



Orange Water and Sewer Authority

OWASA is Carrboro-Chapel Hill's not-for-profit public service agency delivering high quality water, wastewater, and reclaimed water services.

Agenda

Work Session of the OWASA Board of Directors

Thursday, January 9, 2020, 6:00 P.M.

OWASA Community Room

The Board of Directors appreciates and invites the public to attend and observe its meetings. For the Board's Work Session, public comments are invited on only items appearing on this agenda. Speakers are invited to submit more detailed comments via written materials, ideally submitted at least three days in advance of the meeting to the Clerk to the Board via email or US Postal Service (aorbich@owasa.org/400 Jones Ferry Road, Carrboro, NC 27510).

For items on the agenda, public speakers are encouraged to organize their remarks for delivery within a four-minute time frame allowed each speaker, unless otherwise determined by the Board of Directors.

The Board may take action on any item on the agenda.

Announcements

- a. Announcements by the Chair
 - Any Board Member who knows of a conflict of interest or potential conflict of interest with respect to any item on the agenda tonight is asked to disclose the same at this time.
 - January 6, 2020 OWASA Orientation was held for Newly Elected Chapel Hill Town Council Members Huynh & Ryan in the OWASA Boardroom
 - January 22, 2020 OWASA Orientation for Newly Elected Carrboro Town Council Member Romaine at 9:00 a.m. in the OWASA Boardroom
 - January 30, 2020 Special Meeting of the Board of Directors to Discuss the Long-Range Water Supply Plan at 6:00 p.m. in OWASA's Community Room
- b. Announcements by Board Members
- c. Announcements by Staff
 - Update on the December 17, 2019 Orange County Climate Council Meeting (Mary Tiger)
- d. Additional Comments, Suggestions, and Information Items by Board Members (Ray DuBose)

Consent Agenda

Information and Reports

1. Quarterly Report on Attendance at Board and Committee Meetings (Andrea Orbich)

Action

2. Resolution Awarding Audit Contract to Martin Starnes & Associates, CPAs, P.A. and Authorizing Chair of the Board of Directors and the Finance Officer to Execute Said Contract (Kelly Satterfield)
3. Minutes of the November 14, 2019 Meeting of the Board of Directors (Andrea Orbich)
4. Minutes of the December 11, 2019 Special Meeting of the Board of Directors (Andrea Orbich)

5. Minutes of the December 12, 2019 Meeting of the Board of Directors (Andrea Orbich)

Regular Agenda

Discussion

6. Update on Employee Health and Dental Insurance for Next Fiscal Year (Stephanie Glasgow/Ellen Tucker, Gallagher)
7. Diversity and Inclusion Program Update (September 2019 – December 2019) (Stephanie Glasgow)
8. Review Comments on the Sewer Use Ordinance Update (Todd Taylor)
9. Affordability Outreach Program Update (Mary Tiger)
10. Review Board Work Schedule (Ray DuBose/Ed Kerwin)
 - a. Request(s) by Board Committees, Board Members and Staff
 - b. January 23, 2020 Board Meeting
 - c. February 13, 2020 Work Session
 - d. 12 Month Board Meeting Schedule
 - e. Pending Key Staff Action Items

Summary of Work Session Items

11. Executive Director will summarize the key staff action items from the Work Session

Agenda Item 1

ORANGE WATER AND SEWER AUTHORITY - QUARTERLY REPORT

ATTENDANCE AT BOARD AND COMMITTEE MEETINGS

BOARD OF DIRECTORS	OCTOBER 2019	NOVEMBER 2019	DECEMBER 2019
RAY DUBOSE, SECRETARY	October 8 D&I (Meeting) Oct 10 WS (Meeting) Oct 16 SMB (Meeting) Oct 22 FC (Meeting) Oct 24 Board (Meeting)	Nov 12 FC (Meeting) Nov 14 WS (Meeting)	Dec 11 SMB (Meeting) Dec 12 WS (Meeting)
RUCHIR VORA, VICE CHAIR	Oct 10 WS (Meeting) Oct 16 SMB (Meeting) Oct 24 Board (Absent)	Nov 12 FC (Meeting) Nov 14 WS (Meeting)	Dec 11 SMB (Meeting) Dec 12 WS (Meeting)
BRUCE BOEHM, SECRETARY	Oct 10 WS (Meeting) Oct 16 SMB (Meeting) Oct 22 FC (Meeting) Oct 24 Board (Meeting)	Nov 12 FC (Meeting) Nov 14 WS (Meeting)	Dec 11 SMB (Meeting) Dec 12 WS (Meeting)
YINKA AYANKOYA	October 8 D&I (Meeting) Oct 10 WS (Meeting) Oct 16 SMB (Meeting) Oct 24 Board (Absent)	Nov 12 FC (Meeting) Nov 14 WS (Meeting)	Dec 11 SMB (Meeting) Dec 12 WS (Meeting)
JOHN COOLEY	October 8 D&I (Meeting) Oct 10 WS (Meeting) Oct 16 SMB (Meeting) Oct 22 FC (Meeting) Oct 24 Board (Meeting)	Nov 12 FC (Meeting) Nov 14 WS (Meeting)	Dec 11 SMB (Meeting) Dec 12 WS (Meeting)
JODY EIMERS	October 8 D&I (Meeting) Oct 10 WS (Meeting) Oct 16 SMB (Meeting) Oct 24 Board (Meeting)	Nov 14 WS (Meeting)	Dec 11 SMB (Meeting) Dec 12 WS (Meeting)
ROBERT MORGAN	Oct 10 WS (Meeting) Oct 16 SMB (Absent) Oct 22 FC (Meeting) Oct 24 Board (Absent)	Nov 12 FC (Absent) Nov 14 WS (Meeting)	Dec 11 SMB (Meeting) Dec 12 WS (Meeting)
JOHN N. MORRIS	Oct 10 WS (Meeting) Oct 16 SMB (Meeting) Oct 22 FC (Meeting) Oct 24 Board (Meeting)	Nov 14 WS (Meeting)	Dec 11 SMB (Meeting) Dec 12 WS (Meeting)

JANUARY 9, 2020

BOARD OF DIRECTORS	OCTOBER 2019	NOVEMBER 2019	DECEMBER 2019
BRUCE RUNBERG	October 8 D&I (Meeting) Oct 10 WS (Meeting) Oct 16 SMB (Meeting) Oct 22 FC (Meeting) Oct 24 Board (Meeting)	Nov 12 FC (Meeting) Nov 14 WS (Meeting)	Dec 11 SMB (Absent) Dec 12 WS (Absent)
TOTAL MEETINGS HELD:	5	2	2

Board – Board of Directors
D&I – Diversity and Inclusion
FC – Finance Committee
SMB – Special Meeting of the Board
WS – Work Session

Agenda Item 2:

Resolution Awarding Audit Contract to Martin Starnes & Associates, CPAs, P.A. and Authorizing Chair of the Board of Directors and the Finance Officer to Execute Said Contract

Background:

General Statutes of the State of North Carolina and OWASA's Bond Order require that Orange Water and Sewer Authority have its financial records audited annually by an independent Certified Public Accountant.

In November of 2017, OWASA solicited audit proposals based upon the established criteria recommended by the North Carolina Local Government Commission.

A panel consisting of two board members and three staff members reviewed and evaluated the proposals received based on qualifications and cost. After interviewing the eligible respondents, Martin Starnes & Associates, CPAs, P.A. was identified as presenting the best proposal.

Martin Starnes & Associates, CPAs, P.A. has proposed to conduct the audit for Fiscal Year (FY) 2020 for a fee of \$31,150 for the basic audit and an additional \$1,500 for single audits of state and federal grant monies received and expended.

Recommendation:

Approve the FY 2020 audit contract with Martin Starnes & Associates, CPAs, P.A. for total base fees not to exceed \$33,000.

Action Needed:

Adopt the Resolution Awarding Audit Contract to Martin Starnes & Associates, CPAs, P.A. and Authorizing Chair of the Board of Directors and the Finance Officer to execute the contract.

January 9, 2020

**Resolution Approving and Awarding Audit Contract to
Martin Starnes & Associates, CPAs, P.A. and Authorizing Chair of
the Board of Directors and the Finance Officer
to Execute Said Contract**

Whereas, Orange Water and Sewer Authority is required by the General Statutes of the State of North Carolina and the Series 2001 Bond Order to have its financial records audited at the termination of each fiscal year; and

Whereas, in November of 2017, the Authority solicited audit proposals based upon the established criteria recommended by the North Carolina Local Government Commission; and

Whereas, Martin Starnes & Associates, CPAs, P.A. provided satisfactory service related to the Fiscal Years 2011 through 2019 financial audits;

Now, Therefore, Be It Resolved:

1. That the contract between Orange Water and Sewer Authority and Martin Starnes & Associates, CPAs, P.A. for financial audit of the Fiscal Year Ending June 30, 2020, for charges not to exceed \$33,000 is hereby approved subject to approval by the North Carolina Local Government Commission.

2. That the Chair of the OWASA Board of Directors and the Finance Officer are hereby authorized to execute such contract.

Adopted this 9th day of January 2020.

Raymond E. DuBose, P.E., Chair

ATTEST:

Bruce Boehm, Secretary

Agenda Item 3

Orange Water and Sewer Authority
Meeting of the Board of Directors
November 14, 2019

The Board of Directors of the Orange Water and Sewer Authority (OWASA) met in a work session on Thursday, November 14, 2019, at 6:00 p.m. in OWASA's Community Room, 400 Jones Ferry Road, Carrboro.

Board Members present: Raymond (Ray) DuBose (Chair), Ruchir Vora (Vice Chair), Bruce Boehm (Secretary), Yinka Ayankoya, John Cooley, Jody Eimers, Robert Morgan, John N. Morris and Bruce Runberg.

OWASA staff present: Mary Darr, Robert Epting, Esq. (Epting and Hackney), Robin Jacobs (Epting and Hackney), Ed Kerwin, Linda Low, Andrea Orbich, Ruth Rouse, Todd Taylor, Stephen Winters and Richard Wyatt.

Others present: Meg Holton (UNC Water Resources Manager).

Motions

1. BE IT RESOLVED THAT the Board of Directors of the Orange Water and Sewer Authority adopts the resolution for Approval to Execute a Contract between the State of North Carolina and OWASA for Water Supply Storage in B. Everett Jordan Lake; second by Robert Morgan and unanimously approved.
2. John Morris made a motion to approve the Minutes of the September 12, 2019 Meeting of the Board of Directors; second by Robert Morgan and unanimously approved.
3. John Morris made a motion to approve the Minutes of the September 26, 2019 Annual Meeting of the Board of Directors; second by Robert Morgan and unanimously approved.
4. Robert Morgan made a motion to approve the Key Focus Areas for OWASA's Executive Director for the Period of October 2019 to June 2020 with the proposed change; second by Ruchir Vora and unanimously approved.

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Announcements

Ray DuBose asked if any Board Member knows of a conflict of interest or potential conflict of interest with respect to any item on the agenda tonight to disclose the same at this time; none were disclosed.

Mr. DuBose announced the passing of Milton Heath, Jr., former Chapel Hill appointee on the OWASA Board, on October 20, 2019.

Mr. DuBose announced a November 21, 2019, Orange County Climate Council meeting at a location to be determined; Jody Eimers and Mary Tiger will attend.

Mr. DuBose said Orange County Board of Commissioners Penny Rich and Mark Marcoplos, Jody Eimers, Ed Kerwin, Mary Tiger and he met today to discuss Orange County Climate Council, OWASA's forest management, OWASA's solar project and OWASA's Care to Share Day on November 21, 2019. Ms. Rich said the Board of County Commissioners would support a proclamation for Care to Share Day at its November 19, 2019 meeting.

Mr. DuBose announced OWASA's first Care to Share Day on November 21, 2019. Care to Share is OWASA's customer assistance program, ensuring local families unable to pay their water bill and is administered through the Inter-Faith Council for Social Service. On Wednesday, November 13th, the Town of Chapel Hill proclaimed November 21st as Care to Share Day and on Tuesday, November 19th, the Town of Carrboro will do the same.

Mr. DuBose announced a Special Meeting of the Board is scheduled for Wednesday, December 11, 2019 at 6:00 p.m. in the OWASA Boardroom with Slavin Management Consultants to discuss matters related to the recruitment, assessment and selection of OWASA's next Executive Director.

Bruce Boehm said the Finance Committee met on November 12, 2019 to discuss the Committee members' evaluation of the social, regulatory and environmental responsibility of the four remaining respondents to OWASA's request for proposals for banking services. Mr. Boehm said staff has reviewed the proposals to determine which respondent best meets OWASA's service needs and offers the most advantageous financial arrangement. Staff has scheduled in-person demonstrations with the four finalist banks. Staff will combine its evaluation with that of the Finance Committee and make a recommendation for the Board to consider at its December 12, 2019 meeting.

Stephen Winters updated the Board on the pricing of OWASA's 2019 and 2020 revenue and refunding bonds. Mr. Winters reported an issuance of \$18 million revenue bonds and \$10 million revenue refunding bonds; the interest rate on the revenue bonds will be 2.7% and the revenue refunding bonds will save just over \$1 million in interest costs over the next six years.

Item One: Approval to Execute a Contract between the State of North Carolina and OWASA for Water Supply Storage in B. Everett Jordan Lake

John Morris made a motion to approve the resolution; second by Robert Morgan and unanimously approved. Please see Motion 1.

Item Two: Minutes

John Morris made a motion to approve the Minutes of the September 12, 2019 Meeting of the Board of Directors; second by Robert Morgan and unanimously approved. Please see Motion 2.

Item Three: Minutes

John Morris made a motion to approve the Minutes of the September 26, 2019 Annual Meeting of the Board of Directors; second by Robert Morgan and unanimously approved. Please see Motion 3.

Item Four: Long-Range Water Supply Plan – Update on Schedule and Process

The Board discussed and agreed to the schedule and process to update to the Long-Range Water Supply Plan which will ensure the community has reliable, high quality supply of water through 2070. The Board agreed to target the last week of January 2020 to schedule a Special Meeting of the Board regarding Long-Range Water Supply Plan – Draft Evaluation of Water Supply and Demand Management Alternatives; and reschedule May and July 2020 agenda items on the 12 Month Board Meeting Schedule following the January 2020 Special Meeting.

Item Five: Discuss Key Focus Areas for OWASA’s Executive Director

Robert Morgan suggested, and the Board approved, that under the Human Resources Objectives, procurement of supplies include the participation of Minority and Women Owned Businesses.

Robert Morgan made a motion to approve the Key Focus Areas for OWASA’s Executive Director for the Period of October 2019 to June 2020 with the proposed change; second by Ruchir Vora and unanimously approved. Please see Motion 4.

Item Six: Review Board Work Schedule

Stephen Winters summarized changes to the 12-Month Board Schedule relating to developing the Fiscal Year 2021 budget.

Robert Epting reviewed and discussed Open Meetings Law with the Board.

Item Seven: Executive Director’s Summary of Key Staff Action Items from the Work Session

No key staff action items were reported.

Item Eight: Closed Session

Without objection, the Board convened in a closed session for purpose of discussing a personnel matter.

The Board meeting reconvened in open session at 7:30 p.m., and the meeting was adjourned.

Respectfully submitted by:

Andrea Orbich
Executive Assistant/Clerk to the Board

Attachments

Agenda Item 4

Orange Water and Sewer Authority
Special Meeting of the Board of Directors

December 11, 2019

The Board of Directors of the Orange Water and Sewer Authority (OWASA) met in a Special meeting on Wednesday, December 11, 2019, at 6:00 p.m. in OWASA's Boardroom, 400 Jones Ferry Road, Carrboro.

Board Members present: Raymond (Ray) DuBose (Chair), Ruchir Vora (Vice Chair), Bruce Boehm (Secretary), Yinka Ayankoya, John Cooley, Jody Eimers, Robert Morgan and John N. Morris. Board Member absent: Bruce Runberg.

OWASA staff present: Stephanie Glasgow, Ed Kerwin and Andrea Orbich.

Others present: Barbara Lipscomb and Robert Slavin (Slavin Management Consultants).

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Announcements

Ray DuBose asked if any Board Member knows of a conflict of interest or potential conflict of interest with respect to any item on the agenda tonight to disclose the same at this time; none were disclosed.

Item One: Recruitment and Selection Process for OWASA's Next Executive Director

The Board received an update from the various employee group meetings and tour of OWASA facilities held earlier in the day from Robert Slavin and Barbara Lipscomb, Slavin Management Consultants.

The Board and the consultants then discussed and agreed to an overall recruitment and selection process and timeline for OWASA's next Executive Director, with a tentative hiring decision by end of April or early May 2020.

The Board also agreed that Ray DuBose would send a letter this week to Carrboro and Chapel Hill Mayors and Orange County Commissioner Chair inviting their suggestions no later than January 10, 2020 on key attributes to seek in the next Executive Director.

