hearing examiner shall deliver by certified mail to the parties a copy of the decision.

Any appeal from the determination of the hearing examiner in any enforcement proceeding shall be submitted to the Court of Common Pleas in which the Commission is located pursuant to S. C. Code Ann. §6-11-285 (F).

When the time prescribed in these rules for doing any act expires on a Saturday, Sunday or a legal holiday, such time shall extend to and include the next succeeding day that is not a Saturday, Sunday or legal holiday. The Commission or the hearing examiner may grant reasonable extensions of time to meet the filing deadlines specified herein.

#### 10. Administrative Penalties

In addition to other penalties, charges, sanctions or restrictions, revocations or limitations as may be provided in the Sewer Use Ordinance, a User may be fined up to two thousand dollars (\$2,000.00) for each offense. Each day on which a violation occurs or continues shall be deemed a separate and distinct offense. In case of a monthly or long-term average discharge limits, the administrative penalty may be assessed for each day during the period of violation. The Commission shall have such remedies for the collection of such assessments as

it has for collection of other service charges.

## 11. Ranges of Enforcement Response

The Commission will choose the response appropriate to the violation and in the context of the user's prior violations.

The Commission will consider the following criteria when determining a proper response:

1. Magnitude of the violation;
2. Duration of the violation;
3. Effect of the violation on the receiving water;
4. Effect of the violation on the POTW;
5. Compliance history of the industrial user;
6. Good faith of the industrial user.

### 11.1 Magnitude of the Violation

Generally, an isolated instance of noncompliance can be met with an informal response or a NOV. However, since even an isolated violation could threaten public health and the environment, damage public and private property, or threaten the integrity of the Commission's program (e.g., falsifying a self-monitoring report), EPA recommends that the Commission respond to any "significant noncompliance" with an enforceable order that requires a return to compliance by a specific deadline. EPA has defined significant noncompliance in its proposed revision to the General Pretreatment Regulations (see 53 Fed. Reg. 47650) as violations which meet one or more of the following criteria:

1. Violations of wastewater discharge limits
  - a. Chronic violations. Sixty-six percent or more of the measurements exceed the same daily maximum limit or the same average limit in a six-month period (any magnitude of exceedance).
  - b. Technical Review Criteria (TRC) violations. Thirty-three percent or more of the measurements exceed the same daily maximum limit or the same average limit by more than the TRC in a six-month period.
  - c. Any other violation(s) of effluent limit (average or daily maximum) that the Commission believes has caused alone or in combination with other discharges, interference or pass-through or endangered the health of the sewage treatment personnel or the public.
  - d. Any discharge of a pollutant that has caused imminent endangerment to human health/welfare or to the environment and has resulted in the Commission's exercise of its emergency authority to halt or prevent such a discharge.

2. Violations of compliance schedule milestones contained in a local control mechanism or enforcement order, for starting construction, completing construction, and attaining final compliance by 90 days or more after the schedule date.
3. Failure to provide reports for compliance schedules, self-monitoring data, or categorical standards (baseline monitoring reports, 90-day compliance reports, and periodic reports) within 30 days from the due date.
4. Failure to accurately report noncompliance.
5. Any other violation or group of violations that the Commission considers to be significant, including, without limitation, the failure to respond to a NOV for which a response was required, to comply with a Consent Order or administrative orders.

#### 11.2 Duration of the Violation

Violations (regardless of severity) which continue over prolonged periods of time should subject the industrial user to escalated enforcement actions. For example, an effluent violation which occurs in two out of three samples over a six-month period or a report which is more than 30 days overdue is considered significant, while a report which is two days late would not be deemed significant.

The Commission's response to these situations must prevent extended periods of noncompliance from recurring. EPA recommends issuance of administrative orders for chronic violations. If the industrial user fails to comply with the administrative order, the Commission may assess administrative penalties or initiate judicial action. If the prolonged violation results in serious harm to the POTW, the Commission may also consider terminating service or obtaining a court order to halt further violations as well as to recover the costs of repairing the damage.

#### 11.3 Effect on the Receiving Water

One of the primary objectives of the National Pretreatment Program is to prevent a "pass through" of pollutants through which enter the POTW and entering the receiving stream. Consequently, any violation which results in environmental harm should be met with a severe response. Environmental harm should be presumed whenever an industry discharges a pollutant into the sewerage system which:

- Causes a "pass through"
- Causes a violation of the POTW's NPDES permit (including water quality standards)
- Has a toxic effect on the receiving waters (i.e., fish kill).

At a minimum, responses to these circumstances may include an administrative order and an administrative fine. In addition, the response may ensure the recovery from

the noncompliant user of any NPDES fines and penalties paid by the Commission. Where authorized, the Commission may also pursue damages for the destruction or harm to local natural resources. If a user's discharge causes repeated harmful effects, the Commission may seriously consider terminating service to the user.

#### 11.4 Effect on the POTW

Some violations may have negative impacts on the POTW itself. For example, they may result in significant increases in treatment costs, interfere or harm POTW personnel, equipment, processes, operations, or cause sludge contamination resulting in increased disposal costs. These violations may be met with an administrative fine or civil penalty and an order to correct the violation in addition to recovery of additional costs and expenses to repair the POTW. For example, when the industrial user's discharge upsets the treatment plant, damages the collection system through pipe corrosion, causes an obstruction or explosion, or causes additional expenses (e.g. to trace a spill back to its source), the POTW's response may include cost recovery, civil penalties, and a requirement to correct the condition causing the violation.

#### 11.5 Compliance History of the User

A pattern of recurring violations (even of different program requirements) may indicate either that the user's treatment system is inadequate or that the user has taken a casual approach to operating and maintaining its treatment system. These indications will alert the Commission to the likelihood of future significant violations. Accordingly, users exhibiting recurring compliance problems may be strongly dealt with to ensure that consistent compliance is achieved. Compliance history is an important factor for deciding which of the two or three designated appropriate remedies to apply to a particular violator. For example, if the violator has a good compliance history, the Commission may decide to use the less severe option.

#### 11.6 Good Faith of the User

The user's "good faith" in correcting its noncompliance is a factor in determining which enforcement response to invoke. "Good faith" may be defined as the user's honest intention to remedy its noncompliance coupled with actions which give support to this intention. Generally, a user's demonstrated willingness to comply may predispose the Commission to select less stringent enforcement responses. However, good faith does not eliminate the necessity of an enforcement action. For example, if the POTW experiences a treatment upset, it will recover its costs regardless of prior good faith. Good faith is typically demonstrated by cooperation and completion of corrective measures in a timely manner (although compliance with previous enforcement orders is not necessarily good faith).

Oconee County Museum Association

211 W. South 1st. Street

Seneca, SC 29678

803-882-4811

Item # 6

30 May 1995

Mrs Louise M. Bell  
110 WS Second Street  
Seneca, South Carolina 29678

Dear Mrs Bell:

Reference is made to large mirror in Lunney Museum.

The membership met last Thursday and voted that the mirror be a gift from Lunney Museum to the Bowie Museum.

It was requested that Bowie Museum affix some type plaque to indicate it is a gift from museum to museum.

Realizing that this mirror is not suitable for Lunney Museum, but is of considerable value, it is felt that we too, are preservers of beautiful antiques- and feel this a gesture of good will.

Packing and shipping will be the responsibility of the Bowie Museum and since Lunney is closed for repairs, it will be necessary to contact the undersigned to arrange entry.

Sincerely,



Edward P. Wright  
Co-Chair

(803) 882-2541

cc: Bowie Museum  
Mr Norman Crain  
Mr Ernie Hesterberg

===== SOUTH CAROLINA ASSOCIATION OF COUNTIES =====  
 WORKERS COMPENSATION TRUST

06/19/95  
 PROPOSAL

Oconee County  
 208 Booker Drive  
 Walhalla SC 29691

TELEPHONE (803) 638-4235 CONTACT: Ned Hunnicutt

MEMBER DATE: 07/01/95  
 POLICY DATE: 07/01/95

CLASSIFICATION	CODE	PAYROLL	RATE	PREMIUM
STREET OR ROAD PAVING	5506	623510	16.43	102443
LANDFILL	6217	220660	9.70	21404
POLICE & DRIVERS	7720	1356119	4.47	60619
AUTOMOBILE GARAGE	8380	209488	6.24	13072
ENGINEERS	8601	29181	1.14	333
SALES/COLLECTORS-OUTSIDE	8742	137876	1.06	1461
CLERICAL	8810	3028165	0.56	16958
ATTORNEYS & STAFF	8820	140114	0.26	364
HOSPITAL-PROFESSIONAL	8833	76713	1.45	1112
DISPATCHERS	8901	171649	0.50	858
BUILDINGS-NOC	9015	146998	5.63	8276
ATHLETIC TEAM OR PARK:OPERATIO	9182	163905	4.51	7392
GARBAGE COLLECTION	9403	394190	6.77	26687
MUNICIPAL EMPLOYEES	9410	253951	4.97	12621

TOTAL 6952519 273600

EXPERIENCE MODIFICATION	1.00
MODIFIED PREMIUM	273600
LESS P/V DISCOUNT ( 11.8%)	-32285
P/V PREMIUM	241315
LESS SELF-INSURANCE DISCOUNT 20 %	-48263
S/I PREMIUM	193052
EXPENSE CONSTANT	0
TOTAL ANNUAL SELF-INSURANCE PREMIUM	193052
TOTAL ANNUAL ESTIMATED PREMIUM	193052

INSTALLMENTS:	07/01/95 - 09/30/95	\$ 48263.00
	10/01/95 - 12/31/95	\$ 48263.00
	01/01/96 - 03/31/96	\$ 48263.00
	04/01/96 - 06/30/96	\$ 48263.00

SEDGWICK JAMES

P.O. BOX 21804 / COLUMBIA, SC 29221 /PHONE (IN STATE-800 922-7027) (OUT OF STATE-800 845-1096)

OCONEE COUNTY BID TABULATION

BID FOR: Drilling & Blasting DATE: June 7, 1995

BID NO: 94-40 LOCATION: Walhalla, SC TIME: 2:00 p.m.