The Special Meeting of the Board was adjourned at 8:05 p.m.

Respectfully submitted by:

Andrea Orbich
Executive Assistant/Clerk to the Board

Agenda Item 5

Orange Water and Sewer Authority
Meeting of the Board of Directors
December 12, 2019

The Board of Directors of the Orange Water and Sewer Authority (OWASA) met in a work session on Thursday, December 12, 2019, at 6:00 p.m. in OWASA's Community Room, 400 Jones Ferry Road, Carrboro.

Board Members present: Raymond (Ray) DuBose (Chair), Ruchir Vora (Vice Chair), Bruce Boehm (Secretary), Yinka Ayankoya, John Cooley, Jody Eimers, Robert Morgan, and John N. Morris. Board Member absent: Bruce Runberg.

OWASA staff present: Mary Darr, Robert Epting, Esq. (Epting and Hackney), Vishnu Gangadharan, Blake Hodge, Robin Jacobs (Epting and Hackney), Ed Kerwin, Linda Low, Andrea Orbich, Ruth Rouse, Todd Taylor, Mary Tiger, Stephen Winters and Richard Wyatt.

Others present: Randy Horton, Ben Poulson (UNC Water Resources Manager) and Reed Palmer (Hazen).

Motions

1. BE IT RESOLVED THAT the Board of Directors of the Orange Water and Sewer Authority adopts the Resolution Honoring the Service of Sandra Bradshaw to the Orange Water and Sewer Authority and the Carrboro-Chapel Hill-Orange County Community. Motion by Ruchir Vora, second by Yinka Ayankoya and unanimously approved.
2. BE IT RESOLVED THAT the Board of Directors of the Orange Water and Sewer Authority adopts the Resolution Honoring the Service of Steve Graves to the Orange Water and Sewer Authority and the Carrboro-Chapel Hill-Orange County Community. Motion by Ruchir Vora, second by Yinka Ayankoya and unanimously approved.
3. Ruchir Vora made a motion to approve the Minutes of the October 10, 2019 Meeting of the Board of Directors; second by Yinka Ayankoya and unanimously approved.
4. Ruchir Vora made a motion to approve the Minutes of the October 16, 2019 Special Meeting of the Board of Directors; second by Yinka Ayankoya and unanimously approved.
5. Ruchir Vora made a motion to approve the Minutes of the October 24, 2019 Meeting of the Board of Directors; second by Yinka Ayankoya and unanimously approved.
6. Ruchir Vora made a motion to approve the Minutes of the November 14, 2019 Closed Session of the Board of Directors for the Purpose of Discussing a Personnel Matter; second by Yinka Ayankoya and unanimously approved.
7. John Morris made a motion that the OWASA Board of Directors hereby approves staff's

recommendation for contracting with J.P. Morgan Chase for banking services; second by Bruce Boehm and the motion was approved with a vote of seven to one with Ruchir Vora opposed.

8. BE IT RESOLVED THAT the Board of Directors of the Orange Water and Sewer Authority adopts the Resolution Adjusting the Executive Director's Compensation. Motion by Robert Morgan, second by John Morris and unanimously approved.

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Announcements

Ray DuBose asked if any Board Member knows of a conflict of interest or potential conflict of interest with respect to any item on the agenda tonight to disclose the same at this time; none were disclosed.

Mr. DuBose announced a Special Meeting of the Board of Directors to discuss the Long-Range Water Supply Plan on Thursday, January 30, 2020 at 6:00 p.m. in the Community Room.

Jody Eimers said the Orange County Climate Council met on November 21, 2019, and the group nominated a vice chair from the community, adopted Principles of Environmental Justice, and provided feedback to draft a mission and vision statement for the group. In addition to OWASA's energy management work, Ms. Eimers recommended acknowledging our forest management efforts as a notable climate action. The group's next meeting is scheduled for Tuesday, December 17, 2019 in OWASA's Community Room and Mary Tiger will attend.

Robert Morgan said the Board's Special meeting on December 11, 2019, to discuss the recruitment, assessment and selection process for OWASA's next Executive Director was productive. The Board expects to advertise the position in mid-January 2020 and make a selection in April or early May 2020.

Linda Low introduced Blake Hodge, OWASA's new Communications Specialist. Blake joined OWASA in early December 2019. Previously, he was the News Director at WCHL.

Ms. Low said the relaunch of OWASA's website is scheduled for early 2020 using the brand refresh. The updated website is more engaging and re-mapped to be more intuitive to navigate.

Ms. Low provided an update on the Fall 2019 Youth Water Academy. Eighteen students from area high schools attended. The academy was well received, and a 2020 academy is planned.

Mary Tiger provided an update on OWASA's Care to Share Day held on November 21, 2019. Care to Share is OWASA's customer assistance program to assist those individuals who are unable to pay their bill and is administered through the Inter-Faith Council for Social Service. The event was a positive way to engage with and promote the program in the community. It received support from elected officials in the region.

Ms. Eimers said on December 4, 2019, the Orange County Commission for the Environment released its 2019 State of the Environment Report and is available on-line which will be shared with the Board.

Ray DuBose expressed appreciation to those employees who organized OWASA's annual Holiday Luncheon and encouraged Board Members to attend future OWASA functions.

Item One: Resolution Honoring the Service of Sandra Bradshaw to the Orange Water and Sewer Authority and the Carrboro-Chapel Hill-Orange County Community

Ruchir Vora made a motion to approve the resolution; second by Yinka Ayankoya and unanimously approved. Please see Motion 1.

Item Two: Resolution Honoring the Service of Steve Graves to the Orange Water and Sewer Authority and the Carrboro-Chapel Hill-Orange County Community

Ruchir Vora made a motion to approve the resolution; second by Yinka Ayankoya and unanimously approved. Please see Motion 2.

Item Three: Minutes

Ruchir Vora made a motion to approve the Minutes of the October 10, 2019 Meeting of the Board of Directors; second by Yinka Ayankoya and unanimously approved. Please see Motion 3.

Item Four: Minutes

Ruchir Vora made a motion to approve the Minutes of the October 16, 2019 Special Meeting of the Board of Directors; second by Yinka Ayankoya and unanimously approved. Please see Motion 4.

Item Five: Minutes

Ruchir Vora made a motion to approve the Minutes of the October 24, 2019 Meeting of the Board of Directors; second by Yinka Ayankoya and unanimously approved. Please see Motion 5.

Item Six: Minutes

Ruchir Vora made a motion to approve the Minutes of the November 14, 2019 Closed Session of the Board of Directors for the purpose of discussing a personnel matter; second by Yinka Ayankoya and unanimously approved. Please see Motion 6.

Item Seven: Long-Range Water Supply Plan – Evaluation of Water Supply Risk

Ruth Rouse, Planning and Development Manager, provided an overview of the evaluation of water supply risk for OWASA's Long-Range Water Supply Plan (LRWSP) to ensure the community has reliable, high quality supply of water for the community through 2070. She also

provided an overview of the tool for modeling water supply risk as well as the uncertainty in risk modeling. OWASA's near term water supply risk is low. Ms. Rouse introduced Reed Palmer, Project Manager with Hazen, assisting OWASA with the LRWSP update and available to answer questions.

John Morris said he understands use of Jordan Lake is complicated and asked Ed Kerwin if there was an update from the Town of Cary and/or the City of Durham regarding a guaranteed water supply agreement.

Mr. Kerwin said the Town of Cary is not interested in an agreement with OWASA or other entities for a guaranteed supply of water at this time, but the Town assured OWASA they would help if there is a need for water.

Bruce Boehm commented that the drought surcharges rates should be raised more rapidly during the Water Shortage Response Plan stages.

Jody Eimers proposed the use of science-based terminology in the report and suggested that instead of saying "full of uncertainty" simply say "uncertain" and instead of making an "educated guess" use the word "estimate". Ms. Eimers recommended asking U.S. Geological Survey to estimate uncertainty in the streamflow records.

In a Special Meeting on January 30, 2020, the Board will discuss the draft evaluation of supply and demand side options against the social, environmental, and economic objectives and criteria.

Item Eight: Minority and Women-Owned Business Enterprises Contractor Participation

Vishnu Gangadharan, Engineering Manager - Capital Improvements Program, provided a report on minority and women-owned business enterprises (MWBE) participation in OWASA's Capital Improvements Program (CIP) in the context of information from nearby utilities, including potential improvements in MWBE contractor engagement strategies and partnership opportunities with other agencies.

Board Member comments and suggestions included: partnering with other jurisdictions in the county as well as the City of Fayetteville Public Works; tracking the various MWBE contractors and subcontractors participating in bids; number of different MBE and WBE; joining the North Carolina MWBE Coordinators' Network; seeking guidance from the UNC School of Government; and obtaining input from subcontractors. Staff will implement Group 1 practices and evaluate Group 2 practices outlined in the report and update the Board every 6 months as part of the CIP Semiannual Report.

Item Nine: Approve New Banking Services Provider

Stephen Winters, Director of Finance and Customer Service, reported that the OWASA Board of Directors and staff have completed a process by which proposals from banking services providers were evaluated. Based on this evaluation, staff recommended, and asked for the Board's approval to contract for banking services with J.P. Morgan Chase Bank

Ruchir Vora expressed disappointment in the banking provider recommendations and felt the process should be revisited.

John Morris made a motion that the OWASA Board of Directors hereby approves staff's recommendation for contracting with J.P. Morgan Chase for banking services; second by Bruce Boehm and the motion was approved with a vote of seven to one with Ruchir Vora opposed. Please see Motion 7.

Item Ten: Executive Director Compensation

Robert Morgan made a motion to approve the Resolution Adjusting the Executive Director's Compensation and to adjust the Executive Director's base salary by 5.2%; second by John Morris and unanimously approved. Please see Motion 8.

Item Eleven: Review Board Work Schedule

The Board agreed to schedule the next Board session with VISIONS, Inc. targeting the week of February 10, 2020.

Item Twelve: Summary of Work Session Items

Ed Kerwin noted the following items for staff follow-up:

- Considering the Board's feedback, proceed to implement Group 1 practices and evaluate Group 2 practices outlined in the Minority and Women-Owned Business Enterprises Contractor Participation report and update the Board every 6 months as part of Capital Improvements Program Semiannual report; and
- Schedule the next Board session with VISIONS, Inc. targeting the week of February 10, 2020.

The meeting was adjourned at 8:16 p.m.

Respectfully submitted by:

Andrea Orbich
Executive Assistant/Clerk to the Board

Attachments

Agenda Item 6:

Update on Employee Health and Dental Insurance for next Fiscal Year

Purpose:

Information and presentation by Ellen Tucker, Principal Health and Wellness Consultant with Gallagher (formerly Hill, Chesson and Woody) to generate Board discussion and guidance to staff regarding renewal of Employee Health and Dental Insurance policies effective July 1, 2020.

Background:

The Orange Water and Sewer Authority began using Gallagher in April 2014 to manage benefit plans and negotiate premiums for Employee Health, Dental, Life, Dependent Life, Accidental Death and Dismemberment (AD&D) and Long-Term Disability (LTD) Insurance.

The current Employee Health and Dental Insurance plan contracts expire on June 30, 2020.

Information:

Ellen Tucker will be presenting the following information on January 9, 2020:

- Financial Performance of Health Insurance Plan
- Overview of Claims Data
- Renewal Considerations

A timeline of events is attached and will be available for discussion on January 9, 2020.

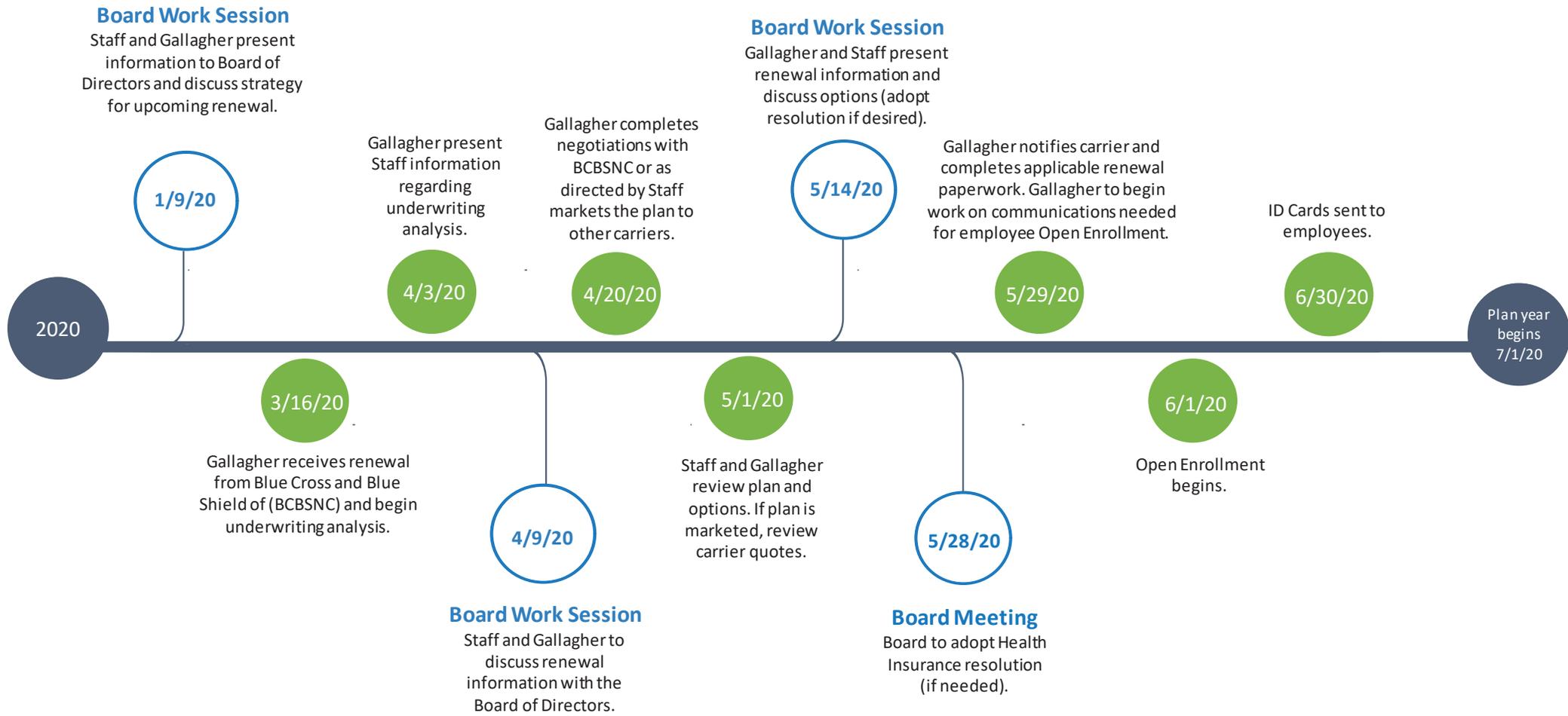
Action Requested

Staff requests guidance from the Board regarding health and dental insurance renewal effective July 1, 2020. Based on this guidance, staff will work with Gallagher to provide more information as it becomes available.

January 9, 2020

Health Insurance Renewal for FY 2021

January 1, 2020 – June 30, 2020



Agenda Item 7:

Diversity and Inclusion Program Update (September 2019 – December 2019)

Purpose:

To provide an update on recent and upcoming diversity and inclusion work.

Background:

In March 2017, OWASA implemented an Employee Diversity and Inclusion (D&I) program.

The D&I program goals are:

- *The diversity of OWASA's workforce reflects the communities we serve.*
- *Inclusive work environment for everyone that encourages and supports each Team member to contribute to their full ability towards OWASA's mission.*

Updates are provided to the Board three times per year. The annual September update is a comprehensive program progress report and contains the annual Equal Employment Opportunity report. Abbreviated updates are provided annually in January and May.

Diversity and Inclusion Update:

Key activities as part of the D&I Program since September 2019 include:

- As a result of Board Member, Bruce Boehm's comments on September 12, 2019, the Recruitment Efforts and Strategies Form has been updated to include additional organizations receiving our job announcements. Included are:
 - Orange County Primary and secondary schools
 - Libraries
 - Organizations/Schools that offer adult English as a second language programs
 - Food banks
 - Private minority owned businesses
- New Board member training took place on October 8, 2019 with the consulting firm VISIONS, Incorporated. Three previously trained Board Members also participated. The full Board has their next session tentatively scheduled for February 2020.
- In November 2019, the Diversity Recruitment Group finalized the Administrative Guide for Candidate Recruitment, Selection and Hiring. The group is working on an outline that will be used to train supervisors.
- The Diversity Resource Group planned and facilitated a process for randomized seating at this December 11th Employee Holiday Luncheon. This addressed one of the organizational assessment recommendations which was to "close organizational divides via joint activities". The group is currently working on updating and improving OWASA's mentoring program.
- On December 18, 2019 VISIONS, Incorporated trained members from each of the three Diversity Groups to provide training to staff moving forward. The "train-the-trainer"

education will assist in sustaining the program. This addresses items from our Board approved Implementation Plan adopted in March 2017. Staff training will focus on:

- Introduction and discussion of OWASA's D&I Program
- Recognizing Implicit Bias & Microaggressions
- The Director of Human Resources and Safety is participating in a Focus Group with the Department of Social Services and UNC School of Nursing to adapt and test the effectiveness of multilevel intervention to reduce chronic disease risk in socioeconomically disadvantaged, unemployed populations. Efforts to help individuals succeed in securing and performing in a new job are often thwarted by implicit welfare related bias and insufficient job supports in the work environment.

Information:

At the January 9, 2020 Work Session, Stephanie Glasgow will give a presentation on recent activities and achievements.

Agenda Item 8:

Review Comments on the Sewer Use Ordinance Update

Purpose:

To discuss comments received from our community partners on staff recommendations for changes in the OWASA Sewer Use Ordinance and to potentially adopt a resolution amending the Sewer Use Ordinance.

Background:

OWASA's Sewer Use Ordinance establishes standards for what customers can put into the sewer system and the Mason Farm Wastewater Treatment Plant (WWTP).

The Ordinance's objectives are:

- To prevent the introduction of substances that would interfere with operation of the sewer system and WWTP;
- To prevent the introduction of certain pollutants that would pass through the WWTP to Morgan Creek without adequate treatment;
- To protect the safety and health of OWASA personnel and the public;
- To promote the use of reclaimed water and biosolids;
- To provide for fees for the equitable distribution of the cost of operation, maintenance, and improvement of the sewer system and WWTP; and
- To meet requirements in our National Pollution Discharge Elimination System (NPDES) permit for the WWTP, meet biosolids use and disposal requirements, and comply with Federal and State laws.

As part of our recurring action items, staff audits the Sewer Use Ordinance at least every five years. Staff has reviewed OWASA's Sewer Use Ordinance including comparing it to the State model ordinance and ordinances from other utilities in North Carolina.

Staff is proposing revisions to the ordinance to better reflect current practices.

Process

State law requires that before amending the Sewer Use Ordinance, the OWASA Board must:

1. pass a declaration of intent to adopt the amendment(s);
2. submit the declaration of intent to governing boards of Orange County and the Towns of Carrboro and Chapel Hill for review and comment; and
3. consider comments or suggestions offered by the governing bodies.

January 9, 2020

The OWASA Board may adopt sewer ordinance amendment(s) no earlier than 60 days following submittal of the declaration of intent to the above three governing bodies.

Review by Community Partners

The declaration of intent to adopt the amendments was approved by the OWASA Board on October 10, 2019 and submitted to Orange County and the Towns of Carrboro and Chapel Hill, as well as the University of North Carolina (UNC), UNC Health Care and the NC Department of Environmental Quality's Division of Water Resources, for review and comment on October 14, 2019.

Over the course of the subsequent 60 day comment period, OWASA staff corresponded with and met with the staff of several of our community partners to respond to questions and receive feedback. A list of comments received and OWASA staff responses are attached.

Revision of the Sewer Use Ordinance

Included for review and discussion is the Final Draft of the Sewer Use Ordinance (attached). The revisions in the Final Draft have been modified from the Draft version presented to the Board in October 2019.

A Resolution Adopting Amendments to the Sewer Use Ordinance is also provided for review and adoption at the Board's pleasure. This resolution is currently scheduled for the Board to adopt at the regular meeting on January 23, 2020.

Conclusion

Staff requests that the Board review and discuss the Final Draft of the Sewer Use Ordinance and the Resolution Adopting Amendments to the Sewer Use Ordinance. Should the Board request additional changes, staff will revise the documents and schedule further discussion at an upcoming Board meeting. If the changes desired by the Board in the Final Draft are minor, the Board could choose to adopt the resolution at the January 9, 2020 work session.

Action Requested:

Following Board discussion of the Final Draft of the Sewer Use Ordinance, the Board has the option of adopting the Resolution Adopting Amendments to the Sewer Use Ordinance.

Information:

- Comments received and OWASA Staff responses
- Resolution Adopting Amendments to OWASA's Sewer Use Ordinance
- Sewer Use Ordinance

Comments Received from Community Partners and OWASA Staff Responses

1. Section 2.2 Prohibited Discharge Standards, B. 13. Ordinance Language: *Wastewater containing any radioactive wastes or isotopes except as specifically approved by the Administrator in compliance with applicable State and Federal regulations;*

Comment received: Additional guidance requested on what specific type of information the Administrator will need to receive for approval to discharge wastewater containing radioactive wastes or isotopes to the OWASA sanitary sewer system.

OWASA response: Requests for variances will be evaluated on a case-by-case basis. Generally, permits will be required for discharging prohibited wastes into the wastewater collection system and renewed on a periodic basis. In consideration of granting a permit for such discharges, OWASA will request that the following information (at a minimum) be submitted: a) composition of discharge, including chemical concentrations and associated SDS sheets; b) discharge location; c) frequency of discharge; d) volume to be discharged including any significant variability; and e) emergency response plans, should discharge need to be ceased, including alternative means of disposal.

2. Section 2.2 Prohibited Discharge Standards, B. 15. Ordinance Language: *No elevator sump, dumpster pads; heating, ventilating, and air conditioning (HVAC) condensate; or swimming pool filter backwash connection shall be installed or used by a user connected to the OWASA wastewater system unless first reviewed and approved by the Administrator (see Section 2.9 for Guidelines);*

Comment received: Does OWASA intend to grandfather existing discharges and only review and approve of new/proposed connections of the type described in this section of the ordinance?

OWASA response: These guidelines have existed for some time in a separate document. They are being codified in these amendments to OWASA's Sewer Use Ordinance to ensure that our community partners have input into the discharge requirements and the Board is in agreement with these conditions and OWASA's enforcement of the ordinance provisions. That being said, this action is not intended to create instances of existing non-compliance which must be quickly addressed. Therefore, facilities installed prior to the adoption of the amendments would be grandfathered from enforcement unless such facilities are modified to an extent which requires a formal review, or unless the discharge causes treatment problems or concerns in collection or treatment facilities.

3. Section 2.9 Guidelines for Elevator Sumps, Dumpster Pads, HVAC Condensate and Swimming Pool Backwash Ordinance Language: *No elevator sump, dumpster pad, heating, ventilating, and air conditioning (HVAC) condensate, or swimming pool filter backwash connection shall be installed and used by a customer connected to the OWASA wastewater system unless first reviewed and approved by OWASA.*

Generally, it is recognized that these discharges are of a minor volume and will not be charged fees. If any of these discharges are of a significant volume, fees will be charged in accordance with the OWASA Schedule of Rates and Fees.

Comment received: On the date that the above language becomes final, certain entities will have on-going discharges to the sanitary sewer of the type described in this section. If these existing discharges are not grandfathered by OWASA, it will take several years for these facilities to come into compliance with Section 2.9.

OWASA response: These guidelines have existed for some time in a separate document. They are being codified in these amendments to OWASA's Sewer Use Ordinance to ensure that our community partners have input into the discharge requirements and the Board is in agreement with these conditions and OWASA's enforcement of the ordinance provisions. That being said, this action is not intended to create instances of non-compliance. Therefore, facilities installed prior to the adoption of the amendments would be grandfathered from enforcement unless such facilities are modified to an extent which requires a formal review, or the discharge causes problems or concerns in collection or treatment facilities.

4. Section 2.9, C. Ordinance Language: *HVAC Condensate. In a situation where HVAC condensate treated with a biocide or other form of chemical treatment is proposed to be discharged to the wastewater system, the NCDEQ Division of Water Quality's "Biocide/Chemical Treatment Worksheet – Form 101" or other approved OWASA form must be completed by the applicant and submitted to OWASA. Chemicals used in the treatment of HVAC condensate can be harmful to the biological processes at the WWTP and substances can pass-through the WWTP causing violations of the NPDES permits. Plumbing and site plans showing the connection to the sewer system must also be submitted to OWASA's Engineering department for review and approval.*

Comment received: The second sentence in this section indicates that the Form 101 submittal is required only for proposed uses of biocide or other form of chemical treatment. Please clarify that Form 101 submittal is required only for proposed treatment. Are submittals of plumbing and site plans also required only for proposed treatment?

OWASA response: Form 101 and plumbing/site plans are required only when biocide/chemical treatment is proposed.

**Resolution Adopting Amendments to OWASA’s
Sewer Use Ordinance**

Whereas, upon review, public comment, and further deliberation, the Board of Directors has determined to revise and amend its existing Sewer Use Ordinance, in order to update its provisions in effect since its last revision on December 14, 2006; and

Whereas, the First Draft of Amendments dated October 10, 2019 has been reviewed by the Board of Directors; and

Whereas, on October 16, 2019, the Board of Directors considered and adopted a “Declaration of Intent” to revise and amend its exiting Sewer Use Ordinance, and more than sixty days have passed since adoption of that “Declaration of Intent;” and

Whereas, such “Declaration of Intent” described the ordinance as amended, which is proposed for adoption, and was submitted to Orange County and the Towns of Carrboro and Chapel Hill, as well as the University of North Carolina (UNC), UNC Health Care and NC Department of Environmental Quality’s Division of Water Resources, for review and comment during the required 60 day notice period, all as required by G.S. 162A-6.14c;

Now, Therefore, Be It Resolved:

1. That the Board of Directors of the Orange Water and Sewer Authority hereby adopts the attached revised and amended Sewer Use Ordinance dated January 9, 2020, to replace its Sewer Use Ordinance and amendments previously in effect.

Adopted this 9th day of January, 2020.

Raymond DuBose, P.E., Chair

ATTEST:

Bruce Boehm, Secretary

ORANGE WATER AND SEWER AUTHORITY

SEWER USE ORDINANCE



Adopted ~~December 14, 2006~~TBD

Revised October 10, 2019

ORANGE WATER AND SEWER AUTHORITY
SEWER USE ORDINANCE
Adopted ~~December 14, 2006~~TBD
Revised October 10, 2019

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(To be provided once approved)

OWASA SEWER USE ORDINANCE

SECTION 1 - GENERAL PROVISIONS

1.1 Purpose and Policy

This ordinance sets forth uniform requirements for users of the Publicly Owned Treatment Works for the Orange Water and Sewer Authority, hereinafter referred to as OWASA, to comply with all applicable State and Federal laws, including the Clean Water Act (33 United States Code § 1251 et seq.) and the General Pretreatment Regulations (40 Code of Federal Regulations Part 403). The objectives of this ordinance are:

- A. To prevent the introduction of pollutants and wastewater discharges into the publicly Owned Treatment Works that will interfere with its operation or contaminate the resulting biosolids;
- B. To prevent the introduction of pollutants and wastewater discharges into the Publicly Owned Treatment Works that will pass through the Publicly Owned Treatment Works, inadequately treated, into receiving waters, or otherwise be incompatible with the Publicly Owned Treatment Works;
- C. To promote reuse and recycling of reclaimed water and biosolids from the Publicly Owned Treatment Works;
- ~~C.D.~~ To protect both Publicly Owned Treatment Works personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
- ~~D.A.~~ To promote reuse and recycling of reclaimed and biosolids from the Publicly Owned Treatment Works;
- E. To provide for fees for the equitable distribution of the cost of operation, maintenance, and improvement of the Publicly Owned Treatment Works; and
- F. To enable OWASA to comply with its National Pollutant Discharge Elimination System permit conditions, biosolids and sludge use and disposal requirements, reclaimed water use and requirements, and any other Federal or State laws to which the Publicly Owned Treatment Works is subject.

This ordinance shall apply to all users of the Publicly Owned Treatment Works. The ordinance authorizes the issuance of wastewater discharge permits; provides for monitoring, compliance, and enforcement activities; establishes administrative

review procedures; requires user reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

1.2 Administration

Except as otherwise provided herein, the Executive Director shall administer, implement, and enforce the provisions of this ordinance. Any powers granted to or duties imposed upon the Executive Director may be delegated by the Executive Director to other OWASA personnel.

1.3 Abbreviations and Definitions

A. The following abbreviations, when used in this ordinance, shall have the designated meanings:

- BOD - Biochemical Oxygen Demand
- ~~CBOD~~-cBOD - Carbonaceous Biochemical Oxygen Demand
- CFR - Code of Federal Regulations
- COD - Chemical Oxygen Demand
- CWA - Clean Water Act
- NC DEQ – North Carolina Department of Environmental Quality
- ~~DWQ-DWR~~ - Division of Water ~~Quality Resources~~, North Carolina Department of Environmental ~~al and Natural Resourees~~Quality
- EPA - U.S. Environmental Protection Agency
- gpd - gallons per day
- mg/l - milligrams per liter
- NCAC – North Carolina Administrative Code
- NCGS - North Carolina General Statutes
- NPDES -National Pollutant Discharge Elimination System
- O&M - Operation and Maintenance
- POTW - Publicly Owned Treatment Works
- RCRA - Resource Conservation and Recovery Act
- SIC - Standard Industrial Classification
- SIU – Significant Industrial User
- SU – Standard Unit
- TKN - Total Kjeldahl Nitrogen
- TRC – Technical Review Criteria

- TSS - Total Suspended Solids
- U.S.C. - United States Code

B. Unless a provision explicitly states otherwise, the following terms and phrases, as used in this ordinance, shall have the meanings hereinafter designated:

1. Act or "the Act." The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. § 1251 *et seq.*
2. Administrator. The deputy, agent, or representative authorized by the Board of Directors of OWASA to act in behalf of OWASA.
3. Approval Authority. The Director of the Division of Water ~~Quality Resources~~ of the North Carolina Department of Environmental ~~Quality and Natural Resources~~ or a duly authorized representative.
4. Authorized Representative of the User.
 - (a) If the user is a corporation:
 - (1) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
 - (2) The manager of one or more manufacturing, production, or operation facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct comprehensive measures to assure long-term environmental compliance with environmental laws and regulation; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate proceedings.
 - (b) If the user is a partnership or sole proprietorship a general partner or proprietor, respectively.
 - (c) If the user is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or a duly

authorized representative.

- (d) The individuals described in paragraphs a through c, above, may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to OWASA.

~~matters for the company, and the written authorization is submitted to OWASA.~~

- (e) If the designation of an authorized representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for environmental matters for the company, a new authorization satisfying the requirements of this section must be submitted to OWASA prior to or together with any reports to be signed by an authorized representative.

5. Biochemical Oxygen Demand or BOD. The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20° centigrade, usually expressed as a concentration (e.g., mg/l). The term carbonaceous BOD, or ~~CBOD~~cBOD, is the quantity of oxygen utilized in the biochemical oxidation of carbonaceous organic matter under standard laboratory procedures for five days at 20° centigrade.

6. Building Sewer. A sewer conveying wastewater from the premises of a user to the POTW.

- ~~6.7.~~Categorical Pretreatment Standard or Categorical Standard. Any regulation containing pollutant discharge limits promulgated by EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. § 1317) which apply to a specific category of users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

- ~~7.8.~~Environmental Protection Agency or EPA. The U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, or other duly authorized official of said agency.

- ~~8.9.~~Existing Source. Any source of discharge, the construction or operation of which commenced prior to the publication by EPA of proposed categorical pretreatment standards, which will be applicable to such

source if the standard is thereafter promulgated in accordance with Section 307 of the Act.

~~9-10.~~ Grab Sample. A sample which is taken from a waste stream without regard to the flow in the waste stream and over a period of time not to exceed fifteen (15) minutes.

~~10-11.~~ Indirect Discharge or Discharge. The introduction of pollutants into the POTW from any nondomestic source regulated under Section 307(b), (c), or (d) of the Act, into the POTW.

~~11-12.~~ Interference. ~~A discharge, which alone or in conjunction with a discharge or discharges from other sources, The~~ inhibitions, or disruptions of the POTW collection system, treatment processes, operations, its sludge or biosolids processes, reclaimed water system, use or disposal which causes or contributes to collection system treatment processes or operations or its sludge and biosolids processes, use or disposal; and therefore, is a cause of a violation of OWASA's collection system and/or NPDES permits or of the prevention of sewage sludge or biosolids use or reclaimed water system requirements or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent State or local ordinances: Section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in any State sludge or biosolids management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

~~12-13.~~ Medical Waste. Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, and potentially contaminated laboratory wastes.

~~13-14.~~ New Source.

(a) Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307(c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:

(1) The building, structure, facility, or installation is constructed at a site at which no other source is located; or

(2) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or

(3) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, shall be considered.

(b) Construction on a site at which an existing source is located results in- a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (1) (2) or (3) above but otherwise alters, replaces, or adds to existing process or production equipment.