BIDDERS	Piedmont Explosives	ICI Explosives			
Base Bid	.44/ton	.51/ton			
Proof of Liability & Workers Comp.	On file	yes			
Bid Bond	No*	yes			
	*Received 6-13-95				

*Basket on 275 ton  
around \$19,000*

ATTENDING OPENING: Ronnie Ledford, ICI Explosives; Tommy Crumpton, Marianne Dillard, Jenny Peay - Oconee County

BID FORM  
OCONEE COUNTY  
PURCHASING DEPARTMENT  
201 WEST MAIN STREET  
WALHALLA, SOUTH CAROLINA 29691

The Piedmont Explosives, Inc.  
submits herewith our Bid in response to bid request number shown above, and in  
compliance with the description(s) and/or specification(s) numbered 2 pages  
and attached hereto for drilling and blasting at the Rock Quarry

Base Bid (price per ton) \$ 0.44

Bid shall include delivery to location stated on Bid Notice.  
Show any exception, deviation, extra computation, or information on Bid Supplemental  
Form attached hereto.

Delivery Date: June 6, 1995

BIDDING ORGANIZATION Piedmont Explosives, Inc.

ADDRESS: P.O. BOX 1958 Old Wilkesboro Road

CITY, STATE, ZIP CODE Statesville, NC 28677

SIGNATURE OF BIDDERS REPRESENTATIVE: Latucio L. Lee

TITLE: Secretary

DATE: June 6, 1995

TELEPHONE: 704-873-2551

JUN 06 '95 09:15AM ICI EXPLOSIVES HOMER

BID NO. 94-P.2

(Use this number on envelopes and all related correspondence)

BID FORM  
OCCONEE COUNTY  
PURCHASING DEPARTMENT  
201 WEST MAIN STREET  
WALHALLA, SOUTH CAROLINA 29691

The ICI Explosives, USA  
submits herewith our Bid in response to bid request number shown above, and in  
compliance with the description(s) and/or specification(s) numbered 2 pages  
and attached hereto for drilling and blasting at the Rock Quarry

Base Bid .51 ¢ \$ 140,250.00

Bid shall include delivery to location stated on Bid Notice.

Show any exception, deviation, extra computation, or information on Bid Supplemental Form attached hereto.

Delivery Date: 6-7-95  
BIDDING ORGANIZATION ICI Explosives USA  
ADDRESS: P.O. BOX 515  
CITY, STATE, ZIP CODE Homer, Georgia 30547

SIGNATURE OF BIDDERS REPRESENTATIVE: [Signature]  
TITLE: Vice President  
DATE: JUNE 6 1995  
TELEPHONE: (412) 934-8322

OCONEE COUNTY BID TABULATION

ors for MCC

DATE: June 14, 1995

BID NO: 94-39

LOCATION: Walhalla, SC

TIME: 2:00 p.m.

Baker Waste Equipment, Inc.	LM Industries, Inc.	Nu-Life Env., Inc.	Amick Eq. Co. Inc.		Municipal Waste Mgmt. Inc.	Holt Specialty Equipment Inc.	Rudco Products Inc.
			BesPac	Accurate			
41,210.00	44,200.00	48,745.58	<sup>2</sup> 41392.00	45510.14	44,525.00	<sup>4</sup> 43,966.00	<sup>3</sup> 41,600.00 ✓
71,800.00	No Bid	80,938.80	<sup>1</sup> 71560.00 ✓	80750.00	75,260.00	<sup>3</sup> 73,660.00	76,000.00
25,740.00	25,770.00	30,668.82	<sup>2</sup> 25086.00	25757.34	25,134.00	26,370.00	24,090.00
20,490.00	No Bid	29,742.00	26458.00	27140.72	20,500.00	21,950.00	25,320.00
20,490.00			71560.00				65,690.00
994.50			3578.00				3,284.50
✓ 21,484.50*			75138.00*				68,974.50*
Days required		30-60 days	30-45	30-45 day	4-6 weeks	5-8 weeks	45 days
yes - check	yes - check	yes	yes	yes	no	yes - check	yes
Cost of performance bond (2-3%)							

Amick Eq.; Bill Vickery - LM Ind.; Carson Baker - Baker Waste; Jack M. Hirst, Marianne Dillard, Ann Albertson - Oconee

OCONEE COUNTY BID TABULATION

BID FOR: Containers & Compactors for MCC

DATE: June 14, 1995

BID NO: 94-39

LOCATION: Walhalla, SC

	Bakers Waste Equipment, Inc.	LM Industries, Inc.	Nu-Life Env., Inc.	Amick Eq. Co. Inc		Municipal Waste Mgmt. Inc.	Holt S Equipm
				BesPac	Accurate		
13 - 40 yard open top containers	① 41,210.00	44,200.00	48,745.58	2 41392.00	5510.14	44,525.00	4
20 - Roll-off recycling containers	② 71,800.00	No Bid	80,938.80	1 71560.00	80750.00	75,260.00	3
6 - 40 yard Octagon receiver containers	④ 25,740.00	25,770.00	30,668.82	2 25086.00	25757.34	25,134.00	3
2 - Compactor Units	① 20,490.00	No Bid	29,742.00	2 26458.00	27140.72	20,500.00	3
Subtotal	20,490.00			71560.00			
S. C. Sales Tax	994.50			3578.00			
TOTAL	✓ 21,484.50*			75138.00*			
Delivery	As requiried		30-60 days	30-45	30-45 day	4-6 weeks	5-8
Bid Bond attached	yes - check	yes - check	yes	yes	yes	no	yes -
	*Plus cost of performance bond (2-3%)						

ATTENDING OPENING: Bill Hindman - Amick Eq.; Bill Vickery - LM Ind.; Carson Baker - Baker Waste; Jack M. Hirst, Marianne Dill  
County

BID NO. 94-39  
 (Use this number on envelopes & all related correspondence)

BID FORM  
 OCONEE COUNTY PURCHASING DEPARTMENT  
 201 WEST MAIN STREET  
 WALHALLA, S.C. 29691

The \_\_\_\_\_ submits herewith our Bid in response to bid request number shown above, and in compliance with the description(s) and/or specification(s) attached hereto for containers and compactors for Manned Convenience Centers

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
13	40 Yard Open Top Containers.....		
20	Roll-Off Recycling Containers.....		
6	40 Yard Octagon Receiver Container.....		
2	Compactor Unit.....		

\_\_\_\_\_ Bid Bond attached.

*S.E.W.E. Co  
 Columbia, SC  
~~Thank you~~, I do not handle at this time  
 Please keep me on your list.  
 Ray Norris*

Bid shall include delivery to location stated on Bid Notice. Show any exception, deviation, extra computation, or information on Bid Supplemental Form attached hereto.

Delivery Date: \_\_\_\_\_  
 BIDDING ORGANIZATION \_\_\_\_\_  
 ADDRESS: P.O. BOX \_\_\_\_\_  
 CITY, STATE, ZIP CODE \_\_\_\_\_

SIGNATURE OF BIDDERS REPRESENTATIVE \_\_\_\_\_  
 TITLE \_\_\_\_\_  
 DATE \_\_\_\_\_  
 TELEPHONE \_\_\_\_\_

BID NO. 94-39  
 (Use this number on envelopes & all related correspondence)

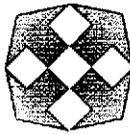
BID FORM  
 OCONEE COUNTY PURCHASING DEPARTMENT  
 201 WEST MAIN STREET  
 WALHALLA, S.C. 29691

The \_\_\_\_\_ submits herewith our Bid in response to bid request number shown above, and in compliance with the description(s) and/or specification(s) attached hereto for containers and compactors for Manned Convenience Centers

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
13	40 Yard Open Top Containers.....	<i>No Bid</i> 	
20	Roll-Off Recycling Containers.....		
6	40 Yard Octagon Receiver Container.....		
2	Compactor Unit.....		
<p>_____ Bid Bond attached.</p>			

Bid shall include delivery to location stated on Bid Notice. Show any exception, deviation, extra computation, or information on Bid Supplemental Form attached hereto.

Delivery Date: \_\_\_\_\_  
 BIDDING ORGANIZATION Cavalier Equipment Equipment  
 ADDRESS: P.O. BOX P.O. Box 310 D  
 CITY, STATE, ZIP CODE Clowersdale, Va 24077  
 SIGNATURE OF BIDDERS REPRESENTATIVE Deborah M Beck  
 TITLE Corp Secretary  
 DATE 5-26-95  
 TELEPHONE (703) 992-3355



RECONVERSION  
PRODUCTS  
INC.

May 26, 1995

Purchasing Department  
Oconee County  
Attn: Marianne Dillard  
201 West Main Street  
Walhalla, SC 29691

Re: Bid For Containers & Compactors for Manned Convenience  
Centers

Dear Ms. Dillard:

We regretfully cannot submit a bid on the above invitation.  
Please keep us on your vendor list and advise us of future  
opportunities. Also, please make note of our address change.  
The current mailing address is now P.O. Box 1008, Travelers Rest,  
SC 29690-1008.