(c) Construction of a new source as defined under this paragraph has commenced if the owner or operator has:

(1) Begun, or caused to begin, as part of a continuous onsite construction program;

(i) any placement, assembly, or installation of facilities or equipment; or

(ii) significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or

(2) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

~~4.15.~~ Noncontact Cooling Water. Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

~~15.~~

16. OWASA. The Orange Water and Sewer Authority, Carrboro, North Carolina acting through its Board of Directors.

~~16.~~17. Pass Through. A discharge which exits the POTW into waters of the ~~United~~ States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, ~~is a~~ causes ~~of~~ a violation, including an increase in the magnitude or duration of a violation, of any requirement of OWASA's ~~NPDES~~ collection system permit, ~~including an increase in the magnitude or duration of a violation~~, or a downstream water quality standard even if not included in the permit.

~~17.~~18. Person. Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all Federal, State, and local governmental entities.

19. pH. A measure of the intensity of the acid or base condition of a solution, expressed in standard units. A value of 7 is neutral, below 7 is acidic, and above 7 is basic.

~~18.~~20. Pollutant. Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, metals, BOD, COD, toxicity, and/or odor).

~~19.~~21. Pretreatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW collection system and/or treatment plant. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.

~~20.~~22. Pretreatment Requirements. Any substantive or procedural requirement related to pretreatment imposed on a user, other than a pretreatment standard.

~~21.~~23. Pretreatment Standards or Standards. Pretreatment standards shall mean prohibited discharge standards, categorical pretreatment standards,

~~and or~~ local limits.

24. Prohibited Discharge Standards or Prohibited Discharges. Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 2.2 of this ordinance and are developed under the authority of 307(b) of the Act and 40 CFR, §Section 403.5.

22-25. Publicly Owned Treatment Works or POTW. A "treatment works," as defined by Section 212 of the Act (33 U.S.C. §1292) which is owned by OWASA. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances which convey wastewater to a treatment plant.

23-26. Septic Tank Waste. Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

24-27. Sewage. Human excrement and gray water (household showers, dishwashing operations, etc.).

25-28. Shall is mandatory, and requires compliance: May is permissive and compliance is subject to the discretion of OWASA.

26-29. Significant Industrial User or SIU.

(a) A user subject to categorical pretreatment standards; or

(b) A user that:

(1) ~~d~~Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blowdown wastewater); or

(2) ~~c~~Contributes a process waste stream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or

(3) ~~i~~Is designated as such by OWASA on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement; or

(4) ~~i~~Is found by OWASA, the Division of Water ~~Quality Resources~~ or the U.S. Environmental Protection Agency (EPA) to have the potential for impact, either singly or in combination with other contributing industrial users, on the wastewater treatment system, the quality of sludge or biosolids, the system's effluent quality,

or compliance with any pretreatment standards or requirements.

- (c) Upon a finding that a user meeting the criteria in Subsection (b) has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, OWASA may at any time, on its own initiative or in response to a petition received from a user, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such user should not be considered a significant industrial user.

27.30. Slug Load or Discharge. Any discharge which in concentration of any given constituent or in quantity of flow has a reasonable potential to cause interference or pass-through, or in any other way violates the POTW's regulations, local limits, or User Permit conditions. This can include but is not limited to spills and other accidental discharges; discharges of a non-routine, episodic nature; a non-customary batch discharge; or any other discharge that can cause a violation of the prohibited discharge standards in Section 2.2 of this ordinance.

28.31. Standard Industrial Classification (SIC) Code. A classification pursuant to the Standard Industrial Classification Manual issued by the United States Office of Management and Budget.

32. State. State of North Carolina.

29.33. Storm Water. Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

30.34. Total Suspended Solids. 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 filtering.

31.35. User or Industrial User. A source of indirect discharge.

32.36. Wastewater. Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

37. Wastewater Treatment Plant or Treatment Plant. That portion of the POTW which is designed to provide treatment of municipal sewage and other compatible wastewater.

38. Waters of the State. All streams, rivers, brooks, swamps, sounds, tidal estuaries, bays, creeks, lakes, waterways, reservoirs and all other bodies

or accumulations of water, surface or underground, natural or artificial,
public or private.-

SECTION 2 - GENERAL SEWER USE REQUIREMENTS

2.1 Building Sewers and Connections

No unauthorized person(s) shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining written approval from the Administrator. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the Owner(s). The Owner(s) shall indemnify OWASA from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer provided, however, that such indemnification shall not extend to loss or damage due solely to willful misconduct or negligence on the part of OWASA. Excluding industrial plant sites or other sites which have written approval from the Administrator for single discharge points, 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 private sewer is available or can be constructed to the rear building through an adjoining alley, courtyard, or driveway. The front building may be extended to the rear building and the whole considered as one building sewer; but OWASA does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection aforementioned. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Administrator, to meet all requirements of this ordinance. Existing building sewers may be kept in service if, in the opinion of the Administrator, they are in acceptable structural condition and operate satisfactorily. All new building sewers, including any necessary replacement of existing building sewers, must comply with the state plumbing code. The connection of the building sewer into the public sanitary sewer shall be made in accordance with the Sewer Extension Policy of OWASA.

No person(s) shall make connection of roof downspouts, foundation drains, areaway drains, or other sources of infiltration/inflow to a public sanitary sewer or to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

It shall be the responsibility of the property owner to keep and maintain the building sewer connected to the public sewer in good repair. The Owner shall be responsible for making necessary repairs, at ~~his~~ the Owner's own expense, to the building sewer when notified in writing by the Administrator that repairs are necessary. Should the Owner fail to repair the building sewer within 60 days after receiving written notification by the Administrator that such repairs are necessary, OWASA may make the necessary repairs to the building sewer and shall assess the Owner for the cost of the repairs.

Grease, oil, and sand interceptor sewers shall be provided when, in the opinion of the Administrator, they are necessary for the proper handling of liquid wastes containing floatable oil, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All grease, oil, and sand interceptors shall be of a type and capacity approved by the Administrator, 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(s) at the Owner(s) expense in continuously efficient operation at all times. In the maintaining of these interceptors, the Owner(s) 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 Administrator. Any removal and hauling of the collected materials not performed by Owner(s) personnel must be performed by a currently licensed waste disposal firms.

2.2 Prohibited Discharge Standards

- A. General Prohibitions. No user shall ~~contribute~~ ~~introduce~~ or cause to be ~~introduced~~ contributed, directly or indirectly, into the POTW any pollutant or wastewater which causes pass through or interference. These general prohibitions apply to all users of the POTW whether or not they are subject to categorical pretreatment standards or any other National, State, or local pretreatment standards or requirements.
- B. Specific Prohibitions. No user shall ~~introduce~~ ~~contribute~~ or cause to be ~~introduced~~ contributed into the POTW the following pollutants, substances, or wastewater:
1. Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, waste streams with a closed-cup flashpoint of less than 140°F (60°C) using the test methods specified in 40 CFR 261.21;
 2. Wastewater having a pH less than 6.0 or greater 10.0, or otherwise, having any corrosive characteristics capable of causing damage or hazard to treatment processes, structures, equipment and/or personnel of the POTW;
 3. Trucked or hauled pollutants, except at discharge points designated by the Administrator in accordance with Section 3.4 of this ordinance;
 4. Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the POTW such as, but not limited to: floatable oil, garbage with particles greater than one-half inch (1/2") in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, pottery, casting clays, metal, glass, straw, shavings, grass clippings, rags, flushable wipes, 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;
 5. Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW;

6. Wastewater having a temperature greater than 150°F (66°C), or which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104°F (40°C);
7. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through;
8. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;

9. Hazardous waste as defined under 40 CFR Part 261;

9.10. Wastewater causing the treatment plant effluent to violate State Water Quality Standards for toxic substances as described in 15A NCAC 2B .0200;

~~10.11.~~ Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;

~~11.12.~~ 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 OWASA's NPDES permit;

~~12.13.~~ Wastewater containing any radioactive wastes or isotopes except as specifically approved by the Administrator in compliance with applicable State or Federal regulations;

14. Storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, noncontact cooling water, and unpolluted wastewater, unless specifically authorized by the Administrator;

~~13.15.~~ No elevator sump, dumpster pad; heating, ventilating, and air conditioning (HVAC) condensate; or swimming pool filter backwash connection shall be installed or used by a user connected to the OWASA wastewater system unless first reviewed and approved by the Administrator (see section 2.9 for Guidelines);

~~14.16.~~ Sludges, screenings, or other residues from the pretreatment of industrial wastes;

~~15.17.~~ Medical wastes, except as specifically authorized by the Administrator in a wastewater discharge permit;

18. Materials containing ammonia, ammonia salts or other chelating agents which will produce metallic complexes that interfere with the POTW;

19. Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test or violate any applicable Water Quality Standards;

~~16.~~20. Recognizable portions of the human or animal anatomy;

17.21. Wastes containing Ddetergents, surface-active agents, or other substances which may cause excessive foaming in the POTW;

18.22. Fats, oils, or greases of animal or vegetable origin in concentrations greater than 325 mg/l, as identified by EPA Method 1664 or 275 mg/l as identified by EPA Method 413 unless authorized by the Administrator;

19.23. Wastewater causing two readings on an explosion hazard meter at the point of discharge into the POTW, or at any point in the POTW, of more than five percent (5%) or any single reading over ten percent (10%) of the Lower Explosive Limit of the meter. Materials specifically prohibited from discharge into the POTW include gasoline, kerosene, naphtha, fuel oil, paints, solvents, or any other substance which may cause a fire or explosives hazards to the POTW;

20.24. Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludges, biosolids, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge or biosolids use or disposal regulations or permits issued under section 405 of the Act; the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State criteria applicable to the biosolids management method being used.

Pollutants, substances, or wastewater prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the POTW.

2.3 National Categorical Pretreatment Standards

Users subject to ~~The~~ categorical pretreatment standards are required to comply with applicable standards as set out in ~~found at~~ 40 CFR Chapter I, Subchapter N, Parts 405-471, which are hereby incorporated by reference.

- A. Where a categorical pretreatment standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the Administrator may impose equivalent concentration or mass limits in accordance with 40 CFR 403.6(c).

- B. When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the Administrator shall impose an alternate limit using the combined wastestream formula in 40 CFR 403.6(e).
- C. A user may obtain a variance from a categorical pretreatment standard if the user can prove, pursuant to the procedural and substantive provisions in 40 CFR 403.13, that factors relating to its discharge are fundamentally different from the factors considered by EPA when developing the categorical pretreatment standard.
- D. A user may obtain a net gross adjustment to a categorical standard in accordance with 40 CFR 403.15.

2.4 State Requirements

State requirements and limitations on discharges shall apply in any case where they are more stringent than Federal requirements and limitations or those in this ordinance.

2.5 Local Limits

Specific pollutant limitations may be established by OWASA through an industrial user permit to prevent discharge of any wastewater which may interfere with the proper operation of the POTW. The following pollutant limits are established to protect against pass through and interference. No person shall discharge wastewater containing in excess of the following average discharge limits unless authorized by OWASA through an individual permit:

- 25.0 mg/l ammonia nitrogen
- 1.5 mg/l antimony
- 0.003 mg/l arsenic
- 205 mg/l ~~CBOD5~~cBOD5
- 0.003 mg/l cadmium
- 0.05 mg/l chromium
- 0.061 mg/l copper
- 0.015 mg/l cyanide
- 0.049 mg/l lead
- 0.0003 mg/l mercury
- 0.003 mg/l molybdenum
- 0.021 mg/l nickel
- 0.011 mg/l selenium
- 0.005 mg/l silver
- 40.0 mg/l total kjeldahl nitrogen

- 5.0 mg/l total phenols
- 6.5 mg/l total phosphorus
- 235 mg/l total suspended solids
- 0.175 mg/l zinc

The above limits apply at the point where the wastewater is discharged to the POTW. All concentrations for metallic substances are for "total" metal unless indicated otherwise. The Administrator may impose mass limitations in addition to, or in place of, the concentration-based limitations above.

2.6 Pharmaceutical Waste

Unused pharmaceuticals (both over the counter and prescription only medications) should be disposed of following State and Federal Regulations and using best management practices and should not be disposed of in the sanitary sewer system. The North Carolina Division of Waste Management's Safe Management of Household Waste Pharmaceutical Waste Guidance Document states "*To avoid the potential risks associated with household hazardous wastes [HHW] it is important that people always monitor the use, storage, and disposal of products with potentially hazardous substances in their homes. Improper disposal of HHW can include pouring them down the drain, on the ground, into storm sewers, or in some cases putting them out with the regular trash.*

The dangers of such disposal methods might not be immediately obvious, but improper disposal of these wastes can pollute the environment and pose a threat to human health. Certain types of HHW have the potential to cause physical injury to sanitation workers, contaminate septic tanks or wastewater treatment systems if poured down drains or toilets. They can also present hazards to children and pets if left around the house. Do not dispose of any drug or chemical in the commode or drain".

2.7 OWASA's Right of Revision

OWASA reserves the right to establish, by ordinance or in wastewater discharge permits, more stringent standards or requirements on discharges to the POTW.

2.8 Dilution

No user shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable pretreatment standard or requirement. The Administrator may impose mass limitations on users who are using dilution to meet applicable pretreatment standards or requirements, or in other cases when the imposition of mass limitations is appropriate.

2.8.2.9 Guidelines for Elevator Sumps, Dumpster Pads, HVAC Condensate and Swimming Pool Backwash

No elevator sump, dumpster pad, heating, ventilating, and air conditioning (HVAC) condensate, or swimming pool filter backwash connection shall be installed and used by a customer connected to the OWASA wastewater system unless first reviewed and approved by OWASA.

Generally, it is recognized that these discharges are of a minor volume and will not be charged fees. If any of these discharges are of a significant volume, fees will be charged in accordance with the OWASA Schedule of Rates and Fees.

- A. Elevator Sumps. In a situation where an elevator pit requires a drain or sump that must be connected to the wastewater system, either an oil/water separator or Oil-Minder Control System, or equivalent system, must be installed on the private service line. A plumbing plan showing the connections to the sewer must be submitted to OWASA's Engineering department for review and approval.
- B. Dumpster Pads. In a situation where a solid waste dumpster pad requires a drain to the sewer, the area around the dumpster pad must be graded so that all stormwater drains away from the pad and only the concrete pad itself drains to the sewer. The area of the dumpster pad should be limited to the minimum dimensions necessary to hold the dumpster. An oil/water separator must be installed on the private service line. A plan showing grading, the oil/water separator, and service line must be submitted to OWASA's Engineering department for review and approval.
- C. HVAC Condensate. In a situation where HVAC condensate treated with a biocide or other form of chemical treatment is proposed to be discharged to the wastewater system, the NCDEQ Division of Water Quality's "Biocide/Chemical Treatment Worksheet – Form 101" or other approved OWASA form must be completed by the applicant and submitted to OWASA. Chemicals used in the treatment on HVAC condensate can be harmful to the biological processes at the WWTP and substances can pass-through the WWTP causing violations of the NPDES permits. Plumbing and site plans showing the connection to the sewer system must also be submitted to OWASA's Engineering department for review and approval.
- D. Swimming Pool Filter Backwash. In a situation where a swimming pool filter backwash systems is proposed to discharge to the wastewater collection system, plumbing and site plans showing the connection to the sewer system must be submitted to OWASA's Engineering department for review and approval. Outdoor swimming pool perimeter drains are not allowed to be connected to the wastewater collection system. Swimming pools may not be drained to the sanitary sewer system without prior approval by the Administrator.

~~No user shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable pretreatment standard or requirement. The Administrator may impose mass limitations on users who are using dilution to meet applicable pretreatment standards or requirements, or in other cases when the imposition of mass limitations is appropriate.~~

SECTION 3 - PRETREATMENT OF WASTEWATER

3.1 Pretreatment Facilities

Users shall provide wastewater treatment as necessary to comply with this ordinance and shall achieve compliance with all categorical pretreatment standards, local limits, and the prohibitions set out in Section 2.2 of this ordinance within the time limitations specified by EPA, the State, or the Administrator, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the user's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the Administrator for review, and shall be acceptable to the Administrator before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the user from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to OWASA under the provisions of this ordinance. Any subsequent changes to the pretreatment facilities or method of operations shall be reported to and be acceptable by the Administrator prior to the user's initiation of the changes.

3.2 Additional Pretreatment Measures

- A. Whenever deemed necessary, the Administrator may require users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged 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 user's compliance with the requirements of this ordinance.
- B. The Administrator may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. 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 Administrator, 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 Administrator 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 user at their expense.
- D. Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

3.3 Accidental Discharge/Slug Control Plans

- A. The Administrator shall evaluate whether each significant industrial user needs a plan or other action to control and prevent slug discharges and accidental discharges as defined in section 1.3(B)(30). All SIUs must be evaluated within

~~one year of being designated an SIU. The Administrator may require any user to develop, submit for approval, and implement such a plan or other specific action. Alternatively, the Administrator may develop such a plan for any user. At least once every two (2) years, the Administrator shall evaluate whether each significant industrial user needs a plan to control and prevent slug discharges and accidental discharges as defined in Section 1.3(B)(29). All significant industrial users must be evaluated within one year of being designated a significant industrial user. The Administrator may require any user to develop, submit for approval, and implement such a plan. Alternatively, the Administrator may develop such a plan for any user.~~

A.B. All significant industrial users are required to notify the Administrator immediately of any changes at its facility affecting the potential for spills and other accidental discharge, discharge of non-routine, episodic nature, a non-customary batch discharge, or a slug load. Also, see sections 6.5 and 6.6.