Thank you for your time and consideration.

Sincerely,

C. Arthur Williams  
Sales Manager

CAW/cah

BID NO. 94-39  
 (Use this number on envelopes & all related correspondence)

BID FORM  
 OCONEE COUNTY PURCHASING DEPARTMENT  
 201 WEST MAIN STREET  
 WALHALLA, S.C. 29691

The Municipal Waste Management, LLC submits herewith our Bid in response to bid request number shown above, and in compliance with the description(s) and/or specification(s) attached hereto for containers and compactors for Manned Convenience Centers

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
13	40 Yard Open Top Containers.....	\$3,425	\$44,525
20	Roll-Off Recycling Containers.....	\$3,763	\$75,260
6	40 Yard Octagon Receiver Container.....	\$4,189	\$25,134
2	Compactor Unit.....	\$10,250	\$20,500
<p>**See Bid Supplemental Form            ** Bid Bond attached.</p> <p>Quote does not include            South Carolina State Sales Tax.</p>			

Bid shall include delivery to location stated on Bid Notice. Show any exception, deviation, extra computation, or information on Bid Supplemental Form attached hereto.

Delivery Date: 4 - 6 weeks from receipt of Purchase Order.  
 BIDDING ORGANIZATION Municipal Waste Management, LLC  
 ADDRESS: P.O. BOX 8302 Dunwoody Place, Ste. 101  
 CITY, STATE, ZIP CODE Atlanta, GA 30350

SIGNATURE OF BIDDERS REPRESENTATIVE *Maria Donofrio*  
 TITLE Sales Manager  
 DATE 6-13-95  
 TELEPHONE 404-998-0447

BID SUPPLEMENTAL FORM  
OCONEE COUNTY  
PURCHASING DEPARTMENT  
201 West Main Street  
WALHALLA, SOUTH CAROLINA 29691

DATE June 13, 1995

BID NO. 94-39

Due to the fact that we just received the pricing from our factory this afternoon, we are unable to have our legal department draft the required bid bond at this time. If Oconee County will accept our bid as is, and if Municipal Waste Management is awarded the contract based on all other things considered, MWM will not invoice the county until equipment is delivered and accepted.

BID SUPPLEMENTAL FORM

OCONEE COUNTY

PURCHASING DEPARTMENT

201 West Main Street

WALHALLA, SOUTH CAROLINA 29691

DATE June 13, 1995

BID NO. 94-39

**UPGRADES TO QUOTE  
FOR  
Oconee County, S.C.**

**30 Cubic Yard Recycling Container**

Container Sides: Upgrade to 12 GA.

Container Front: Upgrade to 12 GA.

Container Rear Door Upgrade to 12 GA.

Primer: Upgrade to TECHLY 300 resin rust preventative coating. This coating was originally developed by Valvoline Oil Company for use on the Alaskan Pipeline. This coating is fire and acid resistant. Two coats of automotive enamel are sprayed on for a final finish.

BID NO. 94-39  
 (Use this number on envelopes & all related correspondence)

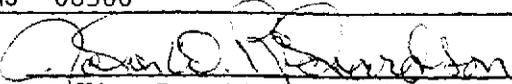
BID FORM  
 OCONEE COUNTY PURCHASING DEPARTMENT  
 201 WEST MAIN STREET  
 WALHALLA, S.C. 29691

The RUDCO PRODUCTS, INC. submits herewith our Bid in response to bid request number shown above, and in compliance with the description(s) and/or specification(s) attached hereto for containers and compactors for Manned Convenience Centers

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
13	40 Yard Open Top Containers.....	\$3200.00	\$41,600.00
20	Roll-Off Recycling Containers.....	\$3800.00	\$76,000.00
6	40 Yard Octagon Receiver Container.....	\$4015.00	\$24,090.00
2	Compactor Unit.....	\$12,660.00	\$25,320.00
	Subtotal		\$167,010.00
	+ 5% Sales Tax		8,350.50
	<b>TOTAL</b>		<b>\$175,360.50</b>
	<u>X</u> Bid Bond attached.		

Bid shall include delivery to location stated on Bid Notice. Show any exception, deviation, extra computation, or information on Bid Supplemental Form attached hereto.

Delivery Date: 45 Days  
 BIDDING ORGANIZATION RUDCO PRODUCTS, INC.  
 ADDRESS: P.O. BOX PO Box 705/114 E. Oak Road  
 CITY, STATE, ZIP CODE Vineland, NJ 08360

SIGNATURE OF BIDDERS REPRESENTATIVE   
 TITLE Vice President - Sales & Marketing  
 DATE June 13, 1995  
 TELEPHONE 609-691-0800

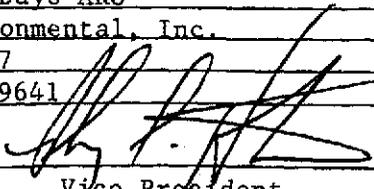
BID NO. 94-39  
 (Use this number on envelopes & all related correspondence)

BID FORM  
 OCONEE COUNTY PURCHASING DEPARTMENT  
 201 WEST MAIN STREET  
 WALHALLA, S.C. 29691

The Nu-Life Environmental, Inc. submits herewith our Bid in response to bid request number shown above, and in compliance with the description(s) and/or specification(s) attached hereto for containers and compactors for Manned Convenience Centers

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
13	40 Yard Open Top Containers..... MARATHON RJ-22400RC	3,749.66	48,745.58
20	Roll-Off Recycling Containers..... GALBREATH RCA-2242	4,046.94	80,938.80
6	40 Yard Octagon Receiver Container..... MARATHON RJ-40-OC	5,111.47	30,668.82
2	Compactor Unit..... MARATHON RJ-400VL	14,871.00	29,742.00
TOTAL			\$190,095.12 *
*Price includes S. C. Sales Tax and Performance Bond <input checked="" type="checkbox"/> Bid Bond attached.			

Bid shall include delivery to location stated on Bid Notice.  
 Show any exception, deviation, extra computation, or information on Bid Supplemental Form attached hereto.

Delivery Date: 30 - 60 Days ARO  
 BIDDING ORGANIZATION Nu-Life Environmental, Inc.  
 ADDRESS: P.O. BOX P. O. Box 1527  
 CITY, STATE, ZIP CODE Easley, SC 29641  
 SIGNATURE OF BIDDERS REPRESENTATIVE   
 TITLE Vice President  
 DATE June 14, 1995  
 TELEPHONE 1-800-654-1752 (803) 295-2183

BID SUPPLEMENTAL FORM

OCONEE COUNTY

PURCHASING DEPARTMENT

201 West Main Street

WALHALLA, SOUTH CAROLINA 29691

DATE June 14, 1995

BID NO. 94-39

RECEIVER CONTAINER EXCEPTIONS

1. Roof Material - 7 ga.
2. Rear Door - 7 ga
3. Door Opening - 46-3/4" x 64"
4. Ground Rollers - 8-5/8" x 12"
5. Hinges - Heavy Duty with 1" Pins

COMPACTOR EXCEPTIONS

1. Charge Box Opening - 67.5" x 60"
2. Cycle Time - 50 Seconds
3. Normal Force - 46,700 Lbs.
4. Maximum Force - 55,100 Lbs.
5. Pump - 18.5 GPM
6. Normal Pressure - 1,650 psi.
7. Maximum Pressure - 1,950 psi.
8. Ram Penetration - 13"

40 CUBIC YARD OPEN TOP EXCEPTIONS

1. Height - 81½" Inside
2. Width - 88" Inside
3. Length - 275" Overall
4. Side Uprights - 3" Formed
5. Door Reinforcement - 3" Formed
6. Hinges - Heavy Duty with 1" Pins
7. Latch - Marathon "Auto Latch" Lock
8. Pull Hook - 1½" with reinforcement and support
9. Ground Rollers - 8-5/8" x 12"

RECYCLE CONTAINER EXCEPTIONS

1. Top - Modified "A" Type
2. Loading Height: 36" - 42"

BID NO. 94-39  
 (Use this number on envelopes & all related correspondence)

BID FORM  
 OCONEE COUNTY PURCHASING DEPARTMENT  
 201 WEST MAIN STREET  
 WALHALLA, S.C. 29691

The VICE PRESIDENT EQUIPMENT, Inc. <sup>HOLT SPECIALTY</sup> submits herewith our Bid in response to bid request number shown above, and in compliance with the description(s) and/or specification(s) attached hereto for containers and compactors for Manned Convenience Centers

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
13	40 Yard Open Top Containers.....	3382.00	43,966.00
20	Roll-Off Recycling Containers.....	3686.00	73,660.00
6	40 Yard Octagon Receiver Container.....	4395.00	26,370.00
2	Compactor Unit.....	10,975.00	21,950.00
			<sup>a</sup> 165,946.00
S.C. 5% SALES TAX			8,297.30
			<sup>b</sup> 174,243.30

#3007. Check bid Bond attached.

Price changes approved - Jerry Oster - President 6-12-95

Bid shall include delivery to location stated on Bid Notice.  
 Show any exception, deviation, extra computation, or information on Bid Supplemental Form attached hereto.

Delivery Date: 5-8 WEEKS ARO  
 BIDDING ORGANIZATION HOLT SPECIALTY EQUIPMENT, INC  
 ADDRESS: P.O. BOX BOX 99  
 CITY, STATE, ZIP CODE EAGLEVILLE TN 37060

SIGNATURE OF BIDDERS REPRESENTATIVE [Signature]  
 TITLE Vice President  
 DATE 6/5/95  
 TELEPHONE 615-274-6660

BID SUPPLEMENTAL FORM

OCONEE COUNTY

PURCHASING DEPARTMENT

201 West Main Street

WALHALLA, SOUTH CAROLINA 29691

DATE June 6, 1995

BID NO. 94-39

- 1) 40 Yard Open Top Containers - Exception: 1 1/4 x 5 x 9 pull hook welded to 1/2 x 10 UM plate reinforced with 1/2" batwing gussetts.
- 2) Roll-Off Recycling Containers - Exception: Rather than barn style roof with dormer loading doors, Holt Specialty Equipment is bidding vertical style roof with doors as shown on literature.
- 3) 40 Yard Octagon Receiver Containers - Exception: 1 1/4 x 5 x 9 pull hook welded to 1/2 x 10 UM plate reinforced with 1/2" batwing gussetts.
- 4) Compactor Units - Exceptions: Holt Specialty Equipment is bidding MP4 per enclosed specifications, weather cover, diamond plate top cover, oil heater and hopper are included in bid. Oconee County to furnish concrete pad and disconnect box. Final power hook up by Oconee County furnished electrician. Bid based on installing 2 compactors at a time.

BID NO. 94-39  
 (Use this number on envelopes & all related correspondence)

BID FORM  
 OCONEE COUNTY PURCHASING DEPARTMENT  
 201 WEST MAIN STREET  
 WALHALLA, S.C. 29691

The LM INDUSTRIES, INC. submits herewith our Bid in response to bid request number shown above, and in compliance with the description(s) and/or specification(s) attached hereto for containers and compactors for Manned Convenience Centers

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
13	40 Yard Open Top Containers.....	\$3,400.00	\$44,200.00
20	Roll-Off Recycling Containers.....	NO BID	-----
6	40 Yard Octagon Receiver Container.....	\$4,295.00	\$25,770.00
2	Compactor Unit.....	NO BID	-----
	SC TAX		3,498.50
	TOTAL		\$73,468.50
	<u>X</u> Bid Bond attached.		
	\$3,700.00 CERTIFIED CHECK		
	* COST OF PERFORMANCE DEPOSIT. (NEGOTIABLE)		1,100.00
			\$74,568.50

Bid shall include delivery to location stated on Bid Notice. Show any exception, deviation, extra computation, or information on Bid Supplemental Form attached hereto.

Delivery Date: 30 DAYS FROM RECEIPT OF PURCHASE ORDER  
 BIDDING ORGANIZATION LM INDUSTRIES, INC.  
 ADDRESS: P.O. BOX P.O. BOX 5876  
 CITY, STATE, ZIP CODE GREENVILLE, S.C. 29606

SIGNATURE OF BIDDERS REPRESENTATIVE William H. Volney  
 TITLE Marketing Mgr.  
 DATE 5/30/95  
 TELEPHONE (803) 242-4760

BID NO. 94-39  
 (Use this number on envelopes & all related correspondence)

BID FORM  
 OCONEE COUNTY PURCHASING DEPARTMENT  
 201 WEST MAIN STREET  
 WALTHALLA, S.C. 29691

The Amick Equipment Company, Inc. submits herewith our Bid in response to bid request number shown above, and in compliance with the description(s) and/or specification(s) attached hereto for containers and compactors for Manned Convenience Centers

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
13	40 Yard Open Top Containers..... Bes-Pac	3,184.00	41,392.00
20	Roll-Off Recycling Containers..... Bes-Pac	3,578.00	71,560.00
6	40 Yard Octagon Receiver Container..... Bes-Pac	4,181.00	25,086.00
2	Compactor Unit..... Bes-Pac	13,229.00	26,458.00
*PLEASE ADD \$3.50 PER THOUSAND FOR THE PERFORMANCE BOND*			
<u>YES</u> Bid Bond attached.			
YOU MAY CONSIDER WAIVING THE PERFORMANCE BOND DUE TO OUR PAST HISTORY WITH OCONEE COUNTY.			

Bid shall include delivery to location stated on Bid Notice. Show any exception, deviation, extra computation, or information on Bid Supplemental Form attached hereto.

Delivery Date: 30-45 days  
 BIDDING ORGANIZATION Amick Equipment Co., Inc.  
 ADDRESS: P.O. BOX P.O. Box 1965  
 CITY, STATE, ZIP CODE Lexington, S.C. 29071

SIGNATURE OF BIDDERS REPRESENTATIVE Bill Hine  
 TITLE SALES  
 DATE 6-9-95  
 TELEPHONE 18009223795

BID NO. 94-39  
 (Use this number on envelopes & all related correspondence)

BID FORM  
 OCONEE COUNTY PURCHASING DEPARTMENT  
 201 WEST MAIN STREET  
 WALHALLA, S.C. 29691

The Amick Equipment Company, Inc. submits herewith our Bid in response to bid request number shown above, and in compliance with the description(s) and/or specification(s) attached hereto for containers and compactors for Manned Convenience Centers

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
13	40 Yard Open Top Containers..... Accurate	3,500.78	45,510.14
20	Roll-Off Recycling Containers..... Accurate	4,037.50	80,750.00
6	40 Yard Octagon Receiver Container..... Accurate	4,292.89	25,757.34
2	Compactor Unit..... Accurate	13,570.36	27,140.72
*PLEASE ADD \$3.50 PER THOUSAND FOR THE PERFORMANCE BOND*			
<u>YES</u> Bid Bond attached.			
YOU MAY CONSIDER WAIVING THE PERFORMANCE BOND DUE TO OUR PAST HISTORY WITH OCONEE COUNTY.			

Bid shall include delivery to location stated on Bid Notice. Show any exception, deviation, extra computation, or information on Bid Supplemental Form attached hereto.

Delivery Date: 30-45 Days  
 BIDDING ORGANIZATION Amick Equipment Company, Inc.  
 ADDRESS: P.O. BOX P.O. Box 1965  
 CITY, STATE, ZIP CODE Lexington, S.C. 29071

SIGNATURE OF BIDDER'S REPRESENTATIVE [Signature]  
 TITLE SALES  
 DATE 6-9-95  
 TELEPHONE 800 922 3795

BID NO. 94-39  
(Use this number on envelopes & all related correspondence)

BID FORM  
OCONEE COUNTY PURCHASING DEPARTMENT  
231 WEST MAIN STREET  
WALHALLA, S.C. 29691

The Bakers Waste Equipment, Inc. submits herewith our Bid in response to bid request number shown above, and in compliance with the description(s) and/or specification(s) attached hereto for containers and compactors for Manned Convenience Centers

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
13	40 Yard Open Top Containers..... ROR-40-22	3,170.00	41,210.00
20	Roll-Off Recycling Containers..... ROR-20-22 R/C	3,590.00	71,800.00 (20Yd w/top)
6	40 Yard Octagon Receiver Container..... UP-40	4,290.00	25,740.00 (W/cover)
2	Compactor Unit..... UP-400	9,990.00	19,890.00 (w/hopper)
	Sales Tax		158,640.00
2	Installation .....	300.00	7,932.00
	5% Bid Bond attached. 7,932.00		600.00
	Performance Bond ...		167,172.00
			3,602.00
			170,774.00

Bid shall include delivery to location stated on Bid Notice. Show any exception, deviation, extra computation, or information on Bid Supplemental Form attached hereto.

Delivery Date: As customer requires.  
BIDDING ORGANIZATION Bakers Waste Equipment, Inc.  
ADDRESS: P.O. BOX 223 Baker St.  
CITY, STATE, ZIP CODE Morganton, N.C. 28655

SIGNATURE OF BIDDERS REPRESENTATIVE *Corn Baker*  
TITLE President/Owner  
DATE 6/13/95  
TELEPHONE 704-433-9622

OCONEE COUNTY BID TABULATION

BID FOR: Fuel Management System DATE: June 15, 1995

BID NO: 94-41 LOCATION: Walhalla, SC TIME: 2:00 p.m.

BIDDERS	Precision Petroleum Eq. Inc.	Meco Inc. of Augusta	Carolina Petroleum	Prime Systems, Inc	U. S. Gas Pumps
Fuel System	19,558.85	No Bid	22,729.00	20,365.00	No Bid
Computer Hardware/ Software	8,892.15		13,120.50	8,038.00	
TOTAL LUMP SUM BASE BID	28,451.00		35,849.50	28,403.00	
Delivery	30 days ARO		30 days ARE	60 days or less	
Maintenance Contract	(5 days down) \$1800 - 3 years			\$2400 per year	

**ATTENDING OPENING:** Edmond Holmes - Precision Petr.; Lee Davis, Marianne Dillard, Ann Albertson - Oconee County

APPENDIX E

PROPOSAL FORM

JUNE 15, 1995  
(Date)

Oconee County Purchasing Department  
208 Booker Drive  
Walhalla, SC 29691

Sirs:

In compliance with the Invitation to Bid, and having examined all the contract documents and having visited the project site, and being familiar with all conditions and requirements of the work, the undersigned hereby proposes to furnish all labor, materials, equipment, and services necessary for the Oconee County Motor Pool Fuel Management System, 201 W. Main Street, Walhalla, South Carolina in accordance with the specifications for the lump sum of (\*28,451.00) TWENTY EIGHT THOUSAND FOUR HUNDRED FIFTY ONE AND NO CENTS Dollars. (Use words and figures.)