B.C. An accidental discharge/slug control plan shall address, at a minimum, the following:

1. Description of discharge practices, including nonroutine batch discharges;
2. Description of stored chemicals;
3. Procedures for immediately notifying the Administrator of any accidental or slug discharge, as required by Section 6.6 of this ordinance; and
4. 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 runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

3.4 Hauled Wastewater

- A. Septic tank waste may be introduced into the POTW only at locations designated by the Administrator, and at such times as are established by the Administrator. Such waste shall not violate Section 2 of this ordinance or any other requirements established by OWASA. The Administrator may require septic tank waste haulers to obtain wastewater discharge permits for use of OWASA's facility.
- B. The Administrator shall require haulers of industrial waste to obtain wastewater discharge permits. The Administrator may require generators of hauled industrial waste to obtain wastewater discharge permits. The Administrator also may prohibit the disposal of hauled industrial waste. The discharge of hauled industrial waste is subject to all other requirements of this ordinance.

- C. Industrial waste haulers may discharge loads only at locations designated by the Administrator. No load may be discharged without prior consent of the Administrator. The Administrator may collect samples of each hauled load to ensure compliance with applicable standards. The Administrator may require the industrial waste hauler to provide a waste analysis of any load prior to discharge.

- D. Industrial waste haulers must provide a waste-tracking form for every load. This form shall include, at a minimum, the name and address of the industrial waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The form shall identify the type of industry, known or suspected waste constituents, and whether any wastes are RCRA hazardous waste.

SECTION 4 - WASTEWATER DISCHARGE PERMIT APPLICATION

4.1 Wastewater Analysis

It shall be unlawful for any person to connect or discharge to the POTW without first obtaining the permission of OWASA. When requested by the Administrator, a user must submit information on the nature and characteristics of its wastewater within thirty (30) days of the request. The Administrator is authorized to prepare a form for this purpose and may periodically require users to update this information.

4.2 Wastewater Discharge Permit Requirement

- A. No significant industrial user shall discharge wastewater into the POTW without first obtaining a wastewater discharge permit from the Administrator, except that a significant industrial user that has filed a timely application pursuant to Section 4.3 of this ordinance may continue to discharge for the time period specified therein.
- B. The Administrator may require other users to obtain wastewater discharge permits as necessary to carry out the purposes of this ordinance.
- C. Any violation of the terms and conditions of a wastewater discharge permit shall be deemed a violation of this ordinance and subjects the wastewater discharge permittee to the sanctions set out in Sections 10 through 12 of this ordinance. Obtaining a wastewater discharge permit does not relieve a permittee of its obligation to comply with all Federal and State pretreatment standards or requirements or with any other requirements of Federal, State, and local law.

4.3 Wastewater Discharge Permitting: Existing Connections

Any user required to obtain a wastewater discharge permit who was discharging wastewater into the POTW prior to the effective date of this ordinance and who wishes to continue such discharges in the future, shall, within thirty (30) days after said date, apply to the Administrator for a wastewater discharge permit in accordance with Section 4.5 of this ordinance, and shall not cause or allow discharges to the POTW to continue after sixty (60) days of the effective date of this ordinance except in accordance with a wastewater discharge permit issued by the Administrator.

4.4 Wastewater Discharge Permitting: New Connections

Any user required to obtain a wastewater discharge permit who proposes to begin or recommence discharging into the POTW must obtain such permit prior to the beginning or recommencing of such discharge. An application for this wastewater discharge permit, in accordance with Section 4.5 of this ordinance, must be filed at least sixty (60) days prior to the date upon which any discharge will begin or recommence.

4.5 Wastewater Discharge Permit Application Contents

All users required to obtain a wastewater discharge permit must submit a permit application. The Administrator may require all users to submit as part of an application the following information:

- A. All information required by Section 6.1(B) of this ordinance;
- B. Description of activities, facilities, and plant processes on the premises, including a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW;
- C. Number and type of employees, hours of operation, and proposed or actual hours of operation;
- D. Each product produced by type, amount, process or processes, and rate of production;
- E. Type and amount of raw materials processed (average and maximum per day);
- F. Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge;
- G. Time and duration of discharges; ~~and~~
- H. Description of current and projected waste reduction activities in accordance with G.S. 143-215.1(g); and
- ~~H.I.~~ Any other information as may be deemed necessary by the Administrator to evaluate the wastewater discharge permit application. Incomplete or inaccurate applications will not ~~be~~ processed and will be returned to the applicant for revision.

4.6 Application Signatories and Certification

All wastewater discharge permit applications and user reports must be signed by the current authorized representative of the user on file with the Administrator as defined in Section 1.3(B)(4) and contain the following certification statement:

"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."

4.7 Wastewater Discharge Permit Decisions

The Administrator will evaluate the data furnished by the user and may require additional information. Within sixty (60) days of receipt of a complete wastewater discharge permit application, the Administrator will determine whether or not to issue a wastewater discharge permit. The Administrator may deny any application for a wastewater discharge permit.

SECTION 5 - WASTEWATER DISCHARGE PERMIT ISSUANCE PROCESS

5.1 Wastewater Discharge Permit Duration

A wastewater discharge permit shall be issued for a specified time period, not to exceed five (5) years from the effective date of the permit. A wastewater discharge permit may be issued for a period less than five (5) years, at the discretion of the Administrator. Each wastewater discharge permit will indicate a specific date upon which it will expire.

5.2 Wastewater Discharge Permit Contents

A wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the Administrator to prevent pass through or interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate biosolids or sludge management and disposal, and protect against damage to the POTW.

A. Wastewater discharge permits will contain:

1. A statement that indicates wastewater discharge permit duration, which in no event shall exceed five (5) years;
2. A statement that the wastewater discharge permit is nontransferable without prior notification to OWASA in accordance with Section 5.5 of this ordinance, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;
3. Effluent limits based on applicable pretreatment standards;
4. Self-monitoring sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law and made available to OWASA upon request;
5. Requirements for notifying the Administrator in the event of an accidental discharge or slug load as defined in Section 1.3(B)(29);
6. Requirements to implement a Plan or other controls for prevention of accidental discharges and/or slug loads as defined in Section 1.3(B)(29), if determined by the Administrator to be necessary for the User; and
7. Requirements for immediately notifying the Administrator of any changes at its facility affecting the potential for spills and other accidental discharges, or slug load as defined in 1.3(B)(29). Also see Section 6.5 and 6.6.

8. A statement of applicable civil and/or criminal penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law.
- B. Wastewater discharge permits may contain, but are not be limited to, the following conditions:
1. Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow ordinance and equalization;
 2. Limits on the instantaneous, daily and/or monthly average and/or maximum concentration, mass, or other measure of identified wastewater pollutants or properties;
 3. Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works;
 4. Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;
 5. The unit charge or schedule of user charges and fees for the management of the wastewater discharged to the POTW;
 6. Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types, and standards for tests, and reporting schedules.
 7. Requirements for immediate reporting of any instance of noncompliance and for automatic resampling and reporting within (30) days where self-monitoring indicates a violation(s)
 8. Compliance schedules for meeting pretreatment standards and requirements.
 9. Requirements for submission of periodic self-monitoring or special notification reports.
 10. Requirements from maintaining and retaining plans and records relating to wastewater discharges as specified in Section 6.12 and affording the Administrator, or his/her representatives, access thereto.
 11. Requirements for the prior notification and approval by the Administrator of any change in the manufacturing and/or pretreatment process used by the permittee.

~~6.12.~~ Requirements for installation and maintenance of inspection and sampling facilities and equipment;

~~7.13.~~ A statement that compliance with the wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State pretreatment standards, including those which become effective during the term of the wastewater discharge permit; and

~~8.14.~~ Other conditions as deemed appropriate by the Administrator to ensure compliance with this ordinance, and State and Federal laws, rules, and ordinances.

5.3 Wastewater Discharge Permit Appeals

Any person, including the user, may petition the Administrator to reconsider the terms of a wastewater discharge permit within fifteen (15) days of notice of its issuance.

- A. Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.
- B. In its petition, the appealing party must indicate the wastewater discharge permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to place in the wastewater discharge permit.
- C. The effectiveness of the wastewater discharge permit shall not be stayed pending the appeal.
- D. If the Administrator fails to act within thirty (30) days, a request for reconsideration shall be deemed to be denied. Decisions not to reconsider a wastewater discharge permit, not to issue a wastewater discharge permit, or not to modify a wastewater discharge permit shall be considered final administrative actions for purposes of judicial review.
- E. Aggrieved parties seeking judicial review of the final administrative wastewater discharge permit decision must do so by filing a complaint with the North Carolina Office of Administrative Hearings within thirty (30) days following the Administrator's decision.

5.4 Wastewater Discharge Permit Modification

The Administrator may modify a wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- A. To incorporate any new or revised Federal, State, or local pretreatment standards or requirements;
- B. To address significant alterations or additions to the user's operation, processes, or wastewater volume or character since the time of wastewater discharge permit issuance;

- C. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
- D. Information indicating that the permitted discharge poses a threat to OWASA's POTW, OWASA's personnel, or the receiving waters;
- E. Violation of any terms or conditions of the wastewater discharge permit;
- F. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
- G. Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13;
- H. To correct typographical or other errors in the wastewater discharge permit; or
- I. To reflect a transfer of the facility ownership or operation to a new owner or operator.

5.5 Wastewater Discharge Permit Transfer

Wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least sixty (60) days advance notice to the Administrator and the Administrator approves the wastewater discharge permit transfer. The notice to the Administrator must include a written certification by the new owner or operator which:

- A. States that the new owner and/or operator has no immediate intent to change the facility's operations and processes;
- B. Identifies the specific date on which the transfer is to occur; and
- C. Acknowledges full responsibility for complying with the existing wastewater discharge permit.

Failure to provide advance notice of a transfer renders the wastewater discharge permit void as of the date of facility transfer.

5.6 Wastewater Discharge Permit Revocation

The Administrator may revoke a wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- A. Failure to notify the Administrator of significant changes to the wastewater prior to the changed discharge;
- B. Failure to provide prior notification to the Administrator of changed conditions pursuant to Section 6.5 of this ordinance;

- C. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- D. Falsifying self-monitoring reports;
- E. Tampering with monitoring equipment;
- F. Refusing to allow the Administrator timely access to the facility premises and records;
- G. Failure to meet effluent limitations;
- H. Failure to pay fines;
- I. Failure to pay sewer charges;
- J. Failure to meet compliance schedules;
- K. Failure to complete a wastewater survey or the wastewater discharge permit application;
- L. Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- M. Violation of any pretreatment standard or requirement, or any terms of the wastewater discharge permit or this ordinance.

Wastewater discharge permits shall be voidable upon cessation of operations or transfer of business ownership. All wastewater discharge permits issued to a particular user are void upon the issuance of a new wastewater discharge permit to that user.

5.7 Wastewater Discharge Permit Reissuance

A user with an expiring wastewater discharge permit shall apply for wastewater discharge permit reissuance by submitting a complete permit application, in accordance with Section 4.5 of this ordinance, a minimum of ninety (90) days prior to the expiration of the user's existing wastewater discharge permit.

5.8 Regulation of Waste Received from Other Jurisdictions

- A. If another municipality, or user located within another municipality, contributes wastewater to the POTW, the Administrator shall enter into an intermunicipal agreement with the contributing municipality.
- B. Prior to entering into an agreement required by paragraph A, above, the Administrator shall request the following information from the contributing municipality:
 - 1. A description of the quality and volume of wastewater discharged to the

- POTW by the contributing municipality;
2. An inventory of all users located within the contributing municipality that are discharging to the POTW; and
 3. Such other information as the Administrator may deem necessary.
- C. An intermunicipal agreement, as required by paragraph A, above, shall contain the following conditions:
1. A requirement for the contributing municipality to adopt a sewer use ordinance which is at least as stringent as this ordinance and local limits which are at least as stringent as those set out in Section 2.5 of this ordinance. The requirement shall specify that such ordinance and limits must be revised as necessary to reflect changes made to OWASA's ordinance or local limits;
 2. A requirement for the contributing municipality to submit a revised user inventory on at least an annual basis;
 3. A provision specifying which pretreatment implementation activities, including wastewater discharge permit issuance inspection and sampling, and enforcement, will be conducted by the contributing municipality; which of these activities will be conducted by the Administrator; and which of these activities will be conducted jointly by the contributing municipality and the Administrator;
 4. A requirement for the contributing municipality to provide the Administrator with access to all information that the contributing municipality obtains as part of its pretreatment activities;
 5. Limits on the nature, quality, and volume of the contributing municipality's wastewater at the point where it discharges to the POTW;
 6. Requirements for monitoring the contributing municipality's discharge;
 7. A provision ensuring the Administrator access to the facilities of users located within the contributing municipality's jurisdictional boundaries for the purpose of inspection, sampling, and any other duties deemed necessary by the Administrator; and
 8. A provision specifying remedies available for breach of the terms of the intermunicipal agreement.

SECTION 6 - REPORTING REQUIREMENTS

6.1 Baseline Monitoring Reports

- A. Within either one hundred eighty (180) days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing categorical users currently discharging to or scheduled to discharge to the POTW shall submit to the Administrator a report which contains the information listed in paragraph B, below. At least ninety (90) days prior to commencement of their discharge, new sources, and sources that become categorical users subsequent to the promulgation of an applicable categorical standard, shall submit to the Administrator a report which contains the information listed in paragraph B, below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.
- B. Users described above shall submit the information set forth below.
1. Identifying Information. The name and address of the facility, including the name of the operator and owner.
 2. Environmental Permits. A list of any environmental control permits held by or for the facility.
 3. Description of Operations. A brief description of the nature, average rate of production, and standard industrial classifications of the operation(s) carried out by such user. This description ~~should~~ shall include a schematic process diagram which indicates points of discharge to the POTW from the regulated processes.
 4. Flow Measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in 40 CFR 403.6(e). Calibration records shall be maintained on site and made available to OWASA upon request.
 5. Measurement of Pollutants.
 - (a) The categorical pretreatment standards applicable to each regulated process.
 - (b) The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the Administrator, of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum, and long-term

average concentrations, or mass, where required, shall be reported. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Section 6.9 of this ordinance.

(c) Sampling must be performed in accordance with procedures set out in Section 6.10 of this ordinance and 40 CFR 403.12(b) and (g), including 40 CFR.12 (g)(4).

6. Certification. A statement, reviewed by the user's current authorized representative as defined in Section 1.3(B)(4) and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.
7. Compliance Schedule. If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment and/or O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this section must meet the requirements set out in Section 6.2 of this ordinance.
8. Signature and Certification. All baseline monitoring reports must be signed and certified in accordance with Section 4.6 of this ordinance.

6.2 Compliance Schedule Progress Reports

The following conditions shall apply to the compliance schedule required by Section 6.1(B)(7) of this ordinance:

- A. The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);
- B. No increment referred to above shall exceed nine (9) months;
- C. The user shall submit a progress report to the Administrator no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the user to return to the established schedule; and
- D. In no event, shall more than nine (9) months elapse between such progress reports to the Administrator.

6.3 Reports on Compliance with Categorical Pretreatment Standard Deadline

Within ninety (90) days following the date for final compliance with applicable categorical pretreatment standards, or in the case of a new source following commencement of the introduction of wastewater into the POTW, any user subject to such pretreatment standards and requirements shall submit to the Administrator a report containing the information described in Section 6.1(B)(4-6) of this ordinance. For users subject to equivalent mass or concentration limits established in accordance with the procedures in 40 CFR 403.6(c), this report shall contain a reasonable measure of the user's long-term production rate. For all other users subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation) this report shall include the user's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Section 4.6 of this ordinance.

6.4 Periodic Compliance Reports

- A. All significant industrial users shall, at a frequency determined by the Administrator but in no case less than once every six months, submit a report indicating the nature and concentration of pollutants in the discharge which are limited by pretreatment standards and the applicable flows for the reporting period. Sampling and analysis must be performed in accordance with procedures set out in Sections 6.9 and 6.10 of this ordinance. All periodic compliance reports must be signed and certified in accordance with Section 4.6 of this ordinance.
- B. If a user subject to the reporting requirement in this section monitors any pollutant more frequently than required by the Administrator, using the procedures prescribed in Section 6.9 and 6.10 of this ordinance, the results of this monitoring shall be included in the report.

6.5 Reports of Changed Conditions

Each user must notify the Administrator of any planned significant changes to the user's operations or system which might alter the nature, quality, or volume of its wastewater at least thirty (30) days before the change. The permittee shall not begin the changes until receiving written approval from ~~OWASA~~the Administrator. See Section 6.6(D) for other reporting requirements.

- A. The Administrator may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under Section 4.5 of this ordinance.
- B. The Administrator may issue a wastewater discharge permit under Section 4.7 of this ordinance or modify an existing wastewater discharge permit under Section 5.4 of this ordinance in response to changed conditions or anticipated changed conditions.

- C. For purposes of this requirement, significant changes include, but are not limited to, flow or pollutant increases of twenty percent (20%) or greater, and the discharge of any previously unreported pollutants. This includes, increases or decreases to production; increases in discharge of previously reported pollutants; discharge of pollutants not previously reported to OWASA; new or changed product lines; new or changed manufacturing processes and/or chemicals; or new or changed customers.

6.6 Reports of Potential Problems

- A. In the case of any discharge, including, but not limited to, accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch discharge, or a slug load as defined in Section 1.3(B)(29), that may cause potential problems for the POTW, the user shall immediately telephone and notify the Administrator of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the user.
- B. Within five (5) days following such discharge, the user shall, unless waived by the Administrator, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability which may be imposed pursuant to this ordinance.
- C. A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a discharge described in paragraph A, above. Employers shall ensure that all employees, who may cause such a discharge to occur, are advised of the emergency notification procedure.
- D. All significant industrial users are required to notify the Administrator immediately of any changes at its facility affecting the potential for spills and other accidental discharge, discharge of a non-routine, episodic nature, a non-customary batch discharge, or a slug load as defined in Section 1.3(B)(29).

6.7 Reports from Unpermitted Users

All users not required to obtain a wastewater discharge permit shall provide appropriate reports to the Administrator as the Administrator may require.

6.8 Notice of Violation/Repeat Sampling and Reporting

- A. If sampling performed by a user indicates a violation, the user must notify the Administrator within twenty-four (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 Administrator within thirty (30) days after becoming aware of the violation. If allowed by the Administrator, the user is not required to resample:

1. if the Administrator monitors at the user's facility at least once a month; or
 2. if the Administrator samples between the user's initial sampling and when the user receives the results of this sampling.
- B. If the Administrator ~~does not require the user to perform any self monitoring~~ has performed the sampling and analysis in lieu of the user and the POTW sampling of the user indicates a violation, the Administrator shall repeat the sampling and obtain results of the repeat analysis within thirty (30) days after becoming aware of the violations, unless one of the following occurs:
1. the Administrator monitors the user's facility at least once a month; or
 2. the Administrator samples the user between their initial sampling and when the POTW receives the results of this initial sampling; or
 3. the Administrator requires the user to perform sampling and submit the results to the Administrator within the thirty (30) day deadline of the POTW becoming aware of the violation.

6.9 Analytical Requirements

All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed by a laboratory certified by the state to perform the wastewater analysis in accordance with the techniques prescribed in 40 CFR Part 136, unless otherwise specified in an applicable categorical pretreatment standard or unless otherwise performed in accordance with procedures approved by EPA or OWASA. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, sampling and analyses must be performed in accordance with procedures approved by EPA and OWASA. Analyses must be performed by a State certified lab for each parameter analyzed, if such certification exists for that parameter.

6.10 Grab and Composite Sample Collection

- A. All wastewater samples must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a user to keep its monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.

~~A.B.~~ _____ Grab Samples must be used for pH, cyanide, total phenols, oil and grease,

sulfide, volatile organic compounds, and any other pollutants as required by 40 CFR 136. The Administrator shall determine the number of grabs necessary to be representative of the user's discharge. See 40 CFR 403.12(g)(5) for additional grab sample number requirements for baseline monitoring reports and 90 day compliance reports. Additionally, the Administrator may allow collection of multiple grabs during a 24 hour period which are composited prior to analysis as allowed under 40 CFR 136.

B-C. Composite Samples: All wastewater composite samples shall be collected with a minimum of hourly aliquots or grabs for each hour that there is a discharge. All wastewater composite samples shall be collected using flow proportional composite collection techniques, unless time-proportional composite sampling or grab sampling is authorized by the Administrator. When authorizing time-proportional composites or grabs, the samples must be representative and the decision to allow the alternate sampling must be documented.

6.11 Timing

Written reports will be deemed to have been submitted on the date postmarked. For reports, which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.

6.12 Record Keeping

Users subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance and any additional records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the user or OWASA, or where the user has been specifically notified of a longer retention period by the Administrator.

SECTION 7 - COMPLIANCE MONITORING

7.1 Right of Entry: Inspection and Sampling

~~The Administrator~~OWASA shall have the right to enter the premises of any user to determine whether the user is complying with all requirements of this ordinance and any wastewater discharge permit or order issued hereunder. Users shall allow ~~the Administrator~~OWASA ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying and the performance of any additional duties.

- A. Where a user has security measures in force which require proper identification and clearance before entry into its premises, the user shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, OWASA ~~the Administrator~~ will be permitted to enter without delay for the purposes of performing specific responsibilities.
- B. ~~The Administrator~~OWASA shall have the right to set up on the user's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the user's operations.
- C. ~~The Administrator~~OWASA may require the user to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the user at its own expense. All devices used to measure wastewater flow and quality shall be calibrated in accordance with the manufacturer's recommendations to ensure their accuracy. Records shall be made available to OWASA upon request.
- D. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the user at the written or verbal request of ~~the Administrator~~OWASA and shall not be replaced. The costs of clearing such access shall be borne by the user.
- E. Unreasonable delays in allowing the ~~Administrator~~OWASA access to the user's premises shall be a violation of this ordinance.

7.2 Search Warrants

If ~~the Administrator~~OWASA has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of OWASA designed to verify compliance with this ordinance or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then ~~the Administrator~~OWASA may seek issuance of a search warrant from the North Carolina General Court of Justice.

SECTION 8 - CONFIDENTIAL INFORMATION

Information and data on a user obtained from reports, surveys, wastewater discharge permit applications, wastewater discharge permits, and monitoring programs, and from the Administrator's inspection and sampling activities, shall be available to the public without restriction, unless the user specifically requests, and is able to demonstrate to the satisfaction of the Administrator, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable State law. Any such request must be asserted at the time of submission of the information or data.

When requested and demonstrated by the user furnishing a report that such information ~~should~~shall be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other "effluent data" as defined by 40 CFR 2.302 will not be recognized as confidential information and will be available to the public without restriction.

SECTION 9 - PUBLICATION OF USERS IN SIGNIFICANT NONCOMPLIANCE

The Administrator shall publish annually, in a newspaper of general circulation that provides meaningful public notice within OWASA's service area, a list of the users which, during the previous twelve (12) months, were in significant noncompliance with applicable pretreatment standards and requirements. The term significant noncompliance shall mean:

- A. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of wastewater measurements taken during a six (6) month period exceed the daily maximum limit or average limit for the same pollutant parameter by any amount;
- B. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six (6) month period are equal to or greater than the product of the daily maximum limit or the average limit multiplied by the applicable criteria (1.4 for ~~CBOD~~cBOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
- C. Any other discharge violation that the Administrator believes has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of POTW personnel or the general public;
- D. Any discharge of pollutants that has caused imminent endangerment to the public or to the environment, or has resulted in the Administrator's exercise of emergency authority to halt or prevent such a discharge;
- E. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;
- F. Failure to provide within thirty (30) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical pretreatment standard deadlines, periodic self-monitoring reports, and reports on conformance with compliance schedules;
- G. Failure to accurately report noncompliance; or
- H. Any other violation(s) which the Administrator determines will adversely affect the operation or implementation of the local pretreatment program.

SECTION 10 - ADMINISTRATIVE ENFORCEMENT REMEDIES

10.1 Notification of Violation

When the Administrator finds that a user has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the Administrator may serve upon that user a written Notice of Violation. Within fifteen (15) days of the receipt of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the user to the Administrator. Submission of this plan in no way relieves the user of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this section shall limit the authority of the Administrator to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

10.2 Consent Orders

The Administrator may enter into Consent Orders, assurances of voluntary compliance, or other similar documents establishing an agreement with any user responsible for noncompliance. Such documents will include specific action to be taken by the user to correct the noncompliance within a time period specified by the document. Such documents shall have the same force and effect as the administrative orders issued pursuant to Sections 10.4 and 10.5 of this ordinance and shall be judicially enforceable.

10.3 Show Cause Hearing

The Administrator may order a user which has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, to appear before the Administrator and show cause why the proposed enforcement action ~~should~~shall not be taken. Notice shall be served on the user specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the user show cause why the proposed enforcement action ~~should~~shall not be taken. The notice of the meeting ~~shall~~ be served personally or by registered or certified mail (return receipt requested) at least fifteen (15) days prior to the hearing. Such notice may be served on any authorized representative of the user. A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the user.

10.4 Compliance Orders

When the Administrator finds that a user has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the Administrator may issue an order to the user responsible for the discharge directing that the user come into compliance within a specified time. If the user does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. OWASA may disconnect or permanently block from the wastewater system of OWASA the private sewer of any user

whose permission to discharge has been revoked if such action is necessary to insure compliance with the order of revocation. Action to enforce compliance with the order of permission to discharge may include at the discretion of the Administrator, termination of public water service provided by OWASA. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a pretreatment standard or requirement, nor does a compliance order relieve the user of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the user.

10.5 Cease and Desist Orders

When the Administrator finds that a user has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, or that the user's past violations are likely to recur, the Administrator may issue an order to the user directing it to cease and desist all such violations and directing the user to:

- A. Immediately comply with all requirements; and
- B. Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge.

Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the user.

10.6 Administrative Fines

- A. When the Administrator finds that a user has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the Administrator may fine such user in an amount not to exceed \$1,000 per day. Such fines may be assessed on a per violation, per day basis. In the case of monthly or other long-term average discharge limits, fines shall be assessed for each day during the period of violation.
- B. Unpaid charges, fines, and penalties shall, after thirty (30) calendar days, be assessed an additional penalty of one hundred percent (100%) of the unpaid balance, and interest shall accrue thereafter at a rate of one and one-half percent (1.5%) per month. A lien against the user's property will be sought for unpaid charges, fines, and penalties.
- C. Users desiring to dispute such fines must file a written request for the Administrator to reconsider the fine along with full payment of the fine amount within fifteen (15) days of being notified of the fine. Where a request has merit, the Administrator may convene a hearing on the matter. In the event the user's

appeal is successful, the payment, together with any interest accruing thereto, shall be returned to the user. The Administrator may add the costs of preparing administrative enforcement actions, such as notices and orders, to the fine.

- D. Issuance of an administrative fine shall not be a bar against, or a prerequisite for, taking any other action against the user.

10.7 Emergency Suspensions

The Administrator may immediately suspend sewer service to a user, after informal notice to the user, whenever such suspension is necessary to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons. The Administrator may also immediately suspend sewer service to a user, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or which presents, or may present, an endangerment to the environment.

- A. Any user notified of a suspension of its sewer service shall immediately stop or eliminate its contribution. In the event of a user's failure to immediately comply voluntarily with the suspension order, the Administrator may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The Administrator may allow the user to recommence its discharge when the user has demonstrated to the satisfaction of the Administrator that the period of endangerment has passed, unless the termination proceedings in Section 10.8 of this ordinance are initiated against the user.
- B. A user that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the Administrator prior to the date of any show cause or termination hearing under Sections 10.3 or 10.8 of this ordinance. Nothing in this section shall be interpreted as requiring a hearing prior to any emergency suspension under this section.

10.8 Termination of Permission to Discharge

The Administrator may revoke permission to discharge for good cause, including, but not limited to, the following reasons:

- A. Violation of wastewater discharge permit conditions;
- B. Failure to accurately report the wastewater constituents and characteristics of its discharge;
- C. Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;

- D. Refusal of reasonable access to the user's premises for the purpose of inspection, monitoring, or sampling; or,
- E. Violation of the pretreatment standards in Section 2 of this ordinance or any applicable State and Federal Regulations.

Such user will be notified of the proposed termination of its sewer service and be offered an opportunity to show cause as provided for under Section 10.3 of this ordinance why the proposed action ~~should~~shall not be taken. Exercise of this option by the Administrator shall not be a bar to, or a prerequisite for, taking any other action against the user.

SECTION 11 - JUDICIAL ENFORCEMENT REMEDIES

11.1 Injunctive Relief

When the Administrator finds that a user has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, the Administrator may petition the North Carolina General Court of Justice through OWASA's Attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the wastewater discharge permit, order, or other requirement imposed by this ordinance on activities of the user. The Administrator may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the user to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a user.

11.2 Civil Penalties

- A. A user who has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement shall be liable to OWASA for a maximum civil penalty of \$25,000 per violation, per day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.
 - 1. Penalties between \$10,000 and \$25,000 per day per violation may be assessed against a violator only if:
 - (a) for any class of violation, only if a civil penalty has been imposed against the violator within the five years preceding the violation, or
 - (b) in the case of failure to file, submit, or make available, as the case may be, any documents, data, or reports required by this ordinance, or the orders, rules, regulations and permits issued hereunder, only if the Administrator determines that the violation was intentional and a civil penalty has been imposed against the violator within the five years preceding the violation.
- B. The Administrator may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by OWASA.
- C. In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the user's violation, corrective actions by the user, the compliance history of the user, and any other factor as justice requires.
- D. Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a user.

11.3 Remedies Nonexclusive

The remedies provided for in this ordinance are not exclusive. The Administrator may take any, all, or any combination of these actions against a noncompliant user. Enforcement of pretreatment violations will generally be in accordance with OWASA's enforcement response plan. However, the Administrator may take other action against any user when the circumstances warrant. Further, the Administrator is empowered to take more than one enforcement action against any noncompliant user.

SECTION 12 - SUPPLEMENTAL ENFORCEMENT ACTION

12.1 Water Supply Severance

Whenever a user has violated or continues to violate any provision of this ordinance, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, water service to the user supplied by OWASA may be severed. Service will only recommence, at the user's expense, after it has satisfactorily demonstrated its ability to comply.

12.2 Public Nuisance

A violation of any provision of this ordinance, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement is hereby declared a public nuisance and shall be corrected or abated as directed by the Administrator. Any person(s) creating a public nuisance shall be subject to the provisions of laws governing such nuisances, including reimbursing OWASA for any costs incurred in removing, abating, or remedying said nuisance.

12.3 Contractor Listing

Users which have not achieved compliance with applicable- pretreatment standards and requirements are not eligible to receive a contractual award for the sale of goods or services to OWASA. Existing contracts for the sale of goods or services to OWASA held by a user found to be in significant noncompliance with pretreatment standards or requirements may be terminated at the discretion of the Administrator.

SECTION 13 - AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS

13.1 Upset

- A. 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 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. An upset shall constitute an affirmative defense to an action brought for noncompliance with categorical pretreatment standards if the requirements of paragraph (C), below, are met.
- C. A user who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - 1. An upset occurred and the user can identify the cause(s) of the upset,
 - 2. The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures; and
 - 3. The user has submitted the following information to the Administrator within twenty-four (24) hours of becoming aware of the upset [if this information is provided orally, a written submission must be provided within five (5) days]:
 - (a) A description of the indirect discharge and cause of noncompliance;
 - (b) The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and
 - (c) Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
- D. In any enforcement proceeding, the user seeking to establish the occurrence of an upset shall have the burden of proof.
- E. Users will have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with categorical pretreatment standards.

- F. Users shall control production of 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.

13.2 Prohibited Discharge Standards

A user shall have an affirmative defense to an enforcement action brought against it for noncompliance with the general prohibitions in Section 2.2(A) of this ordinance or the specific prohibitions in Sections 2.2(B)(4) through (218)¹ of this ordinance if it can prove that it did not know, or have reason to know, that its discharge, alone or in conjunction with discharges from other sources, would cause pass through or interference and that either:

- A. A local limit exists for each pollutant discharged and the user was in compliance with each limit directly prior to, and during, the pass through or interference; or
- B. No local limit exists, but the discharge did not change substantially in nature or constituents from the user's prior discharge when OWASA was regularly in compliance with its NPDES permit, and in the case of interference, was in compliance with applicable biosolids or sludge use or disposal requirements.

13.3 Bypass

- A. For the purposes of this section,
 - 1. "Bypass" means the intentional diversion of wastestreams from any portion of a user's treatment facility.
 - 2. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- B. A user may allow any bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of paragraphs (C) and (D) of this section.

¹Correction of typographical error in the ordinance adopted on December 14, 2007. Previously read-
"Sections 2.2(B)(4) through (20)".

- C. 1. If a user knows in advance of the need for a bypass, it shall submit prior notice to the Administrator, at least ten (10) days before the date of the bypass, if possible.

2. A user shall submit oral notice to the Administrator of an unanticipated bypass that exceeds applicable pretreatment standards within twenty-four (24) hours from the time it becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the 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 Administrator may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.

D. 1. Bypass is prohibited and the Administrator may take ~~-an -enforcement action~~ against a user for a bypass, unless

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

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

(c) The user submitted notices as required under paragraph (C) of this section.