*5% SALES TAX INCLUDE \**

The proposed lump sum shown above is broken down as follows:

Fuel System	=	<u>19,558.85</u>
Computer Hardware/Software	=	<u>8892.15</u>
		=====
TOTAL LUMP SUM BASE BID	=	<u>28,451.00</u>

TIME OF COMPLETION

The undersigned further agrees to begin work promptly upon receipt a of purchase order with an adequate force, carry the work forward as expeditiously as possible, and complete the work as follows: 30 DAYS AFTER RECEIPT OF ORDER. FIVE (5) DAYS TO COMPLETE AFTER START OF WORK.

ADDENDA

Addendum No. 1

(E7H) Sol 7. HL  
(Initial)

Addendum No. 2

\_\_\_\_\_  
(Initial)

ALTERNATES:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SUB-CONTRACTORS

If awarded the contract, we propose to use the following sub-contractors:

Sub-contractor:

Electrical: GARY PLUMBING + ELECTRIC Co.

Address: CORNELIA, GA.

Computer: COMPU-PRO COMPUTER SYSTEMS

Address: ANDERSON, SC.

Contractor: ALBERT GARY / Tom Carr

Signed: Albert Gary / Tom Carr  
(Signed)

Title: OWNER / OWNER

Address: CORNELIA, GA / ANDERSON, SC

APPENDIX A

Specific fuel management system items required for this bid are listed below and the total price should include all items.

<u>Item</u>	<u>Required #</u>
<u>Central Controller:</u>	
> Fuel Management Software Package	<u>1</u>
Encodable Read/write Access Device (keys)	<u>400</u>
> Key Encoder	<u>2</u>
IBM Compatible Computers	<u>2</u>
Hayes Compatible Telephone Modem	<u>2</u>
Dot Matrix Parallel Printer	<u>1</u>
Dot Matrix Report Printer	<u>1</u>
Laser Printer	<u>1</u>
Address: 281 W. Main St., Wilton, ME	
Island Key Reader w/2 Hose Controllers	<u>1</u>
Additional Hose Controllers	<u>0</u>
Satellite Island Key Reader	<u>0</u>
Additional Hose Controllers for Satellite	<u>0</u>
Tank Level Monitor Interface Kit	<u>1</u>
On-site Transaction Printer	<u>0</u>
Electric Powered Gate Opening Access Device	<u>0</u>
Receipt Printer	<u>0</u>
Mobile Unit	<u>0</u>
Other: All electrical and computer cabling required to install complete system.	<u>yes</u>



APPENDIX E  
PROPOSAL FORM

6/14/95

(Date)

Oconee County Purchasing Department  
208 Booker Drive  
Walhalla, SC 29691

Sirs:

In compliance with the Invitation to Bid, and having examined all the contract documents and having visited the project site, and being familiar with all conditions and requirements of the work, the undersigned hereby proposes to furnish all labor, materials, equipment, and services necessary for the Oconee County Motor Pool Fuel Management System, 201 W. Main Street, Walhalla, South Carolina in accordance with the specifications for the lump sum of Thirty-five thousand eight hundred forty-nine dollars and fifty cents.

35,849.50 Dollars. (Use words and figures.)

The proposed lump sum shown above is broken down as follows:

Fuel System	\$	<u>22,729.00</u>
Computer Hardware/Software	\$	<u>13,120.50</u> =====
TOTAL LUMP SUM BASE BID	\$	<u>35,849.50</u>

TIME OF COMPLETION

The undersigned further agrees to begin work promptly upon receipt a of purchase order with an adequate force, carry the work forward as expeditiously as possible, and complete the work as follows: within 30 days of receiving above equipment

Addendum No. 1

ADDENDA  
RBh  
(Initial)

Addendum No. 2

RBh  
(Initial)

(see page 32 for addendum No. 2)

ALTERNATES:

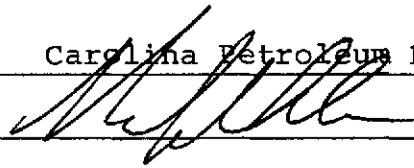
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SUB-CONTRACTORS

If awarded the contract, we propose to use the following sub-contractors:

Sub-contractor:

Electrical: Clement Electrical  
Address: Seneca, S. C.  
Computer: RBM Services  
Address: Greenville, S. C.

Contractor: Carolina Petroleum Equipment, Inc.  
Signed:  (Signed)  
Title: President/Owner  
Address: 450 Daisy Lane, Seneca, S.C. 29678

Addendum No. 2: Clement Electrical/Seneca, S. C.  
RBM Services/Greenville, S. C.  
Carolina Petroleum Equipment, Inc./Seneca, S.C.

APPENDIX C

RESPONSE TO SPECIFICATION/REQUEST FOR BID

Please denote applicable response:

[ Carolina Petroleum Equipment, Inc./Schlumberger Technologies ],  
NAME OF RESPONDENT

\_\_\_\_\_ complies in all respects with each and every item of this specification, and so certifies in the attached document Appendix D.

XXX does not comply with each and every item of this specification and notes each exception by paragraph/subparagraph item number below, indicating deviation, alternative proposal or rejection:

Item #	Response
<u>5.2.1</u>	<u>Limitation 5 digits</u>
<u>5.3.3</u>	<u>Does not activate semi-manual mode of fuel issue</u> <u>Does not perform diagnostic testing of system component</u>
<u>5.12.2</u>	<u>Does not show last download time and date</u> <u>Does not show modem answer time</u> <u>Does not show percent of memory currently in use</u>
<u>5.13</u>	<u>No self-diagnostic capability</u>
<u>6.0</u>	<u>Equipment does not contain modular components</u>
<u>5.3.2</u>	<u>Driver key does not designate types of products</u> <u>authorized or product limitation (VEHICLE KEY DOES)</u>

APPENDIX D

AFFIDAVIT OF COMPLIANCE

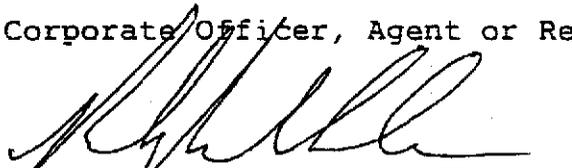
[ CAROLINA PETROLEUM EQUIPMENT, INC., Seneca, S. C. ],  
NAME OF VENDOR/MANUFACTURER RESPONDENT

hereby affirms complete and exact compliance with each and every item of this specification as stated and as intended by

Oconee County South Carolina

without misrepresentation or intent to deceive. Respondent agrees that in the event of failure to meet or perform any specification herein to which it has affirmed compliance then it will, without financial cost, loss or damage to the County remove it's system in entirety, and restore each site to original condition immediately prior to installation. The time limitation to remove and restore shall not exceed fourteen (14) calendar days from date of receipt of notice of non-compliance by the above named Respondent.

Corporate Officer, Agent or Responsible Person must sign below.

  
\_\_\_\_\_  
Signature

6/14/95  
\_\_\_\_\_  
Date

Name: Randy McCorkle

Title: President/Owner



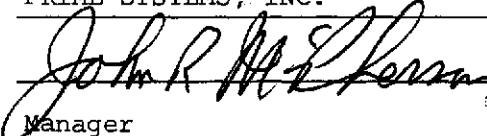
ALTERNATES: SEE APPENDIX C  
5.5 Display options  
13.2 Maintenance Agreement

SUB-CONTRACTORS

If awarded the contract, we propose to use the following sub-contractors:

Sub-contractor:

Electrical: BECO Electric, Inc.  
1037 Keithwood Lane  
Address: Blythewood, S.C. 29016  
(803) 754-8661  
Computer: Advanced Electronics  
928 By-Pass 123  
Address: Seneca, S.C. 29678  
(803) 885-0454

Contractor: PRIME SYSTEMS, INC.  
Signed:  (Signed)  
Title: Manager

Address: P O Box 1923      10600 Broad River Road  
Irmo, S.C. 29063  
(803) 781-6181      FAX (803) 781-7077  
Mobile (803) 920-8244  
Digital Beeper 1-800-578-7243    Pager # 12833

Appendix C - Response (Continued)

- 5.12.1 The printer is connected to the Fuel Site Controller.
- 5.12.2 Last download time & date Not Available  
Modem answer time Not Available  
Percent of memory currently in use Not Available
- 5.12.3 Not Available
- 5.12.4 Not Available
- 5.12.5 Not Available
- 13.2 Maintenance agreement: After the first year, we can offer a maintenance agreement for parts and labor on the Fuel Management System only for \$2,400.00 per year. This agreement excludes natural hazards, man made hazards, fire and abuse.
- 5.7 This bid is based on your present Veeder-Roor TLS-250 having and RS-232 interface port.

APPENDIX A We will be offering a pedestal mount and will mount it next to the building.

ADDENDUM # 1  
13.2 Service for the two (2) computers and related equipment will be by Advanced Electronics of Seneca, S.C.  
Service for the Fuel Management System and related equipment will be by Prime Systems of Irmo, S.C. and with Phone support by Petro-Vend, Inc. of Hodgkins, IL.

IF NECESSARY, PLEASE USE ADDITIONAL PAGES TO RESPOND

June 15, 1995

Marianne A. Dillard  
208 Booker Drive  
Walhalla, S.C. 29691

Dear Ms Dillard

Thank you for the opportunity to offer my services to Oconee County in the preparation of a new Ordinance and a procedures manual for purchasing.

At our meeting last month I agreed to provide you with some documentation to form a basis for an understanding of the task involved and the cost of this undertaking. This will open the door for negotiation for a more formal contract. Please consider this the initial step and remember that I am flexible and want to give you a product that is as professional as possible.