2. The Administrator may approve an anticipated bypass, after considering ~~- its~~ adverse effects, if the Administrator determines that it will meet the three conditions listed in paragraph (D)(1) of this section.

SECTION 14 - WASTEWATER TREATMENT RATES AND FEES

Fees shall be assessed to users for wastewater discharges into the POTW and for executing or enforcing the provisions of this ordinance. These charges shall be developed by the Administrator and approved by OWASA in accordance with the user charge system and other regulations and policies of OWASA and applicable statutes of the State. The existing charges for the previous year will be reviewed prior to adopting each annual budget. Charges shall be developed for the following purposes:

- A. Industrial monitoring, inspections, and surveillance procedures;
- B. Reviewing accidental discharge procedures and construction;
- C. Reviewing permit applications;
- D. Reviewing appeals;
- E. Special industrial discharges;
- F. Recovering capital related expenditures;
- G. 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.

Charges for Items A through E shall be based on the actual cost to OWASA for each specific user or incident. However, a fixed rate may be proposed by the Administrator, subject to OWASA approval, for those procedures that are repetitive and do not differ substantially within each class of users. Charges for Items F through G shall be developed and assessed in accordance with the user charge system.

The charges and fees developed in accordance with the provisions of this Article shall be in the form of a resolution adopted by OWASA.

SECTION 15 - AUTHORITY

This ordinance is adopted under the authority granted by North Carolina General Statutes 162A.

SECTION 16 - 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 chapters shall not be affected and shall continue in full force and effect.

SECTION 17 - CONFLICT

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

SECTION 18 - EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its passage and approval as set forth in the attached Resolution of Adoption as provided by law.

Agenda Item 9:

Affordability Outreach Program Update

Purpose:

The purpose of this agenda item is to provide an update to the Board on the Affordability Outreach Program and obtain the Board's feedback on and approval of the proposed plan for Year 5.

Background:

“Affordability and Cost Management” is one of the five key strategic themes in OWASA’s Strategic Plan. Affordability of OWASA’s services are critical to protecting public health and the environment. During rate-setting discussions and strategic planning meetings, the OWASA Board of Directors concluded that water conservation should be promoted as a key strategy for customers – especially those in financial need – to lower monthly water and sewer bills.

2020 marks the fifth year of OWASA’s formal Affordability Outreach Program, developed in support of the Board’s Strategic Plan. On January 24, 2019, the Board of Directors approved the [Affordability Outreach Program Plan \(Year 4\)](#) and authorized staff to proceed in implementing the program in accordance with the plan.

Staff consulted with our partners in affordability outreach in the development of the proposed plan.

Action Needed:

We invite questions and feedback on the plan for next year’s Affordability Outreach Program from members of the public and the Board of Directors.

Consistent with past practice, we do not believe a formal resolution is needed for this matter. However, we do recommend that if and when the Board supports moving forward with the proposed plan, it consider acting on this matter via approval of a motion, perhaps along the lines of the following:

“Motion that the Board of Directors approves the proposed Affordability Outreach Program Update and Plan (Year 5) and authorizes staff to proceed to implement the program in accordance with the approach described in the proposed plan.”

Information:

Draft Affordability Outreach Program Plan – Year 5

January 9, 2020

Orange Water and Sewer Authority Affordability Outreach Program Update

Year 5: January 2020 – December 2020

Purpose

OWASA's Affordability Outreach Program is designed to increase community awareness of options to manage and reduce water and sewer bills and to empower low-income customers, and the local agencies that serve them, with information and tools to manage and reduce water and sewer bills. The following plan provides an update on the fourth year (2019) of OWASA's Affordability Outreach Program and proposes strategies for the coming year (2020).¹

Background

"Affordability and Cost Management" is one of the five key themes in OWASA's Strategic Plan. During rate-setting discussions and strategic planning meetings, the OWASA Board of Directors has identified water conservation as a key strategy for customers – especially to those in financial need – to lower monthly water and sewer bills.

And while, because of legal and bond order restrictions, we cannot provide free service or charge different rates based on our customers' ability to pay, as a member of the community, we recognize the need to ensure that water and wastewater service meets a basic human need. It's important to OWASA that our services be accessible to the community to protect both public health and the environment.

Furthermore, water conservation practices and investments in efficiency make our community better prepared for droughts; defer the need for multimillion-dollar expansion of OWASA system capacities; and reduce greenhouse gas emissions from use of conventional energy sources to pump lake water, drinking water, wastewater, and treated wastewater. Water conservation has been identified as a key strategy in addressing customer affordability because it reduces costs for customer service, service delivery, and long-term water resource provision. Water conservation has the potential for sustained positive impact for customers, including reduction in water and sewer bills, as well as energy costs associated with heating water. Additionally, our Affordability Outreach Program enhances OWASA's engagement with the community.

¹ Previous Plans were reviewed, discussed, and approved by the OWASA Board of Directors at the [October 22, 2015](#), [December 8, 2016](#), [February 8, 2018](#), and [January 24, 2019](#) meetings.

The foundation of OWASA's Affordability Outreach Program remains the partnership with local, social service agencies. We are grateful for their continued collaboration and engagement and look forward to our continued work with them.

Program Objectives

OWASA's Affordability Outreach Program is designed to increase community awareness of options to manage and reduce water and sewer bills and to empower low-income customers, and the local agencies that serve them, with information and tools to manage and reduce OWASA bills. The following goals and metrics provide an indication of water and sewer service affordability and our efforts to provide relevant outreach to the community.

- **Increase contributions to our Care to Share program:** Through the Care to Share Program, OWASA customers can contribute funds to provide bill payment assistance to other OWASA customers in-need. Currently, 960 customers contribute to Care to Share on their monthly OWASA bill. In 2019, on-bill contributions raised over \$11,089 for the Interfaith Council for Social Services to provide utility bill assistance. This was about \$3,400 more than was raised in 2018 (a 44% increase) and \$5,800 more than was raised in 2017 (a 209% increase).

In addition, individuals and businesses can donate directly to the Interfaith Council for Social Service and request their funds go to Care to Share. In 2019, \$1,450 was donated directly from the public to the program.

- **Decrease average water use of those customers with whom we engage through our affordability outreach program:** The following report summarizes a spectrum of strategies through which we have engaged and propose to engage with customers to decrease their water use. Unfortunately, crediting changes in water use to general outreach is challenging at best. Nonetheless, it remains an objective of the program.
- **Minimize cut-offs due to non-payment:** Although water service cut-offs are an important tool to ensure timely bill payment, they cause great hardship to OWASA customers. OWASA's reconnection fee (after service cut-off) is \$45. If we can help a customer avoid a service cutoff, we help them avoid this fee. Over the past three and a half years, trends in service cut-off due to non-payment have stabilized following a steady decline between July 2014 and June 2016. This decline was due in-part to increased effort to remind customers of upcoming bills, and to move from 21-day to 25-day due dates in 2016. Last year, approximately 613 (3%) of our customers were cut-off from service at least once. One hundred and fifty-two (152) of those customers were cut-off from service more than once, potentially evidence of OWASA's true affordability challenge.

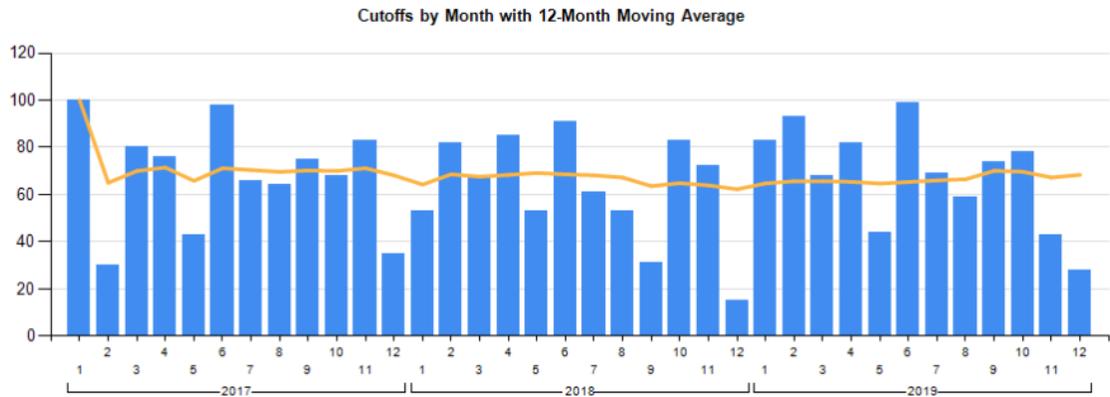


Figure 1: The number of cutoffs, on average, has been relatively stable over the past three years

Our program strives to engage customers who experience difficulty paying for OWASA services. Primarily, these customers are those who:

- Request and receive bill payment assistance from local social service agencies, including the Inter-Faith Council for Social Services (IFC) and the “Care to Share” program;
- Request extensions of credit to manage bill payments; and
- Have service cut-off due to non-payment of bills.

We recognize there are other customers for whom water and sewer service comprises a significant portion of their monthly household expenses that do not fall into any of these categories. By working with our partners in the community, we are able to proactively address affordability concerns before a customer may have to request bill assistance or is cut-off from service. Additionally, it is important to note that while many of the strategies discussed below (including in-home water use assessments) focus on specific households, these services are generally available to our entire customer base upon request, as we cannot differentiate services to our customers based on their financial position or need.

Strategies for Addressing Affordability

The Affordability Outreach Program includes six major strategies for addressing the affordability of OWASA’s services. These strategies are:

- Rates and Billing,
- Information and Outreach,
- Bill Assistance,
- Water Efficiency Retrofits,
- Leak Identification, and
- Partnership.

We have pursued a number of initiatives, for which the remainder of this document will provide an update, as well as propose new and continued tactics for the coming year. The Agua Vista web portal is an exciting new resource made available to all OWASA customers in 2019. Agua Vista a cornerstone of our customer and affordability outreach efforts.

Rates and Billing

Rate structures, rate levels, and billing arrangements have significant ramifications for the affordability of water and sewer service for all OWASA customers.

OWASA's Board-adopted Financial Management Policy includes a Service Affordability goal that the average annual residential bill shall be no more than 1.5% of median household income (MHI). Currently, the average bill (for 4,000 gallons of water) is \$75.67, which annually equals 1.4% of the MHI for Chapel Hill (\$67,426) and 1.6% of the MHI for Carrboro (\$56,573).

Although, on average, we are meeting our goal, this metric fails to capture true service affordability in our community. The MHI in our service area is relatively high. Using this metric alone to gauge the affordability of water and sewer service underemphasizes the challenge that some members of our community have in paying their utility bill.

About 21% of Chapel Hill residents and 22% of Carrboro residents have annual household income of \$25,000 or less. An average bill of \$75.67 costs 3.6% of an annual income of \$25,000, representing a significantly larger portion of household income than for those at the median. Put another way, at minimum wage, it would require 10.4 hours of work to afford essential water and sewer services for a family of four in OWASA's service area.

Ensuring that affordable rates, particularly for essential water use, is a very important affordability strategy.

2019 Update and Continued Initiatives for 2020

Choose Your Own Bill Date: Prior to having Advanced Metering Infrastructure (AMI), OWASA was geographically constrained by meter reading routes as to when customers were billed. Once a bill is issued, customers have 25 days to the due date. This practice provides customers almost a month to pay their water bill. However, for some customers (particularly those on fixed incomes that are paid once per month), their bill date may not align well with income payments, and money may be short by the time the bill comes. AMI allows us the flexibility to offer a change in bill date, if it will help a customer manage their monthly water bill. AMI provides this tool in the toolbox of our customer service team as they work with our customers to manage their bills.

Payment options: In 2019, there were diverse preferences for how customers want to pay their bills. OWASA offers payment by cash, check or credit card in-person; mailed checks; online credit/debit card payments; and automatic draft. In recent years, we have expanded options to allow over-the-phone payment with a credit card and pay-by-text. These options allow a customer to pay just-in-time and can help avoid service cut-off. In 2019, we received over 2,130 pay-by-text payments.

Cost Management: Every OWASA employee is a steward of OWASA customer funds. It is imperative that customer funds are expended strategically to achieve the mission and goals of the organization established in partnership with the community we serve. Cost management has and will continue to be an important strategy to addressing the affordability of our services.

Information and Outreach

Through accessible and engaging outreach, we aim to give our customers useful information and strategies for reducing their OWASA bill. In 2020, we propose to continue with many of the initiatives implemented over previous years and to continue to explore and utilize the Agua Vista Web Portal to show customers how to save money by saving water.

2019 Update and Continued Initiatives for 2020

Participate in and provide outreach material for community events: Last year, we worked with our partners, as well as directly with customers, to share water conservation information, low-flow devices (showerheads, aerators, and leak detection tablets), and shower timers. We continue to use the infographic and motion graphic developed in Year 1 of the Program to engage customers in water wise behavior. The infographic was developed in English and Spanish (Figure 2); the motion graphic was narrated in English, Spanish, Burmese, and Karen and can be found on [OWASA's YouTube Channel](#).

In addition to promoting water conservation, getting customers registered for Agua Vista was a key message in our community outreach this past year. Currently, 36% of eligible customers are registered for Agua Vista, which means they have access to customized water conservation tips and detailed water use information. Moreover, the system knows how best to notify a customer (email, phone, text, mail) if and when they have a water leak that could lead to a high-water bill.

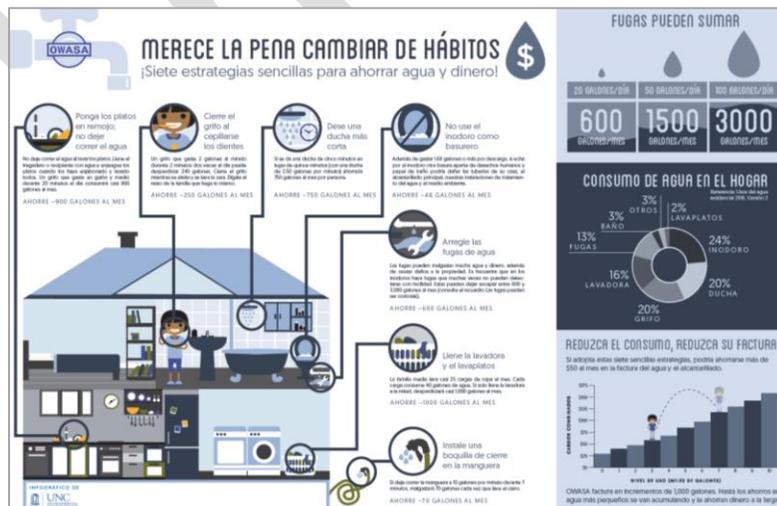


Figure 2: Snapshot of Agua Vista Flyer (in Spanish)

Below is a summary of outreach initiatives where we distributed water conservation brochures and low-flow devices, shared water conservation tips, and promoted Agua Vista. The Water Wagon continues to be a helpful platform to use in community outreach.

- Water Wagon Events
 - Science Expo (April 6)
 - Carrboro Day (May 5)
 - Town of Chapel Hill 4th of July (July 4)
 - RENA Center Summer Camp (July 11)
 - National Night Out (August 6)
 - Latin American Festival (August 25)
 - Carrboro Citizen and Chapel Hill People's Academy (October 19)
 - Chapel Hill Festifall (October 1)
- Tables at Chapel Hill Public Housing National Night Out Events in Craig-Gomains and Eastwood Neighborhoods
- Presentation to Orange County's Aging Transitions Team on water efficiency, conservation, and Agua Vista
- Delivery of water conservation kits to Community Home Trust and Empowerment for distribution to residents
- Agua Vista Tutorial at Orange County Seymour Senior Center
- WCHL Wonderful Water session on Agua Vista and Care to Share
- Publication of Agua Vista Flyer in Affordability Partner's newsletters, including:
 - Orange County Family Success Alliance (July 2019) – English and Spanish
 - Chapel Hill Public Housing Newsletter (August through December 2019)
- Display of Agua Vista banner in OWASA lobby
- Agua Vista demonstration to IFC Staff; provided 25 shower timers to distribute
- Distribution of "Save Water Kits" in response to surveys taken regarding the Water Quality Report Card



Figure 3: OWASA Intern Keondra Jenkins at National Night Out Event in Eastwood Neighborhood

In 2020, we will continue to offer presentations and informational resources to community members, particularly through our affordability partners. This year, we anticipate continued interest in the Agua Vista web portal and will focus our presentations and outreach on getting more customers interested in and registered for the portal.

Direct mail to recipients of bill assistance: In June 2016, we began sending letters to recipients of assistance for OWASA bill payment. In 2019, we mailed 70 water efficiency letters to recipients of bill assistance. In July, we refreshed the format of the letter to include information and recommendations from Agua Vista, as well encouragement and instructions to register for the portal. Figure 4 shows a snapshot of the revised letter. We plan to continue to send these letters on a monthly basis over the next year.