First I have included my resume. I believe my background has the basis for experiencing the process and have an understanding of the user needs and, as in the case of the S.C. Consolidated Procurement Code, working with different groups who had an interest and provided input.

In that regard, having reviewed your present manual, I will be including many new concepts and procedures that may require additional time and expense for review and explanations to Council, employees or maybe vendors. I have not addressed that in this initial proposal. Since there are two documents involved, I recommend we focus on the ordinances and when completed and satisfactory, we then reach an agreement on the procedures manual.

Second, I want to address the time element. I have some commitments in teaching procurement courses in the Southeast but generally I will devote my time to this task with one exception. Being retired, I do plan on enjoying time with my hobbies of golf, fishing and of course my family. If I wanted a full time job I wouldn't have retired. Seriously, I will pursue the task with due diligence.

Enclosed is an estimate of the proposed cost as it relates to expenses and fees and a time table. I propose to visit with the primary department heads and other staff members to allow the users an opportunity to offer their suggestions and get them to feel a part of the process. Also with any committee that you form or with the Council if they desire. I will provide an outline of the contents and will furnish you with first drafts on a periodic basis to review content and progress. After the first complete draft of the ordinances. I propose to meet with you to review and make modifications. After the modifications are complete I will furnish final copy and a floppy disk with the data so you may make further revisions as needed during the approval process in getting them adopted.

Once the ordinances have been adopted, and you want me to continue , we will agree on the procedures manual.

The process and results are my best guess but if at any time you want to terminate the agreement you may do so as long as I have been compensated for my efforts to that point.

I look forward to hearing from you so we may reach an agreement and get started.

Sincerely yours

Virgil V. Carlsen  
171 Emerald Shores Circle  
Chapin S.C. 29036  
Phone (803) 345-1042

Proposed time and fee schedule

- Rates
1. Fee per hour : \$25.00
  2. Travel: \$.25 per mile. R/T Walhalla 300 miles = \$75.00
  3. Per Diem: Day -\$20. Overnight - \$85.00

Phase 1. Ordinances: 2 trips	Mileage..	\$150.00	
	Perdiem 1 overnight		85.00
	Perdiem 1 day		20.00
	Direct labor 20 hours	500.00	
	Misc. exp.: Phone, postage, print		<u>10.00</u>
	Total		\$765.00
Phase 2. Procedures Manual:	2 Trips	Mileage	\$ 150.00
	Perdiem 3 overnights		255.00
	Perdiem 1 day		20.00
	Direct labor 55 hours		1375.00
	Misc. exp: Phone, postage, print.		<u>25.00</u>
	Total		\$1825.00
	Grand Total		\$2590.00

Performance time:

First Draft of Ordinances 21 days  
Final Ordinance 7 days after revisions

First Draft of Manual 35 days  
Final Manual 15 days after revisions

## RESUME

VIRGIL V. CARLSEN

June 12, 1995

**EXPERIENCE:** Contracting Officer for the Department of Defense, United States Air Force for 12 years. Possessed an unlimited warrant and was the Base Procurement Officer at 4 Air Force bases. On a one year assignment to Korea, served with the United Nations Command and negotiated contracts with the Republic of Korea in cooperation with U.S.A.I.D,

Served in State government for 19 years and the last 15 years as the Director of Procurement for the State of South Carolina. As Director, I assisted in the drafting of the States procurement code which was patterned after the American Bar Association's Model Procurement Code. I assisted in drafting the States Model Procurement Code for Local Government.

I am a member of the National Association of Purchasing Management and am a Certified Purchasing Manager (C.P.M.) and served on numerous committees and past president of the local chapter. I am a member of the National Institute of Governmental Purchasing and am a Certified Public Purchasing Officer (CPPO) and currently one of their instructors teaching their procurement courses. Served various committees and lecture at seminars. I also am a member of the National Association of State Purchasing Officials serving on various committees and have co authored manuals.

My experience includes all facets of the procurement/materials management function from drafting specifications, vendor selection, solicitation, evaluation, award, contract administration, termination, disposal, protest, disputes and legal remedies. This includes construction, services, supplies and equipment. My teaching includes courses on basic, intermediate and advanced procurement, contract administration, services procurement, specifications and legal side of purchasing

**PRESENT:** Self employed as a consultant, auditor, and instructor.

**EDUCATION:** Bachelors degree, major economics, University of Nebraska, Omaha.

**PERSONAL:** Married with two children. Hobbies are golf and fishing.

**ADDRESS:** 171 Emerald Shores Circle  
Chapin, South Carolina, 29036

**PHONE:** (803) 345-1042

STATE OF SOUTH CAROLINA

COUNTY OF OCONEE

OCONEE COUNTY COUNCIL

ORDINANCE NO. 95-\_\_\_\_\_

AN ORDINANCE TO REPEAL ORDINANCE 75-5 AND TO CREATE THE OCONEE COUNTY BOARD OF DISABILITIES AND SPECIAL NEEDS; TO PROVIDE FOR ITS MEMBERSHIP, FUNCTIONS, RESPONSIBILITIES, AND DUTIES; TO PROVIDE THE METHOD OF APPOINTMENT OF ITS MEMBERSHIP; TO REQUIRE INSURANCE COVERAGE FOR EMPLOYEES AND BOARD MEMBERS; TO ESTABLISH THE SEPARABILITY AND SEVERABILITY OF THIS ORDINANCE; AND TO ESTABLISH THE EFFECTIVE DATE OF THIS ORDINANCE; AND OTHER MATTERS RELATING THERETO.

By Oconee County Council in Session duly assembled and with a quorum present and voting.

BE IT ORDAINED:

WHEREAS, Ordinance No. 75-5 created THE OCONEE COUNTY MENTAL RETARDATION BOARD and set forth the name, function, powers and duties of said Board; and

WHEREAS, the "South Carolina Mental Retardation and Related Disabilities Act" has been repealed. The governing authority is now called the "South Carolina Mental Retardation, Related Disabilities, Head Injuries, and Spinal Cord Injuries Act";

WHEREAS, the governing body of Oconee County in an effort to comply with the "South Carolina Mental Retardation, Related Disabilities, Head Injuries and Spinal Cord Injuries Act" has determined that it is necessary to Repeal Ordinance 75-5 and to create the Oconee County Board of Disabilities and Special Needs and to define the functions, responsibilities and duties of the Board.

NOW, THEREFORE, BE IT ORDAINED, THAT ORDINANCE NO. 75-5 IS HEREBY AMENDED TO PROVIDE AS FOLLOWS:

SECTION 1. - AUTHORITY. This Ordinance, 95-\_\_\_\_\_ is adopted pursuant to the authority given to the Oconee County Council by South Carolina Code Ann. Section 44-20-375 (Supp. 1993).

SECTION 2. BOARD. Oconee County Ordinance 75-5, which created The Oconee County Mental Retardation Board is hereby repealed. There is hereby created the Oconee County Disabilities and Special Needs Board with powers, duties, responsibilities, and functions as set forth herein.

SECTION 3. PURPOSE. It is the purpose of the Oconee County Disabilities and Special Needs Board to develop, provide, coordinate, improve and operate community based programs serving persons with mental retardation or other related disabilities, autism, head injuries, spinal cord injuries or similar disabilities with a view toward developing their respective mental, physical and social capacities to the fullest practical extent and to live normal, useful and productive lives as possible.

SECTION 4. MEMBERSHIP. The Board shall be composed of <sup>seven</sup> nine (9) resident electors. The Board shall be appointed by the Governor of the State of South Carolina upon recommendation of the County Legislative Delegation.

\*\*\*\*\*Note: The statute also provides that the authority to recommend appointment may be transferred to the County Council.

The terms of the member shall be for four (4) years until their successors are appointed and qualify. Vacancies shall be filled for any unexpired terms in the same manner as original appointments. Any member may be removed by the appointing authority for neglect of duty, misconduct or malfeasance in office or missing (3) consecutive meetings after being given a written statement of reasons and an opportunity to be heard.

SECTION 5. DUTIES. Subject to the provisions of applicable state laws, the Board shall:

A. Be the administrative, planning, coordinating, evaluative and service delivery body for county disabilities and special needs services funded in whole or in part by state appropriations to the South Carolina Department of Disabilities and Special Needs or funded from the other sources under the control of said agency. The Board shall have the authority to incur debt only insofar as that debt is payable from contract, grant or other revenues and is not the debt of the State of South Carolina or its other political subdivisions, to include Oconee County and any such debt or obligation shall not constitute a charge upon or obligate the general credit or taxing authority thereof. The Board may purchase, hold and mortgage real property and erect and maintain buildings. Any such debt to be paid in whole or in part from contract, grant or other revenues provided by the State shall be first approved by the South Carolina Department of Disabilities and Special Needs. PROVIDED, FURTHER, that the Board shall have no authority to enter into any contract binding upon Oconee County and such authority shall remain vested with the supervisor and Oconee County Council and is not delegated to this Board without specific authority and appropriation of funds.

B. Submit an annual plan and projected budget to the South Carolina Department of Disabilities and Special Needs for approval and consideration of funding.

C. Review and evaluate, on at least an annual basis, county disabilities and special needs services provided pursuant to this ordinance and report its finding and recommendations to the South Carolina Department of Disabilities and Special Needs and Oconee County Council.

D. Promote and accept local financial support for the Oconee County program from funding sources, such as businesses, individuals, industrial and private foundations, voluntary agencies, governmental and other lawful sources and promote public support from municipal and county sources.

E. Employ personnel and expend its budget for the direct delivery of services or contract those service vendors necessary to carry out county mental retardation, related disabilities, head injuries, spinal cord injuries and autism service programs, which shall meet those specifications prescribed by the South Carolina Department of Disabilities and Special Needs.

F. Plan, arrange and implement working agreements and contracts with other human service agencies, both public and private, and with educational and judicial agencies.

G. Provide the South Carolina Department of Disabilities and Special Needs and Oconee County Council such records, reports and access to its sponsored services as the South Carolina Department of Disabilities and Special Needs and Oconee County Council may require, and submit its sponsored services and facilities to licensing requirements of the South Carolina Department of Disabilities and Special Needs or the licensing requirements of other state or local agencies having such legal authority.

H. Represent the best interest of persons with mental retardation, related disabilities, head injuries or spinal cord injuries to the public, public officials and other public or private organizations.

SECTION 6. MEETINGS AND REQUIREMENTS. The Board shall open all regular meetings to the general public. No fewer than four (4) meetings per year shall be held. Special meetings may be called, with reasonable notice given to other members.

SECTION 7. SEVERABILITY. Should any section of this ordinance be, for any reason, held void or invalid, it shall not affect the validity of any other section hereof which is not itself void or invalid.

SECTION 8. INSURANCE. The Board will maintain at all times, workers compensation insurance on its employees and a policy of liability insurance in the amount of \$1,000,000 covering all employees and board members. The premiums for this coverage shall be the responsibility of the Board. Oconee County shall be listed as an insured under the policy of liability insurance. The Board

shall furnish a copy of the current insurance policies to the Oconee County Council and will keep current copies of the policies on file at all times.

SECTION 9. EFFECTIVE DATE. This Ordinance shall become effective upon third and final reading and passage by the Oconee County Council.

Ratified and adopted on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 1994, by a vote of \_\_\_\_\_ Yes, \_\_\_\_\_ No.

\_\_\_\_\_  
Opal O. Green, Council Clerk

Ratified and Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 1994 by a vote of \_\_\_\_\_ Yes, \_\_\_\_\_ No.

\_\_\_\_\_  
Opal O. Green, Council Clerk

Ratified and on third and final reading this \_\_\_\_\_ day of \_\_\_\_\_, 1994, by a vote of \_\_\_\_\_ Yes, \_\_\_\_\_ No.

\_\_\_\_\_  
Norman D. Crain  
Supervisor-Chairman  
Oconee County Council

Attest:

\_\_\_\_\_  
Opal O. Green, Council Clerk

5/30/95

Presented to OC  
6 June 1995  
Approved

# OCONEE COUNTY

1995-1996 Renewal

	LLOYDS CURRENT	LLOYDS BCBS NETWORK <i>P.P.</i>	LLOYDS RENEWAL**
<b>SPECIFIC DEDUCTIBLE CONTRACT</b>	\$40,000	\$40,000	\$40,000
<b>AGGREGATE CLAIM LIABILITY</b>	PAID	PAID	PAID
-Single	\$182.68	\$189.16	\$205.09
-EE + 1	\$396.92	\$411.00	\$445.62
-Family	\$484.01	\$501.19	\$543.40
<i>Annual</i>	\$846,290.00	\$876,316.00	\$950,119.56
<b>AGGREGATE PREMIUM</b>	\$3.86	\$4.09	\$4.09
<i>Annual</i>	\$12,228.00	\$12,957.00	\$12,957.00
<b>CLAIMS ADMINISTRATION</b>	\$7.10	\$8.00	\$8.00
<i>Annual</i>	\$22,493.00	\$25,344.00	\$25,344.00
<b>UTILIZATION</b>	\$1.48	\$2.00	\$1.48
<i>Annual</i>	\$4,689.00	\$6,336.00	\$4,689.00
<b>SPECIFIC PREMIUM</b>	PAID	PAID	PAID
-Single	\$20.74	\$21.93	\$21.93
-EE + 1	\$41.47	\$43.87	\$43.87
-Family	\$51.71	\$54.69	\$54.69
<i>Annual</i>	\$92,507.00	\$97,833.00	\$97,833.00
<b>MINIMUM COST</b>			
-Single	\$33.18	\$36.02	\$35.50
-EE + 1	\$53.91	\$57.96	\$57.44
-Family	\$64.15	\$68.78	\$68.26
<i>Annual</i>	\$131,917.00	\$142,470.00	\$140,823.00
<b>MAXIMUM COST</b>			
-Single	\$215.86	\$225.18	\$240.59
-EE + 1	\$450.83	\$468.96	\$503.06
-Family	\$548.26	\$569.97	\$611.66
<i>Annual</i>	\$978,207.00	\$1,018,786.00	\$1,090,943.00
<b>INCREASE</b>		4.1%	11.5%

*BC/BS Network*

4.1%

\*\*Renewal includes Vision (100% to \$150), Mental Nervous Limitations (\$60,000 Lifetime/\$20,000 Calender Year), Hearing Aids, Birth Control, and on the Dental Coverage - Sealants.

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803 638 4142

OCONEE CO PURCH  
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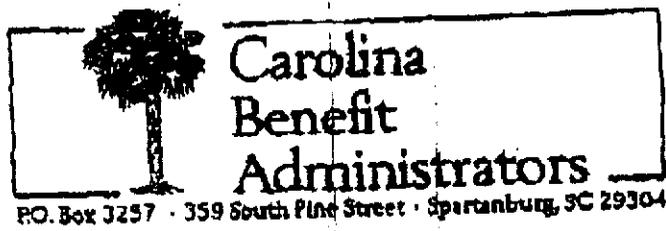
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WORTHY INSURANCE

002



## OCONEE COUNTY

- OPTION I**                    BCBS of SC PPO  
Waive Deductible  
80%/80%
  
- OPTION II**                    BCBS of SC PPO  
Waive Deductible  
80%/70%
  
- OPTION III**                    Current Plan  
Add MedCost or Oconee County Hospital PPO  
For Hospital Only  
80%/20%
  
- OPTION IV**                    Current Plan  
With No PPO

**\*\* All rates regardless of network will remain as proposed as approved by County Council.**

*W. M. Worthy*

*Specializing in Benefit Consulting and Claims Processing*

Phone: (803) 573-6937 • Toll Free 1-800-476-2295 • Fax: (803) 582-2265

OUTSTANDING COMMITTEE ASSIGNMENTS AS OF JUNE 20, 1995

ASSIGNMENT:	COMMITTEE:	DATE:
NOISE CONTROL ORDINANCE	LEC	10/19/93
*JUNK YARD ORDINANCE	PERSONNEL	3/15/94
*LAND USE PLAN	PERSONNEL	6/7/94
*HEIGHT RESTRICTION	PERSONNEL	6/7/94
EXAMINING ROOMS, EQUIPMENT, ETC. (DR. BOOKER'S REQUEST)	PERSONNEL	9/6/94
LIABILITY INSURANCE FOR AIRPORT	PERSONNEL	9/20/94

\*HAVE TO WAIT UNTIL PLANNING COMMISSION MAKES RECOMMENDATION

ELEVATOR AT HEALTH DEPARTMENT

**OCONEE COUNTY COUNCIL**

**RESOLUTION 95-14**

**WHEREAS, Ms. Betty Dubose** was employed with Oconee County January 1, 1968; and

**WHEREAS, Ms. Dubose** has served faithfully, loyally and conscientiously in the Oconee County Library System since that time; and

**WHEREAS, in recognition of Ms. Dubose's** retirement, effective June 30, 1995, the present members of the Oconee County Council, for themselves and the citizens of Oconee County, desire to express to **Ms. DuBose** their heartfelt thanks and appreciation for the years of service she has given the County and the citizens thereof:

**NOW THEREFORE, BE IT RESOLVED,** in Council duly assembled this date, the Official Records and Minutes of the Oconee County Council contain the following:

**"OCONEE COUNTY COUNCIL RECOGNIZES THE MANY YEARS OF SERVICE GIVEN BY MS. DUBOSE AS AN EMPLOYEE OF OCONEE COUNTY FOR THE PAST TWENTY SEVEN AND ONE HALF YEARS. MOREOVER, AS A RESULT OF SUCH UNSELFISH DEVOTION TO HER DUTIES, OCONEE COUNTY WILL, FOR MANY YEARS, BE A BETTER PLACE IN WHICH TO WORK AND LIVE, AND THE CITIZENS OF THE COUNTY HAVE AND WILL IN THE FUTURE RECEIVE UNTOLD BENEFITS AS A RESULT AND BY REASON OF HER ALTRUISTIC SERVICE."**

**AND IT IS SO RESOLVED AND ADOPTED,** on first and final reading, in Council duly assembled, this twentieth day of June, 1995.

---

Norman D. Crain  
Supervisor-Chairman  
Oconee County Council

Attest:

---

Opal O. Green  
Council Clerk

(Seal)

**OCONEE COUNTY COUNCIL**

**RESOLUTION 95-15**

**WHEREAS, Mrs. Nettie Keys** was employed with Oconee County September 1, 1953; and

**WHEREAS, Mrs. Keys** has served faithfully, loyally and conscientiously in the Oconee County Library System since that time; and

**WHEREAS, in recognition of Mrs. Keys' retirement, effective June 30, 1995, the present members of the Oconee County Council, for themselves and the citizens of Oconee County, desire to express to Mrs. Keys their heartfelt thanks and appreciation for the years of service she has given the County and the citizens thereof:**

**NOW THEREFORE, BE IT RESOLVED, in Council duly assembled this date, the Official Records and Minutes of the Oconee County Council contain the following:**

**"OCONEE COUNTY COUNCIL RECOGNIZES THE MANY YEARS OF SERVICE GIVEN BY MRS. KEYS AS AN EMPLOYEE OF OCONEE COUNTY FOR THE PAST FORTY TWO YEARS. MOREOVER, AS A RESULT OF SUCH UNSELFISH DEVOTION TO HER DUTIES, OCONEE COUNTY WILL, FOR MANY YEARS, BE A BETTER PLACE IN WHICH TO WORK AND LIVE, AND THE CITIZENS OF THE COUNTY HAVE AND WILL IN THE FUTURE RECEIVE UNTOLD BENEFITS AS A RESULT AND BY REASON OF HER ALTRUISTIC SERVICE."**

**AND IT IS SO RESOLVED AND ADOPTED, on first and final reading, in Council duly assembled, this twentieth day of June, 1995.**

---

Norman D. Crain  
Supervisor-Chairman  
Oconee County Council

Attest:

---

Opal O. Green  
Council Clerk

(Seal)

**OCONEE COUNTY COUNCIL**

**RESOLUTION 95-16**

**WHEREAS, Mr. Carter Bolick** was employed with Oconee County June 1, 1959; and

**WHEREAS, Mr. Bolick** served faithfully, loyally and conscientiously in the Oconee County Road Department from June 1, 1959 until March 24, 1995; and

**WHEREAS, in recognition of Mr. Bolick's** retirement, the present members of the Oconee County Council, for themselves and the citizens of Oconee County, desire to express to **Mr. Bolick** their heartfelt thanks and appreciation for the years of service he gave to the County and the citizens thereof;

**NOW THEREFORE, BE IT RESOLVED,** in Council duly assembled this date, the Official Records and Minutes of the Oconee County Council contain the following:

**"OCONEE COUNTY COUNCIL RECOGNIZES THE MANY YEARS OF SERVICE GIVEN BY MR. BOLICK AS AN EMPLOYEE OF OCONEE COUNTY IN HIS THIRTY SIX YEARS OF EMPLOYMENT. MOREOVER, AS A RESULT OF SUCH UNSELFISH DEVOTION TO HIS DUTIES, OCONEE COUNTY WILL, FOR MANY YEARS, BE A BETTER PLACE IN WHICH TO WORK AND LIVE, AND THE CITIZENS OF THE COUNTY HAVE AND WILL IN THE FUTURE RECEIVE UNTOLD BENEFITS AS A RESULT AND BY REASON OF HIS ALTRUISTIC SERVICE."**

**AND IT IS SO RESOLVED AND ADOPTED,** on first and final reading, in Council duly assembled, this twentieth day of June, 1995.

---

Norman D. Crain  
Supervisor-Chairman  
Oconee County Council

Attest:

---

Opal O. Green  
Council Clerk

(Seal)

**OCONEE COUNTY COUNCIL**

**RESOLUTION 95-17**

**WHEREAS, Mr. Lalon Green** was employed with Oconee County March 31, 1986; and

**WHEREAS, Mr. Green** served faithfully, loyally and conscientiously in the Oconee County Road Department from March 31, 1986 until May 31, 1995; and

**WHEREAS, in recognition of Mr. Green's** retirement, the present members of the Oconee County Council, for themselves and the citizens of Oconee County, desire to express to **Mr. Green** their heartfelt thanks and appreciation for the years of service he gave to the County and the citizens thereof;

**NOW THEREFORE, BE IT RESOLVED,** in Council duly assembled this date, the Official Records and Minutes of the Oconee County Council contain the following:

**"OCONEE COUNTY COUNCIL RECOGNIZES THE YEARS OF SERVICE GIVEN BY MR. GREEN AS AN EMPLOYEE OF OCONEE COUNTY. MOREOVER, AS A RESULT OF SUCH DEVOTION TO HIS DUTIES, OCONEE COUNTY WILL, FOR MANY YEARS, BE A BETTER PLACE IN WHICH TO WORK AND LIVE, AND THE CITIZENS OF THE COUNTY HAVE AND WILL IN THE FUTURE RECEIVE UNTOLD BENEFITS AS A RESULT AND BY REASON OF HIS ALTRUISTIC SERVICE."**

**AND IT IS SO RESOLVED AND ADOPTED,** on first and final reading, in Council duly assembled, this twentieth day of June, 1995.

---

Norman D. Crain  
Supervisor-Chairman  
Oconee County Council

Attest:

---

Opal O. Green  
Council Clerk

(Seal)

OCONEE COUNTY COUNCIL

RESOLUTION 95-18

WHEREAS, Mrs. Merle P. Orr was employed with Oconee County September 11, 1978; and

WHEREAS, Mrs. Orr has served faithfully, loyally and conscientiously in the Oconee County Personnel Office since that time; and

WHEREAS, in recognition of Mrs. Orr's retirement, effective June 30, 1995, the present members of the Oconee County Council, for themselves and the citizens of Oconee County, desire to express to Mrs. Orr their heartfelt thanks and appreciation for the years of service she gave to the County and the citizens thereof;

NOW THEREFORE, BE IT RESOLVED, in Council duly assembled this date, the Official Records and Minutes of the Oconee County Council contain the following:

"OCONEE COUNTY COUNCIL RECOGNIZES THE MANY YEARS OF SERVICE GIVEN BY MRS. ORR AS AN EMPLOYEE OF OCONEE COUNTY FOR THE PAST SEVENTEEN YEARS. MOREOVER, AS A RESULT OF SUCH DEVOTION TO HER DUTIES, OCONEE COUNTY, WILL FOR MANY YEARS, BE A BETTER PLACE IN WHICH TO WORK AND LIVE, AND THE CITIZENS OF THE COUNTY HAVE AND WILL IN THE FUTURE RECEIVE UNTOLD BENEFITS AS A RESULT AND BY REASON OF HER ALTRUISTIC SERVICE."

AND IT IS SO RESOLVED AND ADOPTED, on first and final reading, in Council duly assembled, this twentieth day of June, 1995.

---

Norman D. Crain  
Supervisor-Chairman  
Oconee County Council

Attest:

---

Opal O. Green  
Council Clerk

(Seal)

**OCONEE COUNTY COUNCIL**

**RESOLUTION 95-19**

**WHEREAS, Mrs. Evelyn Black** was employed with Oconee County May 31, 1977; and

**WHEREAS, Mrs. Black** served faithfully, loyally and conscientiously in the Oconee County Sheriff's Office since that time; and

**WHEREAS, in recognition of Mrs. Black's** retirement, effective June 18, 1995, the present members of the Oconee County Council, for themselves and the citizens of Oconee County, desire to express to **Mrs. Black** their heartfelt thanks and appreciation for the years of service she gave to the County and the citizens thereof;

**NOW THEREFORE, BE IT RESOLVED,** in Council duly assembled this date, the Official Records and Minutes of the Oconee County Council contain the following:

**"OCONEE COUNTY COUNCIL RECOGNIZES THE MANY YEARS OF SERVICE GIVEN BY MRS. BLACK AS AN EMPLOYEE OF OCONEE COUNTY FOR THE PAST EIGHTEEN YEARS. MOREOVER, AS A RESULT OF SUCH DEVOTION TO HER DUTIES, OCONEE COUNTY, WILL FOR MANY YEARS, BE A BETTER PLACE IN WHICH TO WORK AND LIVE, AND THE CITIZENS OF THE COUNTY HAVE AND WILL IN THE FUTURE RECEIVE UNTOLD BENEFITS AS A RESULT AND BY REASON OF HER ALTRUISTIC SERVICE".**

**AND IT IS SO RESOLVED AND ADOPTED,** on first and final reading, in Council duly assembled, this twentieth day of June, 1995.

---

Norman D. Crain  
Supervisor-Chairman  
Oconee County Council

Attest:

---

Opal O. Green  
Council Clerk

(Seal)

**OCONEE COUNTY COUNCIL**

**RESOLUTION 95-20**

**WHEREAS, Mr. Earl Hanvey** was employed with Oconee County March 27, 1989; and

**WHEREAS, Mr. Hanvey** served faithfully, loyally and conscientiously in the Oconee County Law Enforcement Center from March 27, 1989 until May 5, 1995.

**WHEREAS, in recognition of Mr. Hanvey's** retirement, the present members of the Oconee County Council, for themselves and the citizens of Oconee County, desire to express to **Mr. Hanvey** their heartfelt thanks and appreciation for the years of service he gave to the County and the citizens thereof;

**NOW THEREFORE, BE IT RESOLVED,** in Council duly assembled this date, the Official Records and Minutes of the Oconee County Council contain the following:

**"OCONEE COUNTY COUNCIL RECOGNIZES THE YEARS OF SERVICE GIVEN BY MR. HANVEY AS AN EMPLOYEE OF OCONEE COUNTY. MOREOVER, AS A RESULT OF SUCH DEVOTION TO HIS DUTIES, OCONEE COUNTY, WILL FOR MANY YEARS, BE A BETTER PLACE IN WHICH TO WORK AND LIVE, AND THE CITIZENS OF THE COUNTY HAVE AND WILL IN THE FUTURE RECEIVE UNTOLD BENEFITS AS A RESULT AND BY REASON OF HIS ALTRUISTIC SERVICE".**

**AND IT IS SO RESOLVED AND ADOPTED,** on first and final reading, in Council duly assembled this twentieth day of June, 1995.

---

Norman D. Crain  
Supervisor-Chairman  
Oconee County Council

Attest:

---

Opal O. Green  
Council Clerk

(Seal)