Your Home Water Report
brought to you by OWASA's Agua Vista



NAME
STREET
CITY, STATE ZIP

Dear NAME Household,

We understand that it can be difficult to balance household bills and expenses. OWASA wants to help by providing you with tips you can use to reduce your monthly bill from OWASA by reducing the amount of water that you use. Below is your water report which is generated based on your water use and more that can be updated when you register for the Agua Vista Web Portal at owasa.org.*

Your Water Use

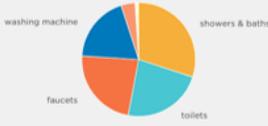


You used **less water** than efficient households.

You **68 GPD**
Efficient **176 GPD**
Average **241 GPD**

GPD = Gallons Per Day

How Are You Using Water?



The biggest estimated use for water in your home is **showers and baths**. For a more accurate model, update your profile on owasa.org.

Take Action. Save Water & Money.
These are recommended actions based on your household profile.

Log onto Agua Vista at owasa.org* and save water and money.

<p>Install High-Efficiency Toilets</p> <div style="border: 1px solid white; padding: 5px; display: inline-block;">  <p>33 GALLONS PER DAY \$175 DOLLARS PER YEAR</p> </div>	<p>Install Faucet Aerators</p> <div style="border: 1px solid white; padding: 5px; display: inline-block;">  <p>27 GALLONS PER DAY \$169 DOLLARS PER YEAR</p> </div>	<p>Take a 5 Minute Shower</p> <div style="border: 1px solid white; padding: 5px; display: inline-block;">  <p>22 GALLONS PER DAY \$142 DOLLARS PER YEAR</p> </div>
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* For help accessing your web portal and water conservation tools, contact Mary Tiger at 919-517-4241 or mtiger@owasa.org

Agua Vista
Track your water use at owasa.org

- Track your water use by the hour, day, week, or month
- Get more tips for conserving water
- Set up alerts for leaks and bill forecasts
- Pay your bill and view bill history
- And much more

Figure 4: Snapshot of Revised Letter to Recipients of Bill Assistance

Water use assessments: In a water use assessment, we search for leaks and assess the efficiency of a household’s water-using infrastructure: toilets, faucets, appliances, etc. In addition, we discuss a household’s water-using behavior and provide tailored suggestions for reducing water use and reducing water and sewer bills. We also provide low-flow faucet aerators, low-flow showerheads, and shower timers.

In 2019, we conducted two, somewhat atypical, water use assessments that demonstrate the value of our community partnerships and the data provided by Agua Vista. The information and analysis provided by the Agua Vista web portal will continue to allow for much easier (and accessible) desktop assessments.

- a) The data provided by Agua Vista made apparent that a customer with bill payment difficulties had an ongoing leak in her home. OWASA staff coordinated with Orange County Handy Helpers to visit her home and identify the source of the leak (which ended up being a toilet upstairs that

was inaccessible to the customer). With the Orange County Handy Helper volunteer there to assist, we were able to immediately stop the cause of the leak.

- b) OWASA staff have been working with the Community Home Trust (CHT) to identify the source of a leak in a 16-unit multi-family, master metered complex. Each tenant was provided with leak detection tablets and a letter on how to identify leaks. Both OWASA and CHT are continuing to monitor the water use in the complex and will take additional measures if the leak persists.

Mayors Save Water Challenge: The Towns of Chapel Hill and Carrboro partnered with OWASA to promote water conservation for all residents through the Mayor Save Water Challenge. (Watch the video at: https://www.youtube.com/watch?v=iA_AIQt5TdA.) We welcomed the opportunity to advance water conservation tips for the entire community, as well as the Agua Vista web portal, through such a high-profile campaign.

New Initiatives for 2020

Multi-Family Master Metered Customers: The implementation of OWASA's Communication Plan has helped to raise awareness of OWASA across the community. Tenants of multi-family master metered accounts that do not have a direct (billing) relationship with OWASA, however, remain difficult to communicate with. We will continue to evaluate and pursue effective methods of reaching these tenants with important emergency communication, water quality, and water conservation information.

Agua Vista Home Water Reports: Agua Vista allows for custom print letters and emails and/or letters with information about water use distributed to a specific sub-set of customers. In the third and fourth quarter of 2020 (FY21), we will use Agua Vista to send customer letters each quarter to approximately 1,500 OWASA customers in the lowest-income Census blocks. The report will provide customized water conservation and efficiency recommendations, as well as encourage registration in Agua Vista.

Bill Assistance

Temporary bill assistance programs offer help to customers during their greatest time of need and help them avoid service cut-off and reconnection fees. As described earlier in the document, the Care to Share program provides OWASA customers the opportunity to voluntarily contribute to a bill assistance program administered by the Inter-Faith Council for Social Services (IFC). In 2018, Orange County designated the IFC as the entity that will distribute their utility bill assistance funds in Chapel Hill and Carrboro, making the IFC the principal provider of utility bill assistance.

2019 Update and Continued Initiatives for 2020

Care to Share Day: In November 2019, we celebrated the first annual Care to Share Day to raise awareness of and contributions to Care to Share. Throughout the month, we engaged in a series of outreach and marketing efforts, including:

- **A campaign toolkit** (poster, tweets, email invite to donate, testimonials, photos, micro website) was emailed to OWASA Board Members and elected officials.



Figure 5: Care to Share Day Poster

- **Local government proclamations:** The Town of Chapel Hill, the Town of Carrboro, and Orange County all proclaimed November 21, 2019 to be Care to Share Day.
- **OWASA Staff and Board pie bake off** raised \$550 for Care to Share.



Figure 6: Photo of OWASA Staff at Care to Share Pie Event

- **Public event at University Mall** with the OWASA Water Wagon
- **WCHL Public Service Announcements (PSA):** WCHL donated 23 PSAs over the course of a week and a half. The PSA was narrated by participants of the OWASA Youth Water Academy.
- **WCHL Wonderful Water Interview:** WCHL's Aaron Keck interviewed OWASA Customer Service Manager Denise Battle and IFC's Community Services Director Kristin Lavergne about Care to Share.
- **Twitter campaign:** We engaged in an active Twitter campaign that was amplified by our community partners.
- **Contractor and Vendor letter:** Ed Kerwin invited 97 contractors and vendors with whom OWASA does business to donate anonymously and directly to the IFC. Shortly after sending the letter, three businesses donated a total of \$1,450 directly to the IFC for the Care to Share Program.

Care to Share Day was a proactive and positive way to engage with our community. We plan to promote another Care to Share Day in November 2020 at a nominal cost.

Care to Share Thank you Letter: Currently, OWASA customers can choose to round up their bill to the nearest dollar and donate the difference to Care to Share or donate a fixed dollar amount in addition to their billed amount. Although the vast majority of participants in the program are “round up” contributors, more total donations come from “fixed amount” contributors. In 2018, and again in 2019, we mailed a letter to all current on-bill donors to Care to Share. The letter thanked them for their contributions and encouraged them to consider contributing a fixed amount, rather than rounding up.

The following table summarizes the change in monthly contributions of these two types of donations.

	“Round up” contributors			Fixed dollar contributors		
	2017	2018	2019	2017	2018	2019
% of participating customers	96%	92%	90%	4%	8%	10%
% of total contributed amounts	65%	50%	47%	35%	50%	53%
Median amount of monthly contributions	\$0.21	\$0.33*	\$0.55	\$5.00	\$5.00	\$5.00

We plan to send “Thank you” Letters once again in 2020.

General Care to Share Promotion: We promoted Care to Share in presentations to Town of Chapel Hill’s and Carrboro’s Citizens Academies and at events for which we deployed the Water Wagon. We collected money from countertop collection boxes at the Cane Creek Reservoir and University Lake Offices and established an online Care to Share store within our online billing software.

In 2020, we will continue to use existing forums, including our Water Wagon events, to promote participation in the Care to Share Program. We will collect donations during lake recreation season at the University Lake and Cane Creek Reservoir counters.

LIFT-UP Financial Coaching Program: Through a partnership with the Community Empowerment Fund (CEF), we launched our first official year of the LIFT-UP Program. Through LIFT-UP, OWASA customers with bill payment challenges are referred to a financial advocate at CEF. If they participate in financial coaching with CEF, OWASA works with the customer and CEF to develop a personalized deferred payment plan. (Our typical deferred payment plan is only about two weeks. By engaging with a CEF financial advocate, customers can negotiate a longer deferred payment plan.)

This program is a tool in the toolbox for our customer service staff to help our customers pay their water bill. In 2019, we referred four customers to the CEF to participate in the LIFT-UP Program. For varying reasons, no one customer completed their arrangement. At this point, it requires very little from us to maintain the program and relationship with CEF. We will assess opportunities to improve it in the coming year.

Water Efficiency Retrofits

Replacing inefficient water-using equipment (primarily toilets) in a home can help a household consistently reduce their water use and bill. Although OWASA cannot directly spend money on upgrading water-using fixtures and appliances of a sub-set of our customers, we can promote and direct outside funding to water efficiency retrofits of low-income housing in our service area.

2019 Update and Continuing Initiatives for 2020

Engagement with Orange County Home Preservation Coalition: The Orange County Home Preservation Coalition is a county-wide network of organizations in Orange County that work together to improve accessibility and affordability of home repairs and preservation projects to Orange County Residents. Each of the primary organizations providing home repair in the county are participants in the Coalition. OWASA has joined the Coalition as a Community Liaison Partner. The group meets monthly to communicate and collaborate on home repair needs and resources in the region.

In February 2019, OWASA discussed the resident-value of high efficiency toilets. The investment in a low-flow toilet can be recovered within two years and sometimes as soon as in six months. We encouraged members of the Coalition that provide home repair to consider replacing inefficient toilets with high efficiency toilets, even if that was not the reason for their work in the home.

Additionally, OWASA has worked with the Coalition in their development of a unified application to address the release of water use information for OWASA customers. In doing so, OWASA can release information that can help identify opportunities for leak repair and efficiency upgrades.

We plan to continue to communicate and collaborate with the Orange County Home Preservation Coalition to help promote water efficiency upgrades in low-income housing.

New Initiatives for 2020

Rechartering Care to Share: As OWASA increases awareness of and donations to Care to Share, we will soon approach a time when we collect more money than the IFC provides in the way of water utility bill assistance. In fact, FY19, about \$2,200 more was donated in on-bill contributions than was invoiced by the IFC.

This is a new and good place to be. In building a modest fund balance, we can ensure that the IFC is consistently reimbursed for the assistance they provide. This has not always been the case.

Beyond a modest fund balance, there is an opportunity for the Care to Share Program to also support water efficiency retrofits and leak repair to low-income customers.

In 2020, we plan to work with the IFC and the OWASA Board of Directors to revisit and refresh Care to Share's charter. The revised charter will define financial benchmarks relative to community need and establish a policy so that funds collected in excess needed to provide sustainable bill assistance can be used for water efficiency retrofits and leak repair for low-income customers. The Orange County Home Preservation Coalition is a natural partner to administer these funds to organizations that have the expertise and community relationships to conduct the work.

Combine Efforts with Energy Efficiency Upgrades: In 2019, the Orange County Climate Council formed, and OWASA joined as a charter member. Through our participation in the Climate Council, we have recommended that water efficiency be considered as a climate change mitigation strategy and be folded into potential efforts to increase energy efficiency in low-income housing. In the coming year, we will continue to advance this concept through our participation in the Orange County Climate Council.

Leak Detection

Proactive leak identification can help our customers avoid high bills, home damage, and water waste. It is good customer service. Advance Metering Infrastructure and the Agua Vista web portal have revolutionized the level of service that OWASA provides to our customers for leak detection.

2019 Update and Continuing Initiatives for 2020

Agua Vista Web Portal: In March 2019, OWASA rolled out our Agua Vista customer-facing web portal, putting hourly water use data at the fingertips of customers. Moreover, the Agua Vista web portal runs analyses of water use trends and proactively notifies customers (via email, text, voice, or post, if necessary) of water use indicative of a leak. In follow-on to the notification, the system provides OWASA customers with step-by-step guidance to identify and repair the source of the leak.

All OWASA customers are opted into leak notification. If they have not yet registered for the Agua Vista web portal, we utilize the email address provided when they signed up for an account. If a residential customer does not have an email on-file with OWASA and has not registered for Agua Vista, we mail a printed leak notification². Prior to using

² We have mailed about 1,084 letters at a cost of \$1,600 (\$1.50/letter). As registration for Agua Vista increases, we expect the cost of printed leak alerts to decline.

the web portal to make leak notifications, OWASA customer service staff called customers directly when their AMI data suggested a water leak.

Since we started using Agua Vista to initiate leak alerts, Agua Vista has issued over 8,200 leak notifications, about 87% of these notifications were sent electronically. About 650 customers have provided feedback that the notification was, in fact, a leak that they fixed. More than likely, the number of actual leaks was greater and people did not log into the system to provide us feedback. The average affirmed leak was over 1,400 gallons per day. Early notification of a leak of this magnitude results in real savings for a customer, as well as the prevention of property damage.

In order to assist customers that may not have the resources to address a leak once notified, we developed and uploaded a leak repair resource guide (Appendix A) that refers customers to home repair organizations associated with the Orange County Home Preservation Coalition.

We have had great success in registering customers for Agua Vista. Over 36% of customers are now registered for Agua Vista. As recognized earlier in the Plan, we actively worked with our Affordability Outreach Partners to promote Agua Vista and will continue to do so in the coming year.

New Initiatives for 2020

Rechartering Care to Share: With increased detection and notification of leaks provided by Agua Vista, there is increased demand for resources to repair those leaks for low-income customers. Extending the use of Care to Share funds, as described earlier, will be valuable to helping to fund leak repair, as well as water efficiency improvements. Both of these investments will help to increase the affordability of water and sewer service for low-income households.

Partnership

Critical to the relevancy and acceptance of OWASA's affordability outreach is partnership: partnership with our customers and the social service agencies that serve our community.

Ongoing

With customers:

Proactive Customer Communication: OWASA proactively communicates with customers regarding impending cut-offs. One day after a customer misses a second month of bill payments, OWASA contacts the customer via telephone to let them know that if payment is not made within the next ten days, their service will be cut-off and they will incur a \$45 fee for non-payment. If payment has not been received within ten days, the customer is re-notified that if prompt action is not taken, their service will be cut-off. Proactive notification has made a significant impact on reducing the number of service cutoffs.

Social Agency Referral and Collaboration: OWASA's Customer Service Department maintains a list of social service agencies that provide bill payment assistance to customers in need. If a customer contacts OWASA to express difficulty in paying their bill, Customer Service refers the customer to those agencies. Additionally, we inform our customers that if they are working with an agency to obtain financial assistance, they may authorize us to release their billing information to that agency, so that agency can better assist the customer.

Customer Payment Deferral Agreements (Extensions of Credit): Customer Service staff have the authority to arrange an individual payment plan that will allow a customer to spread payments in arrears over a timeframe that is more manageable for them (typically a few weeks). We enable agencies providing financial assistance to initiate, on behalf of their clients, requests for extension of credit for customers to pay their bills. This facilitates the process and eliminates the need for the customer to make a separate trip to OWASA to enter in to such an agreement. The LIFT-UP Program creates an opportunity for customers in-need to receive an extended deferred payment arrangement, in exchange for engaging with a financial advocate at the Community Empowerment Fund.

With community: Our community partners are the foundation of the Affordability Outreach Program. They provide insight and input on strategies needed to help improve the affordability of water and sewer services. In collaboration with them, we can more effectively provide relevant information to the community and attract funding. Our partners include:

- Town of Carrboro
- Binkley Baptist Church
- CASA
- Town of Chapel Hill
- Community Empowerment Fund
- Community Home Trust
- Compass Center for Women and Families
- **DHIC*(New)**
- El Centro Hispano
- EmPOWERment Inc.
- Habitat for Humanity of Orange County
- Hillsong Church
- InterChurch Housing Corporation
- Inter-Faith Council for Social Services
- Marion Cheek Jackson Center
- Central Piedmont Community Action
- Orange County Affordable Housing Collaborative
- Orange County Family Success Alliance
- Orange County Home Preservation Coalition

- Orange County Justice United
- Orange County Department on Aging
- Orange County Department of Housing and Community Development
- Orange County Department of Social Services
- Rebuilding Together of the Triangle
- St. Thomas More Catholic Church
- University Presbyterian Church
- Waste Reduction Partners

In 2019, the Affordability Outreach Program shifted its efforts to integrate OWASA into and participate in already-organized meetings of Affordability Outreach Partners. For example, OWASA staff regularly attended Orange County Home Preservation Coalition meetings attended by a critical mass of partners, including Rebuilding Together, Habitat for Humanity, Orange County, Town of Carrboro, Town of Chapel Hill, Central Piedmont Community Action, and Marion Cheek Jackson Center.

We attended meetings of the Orange County Department of Aging and the IFC. We have an established relationship with many partners now, and they call upon us directly when they have questions or issues.

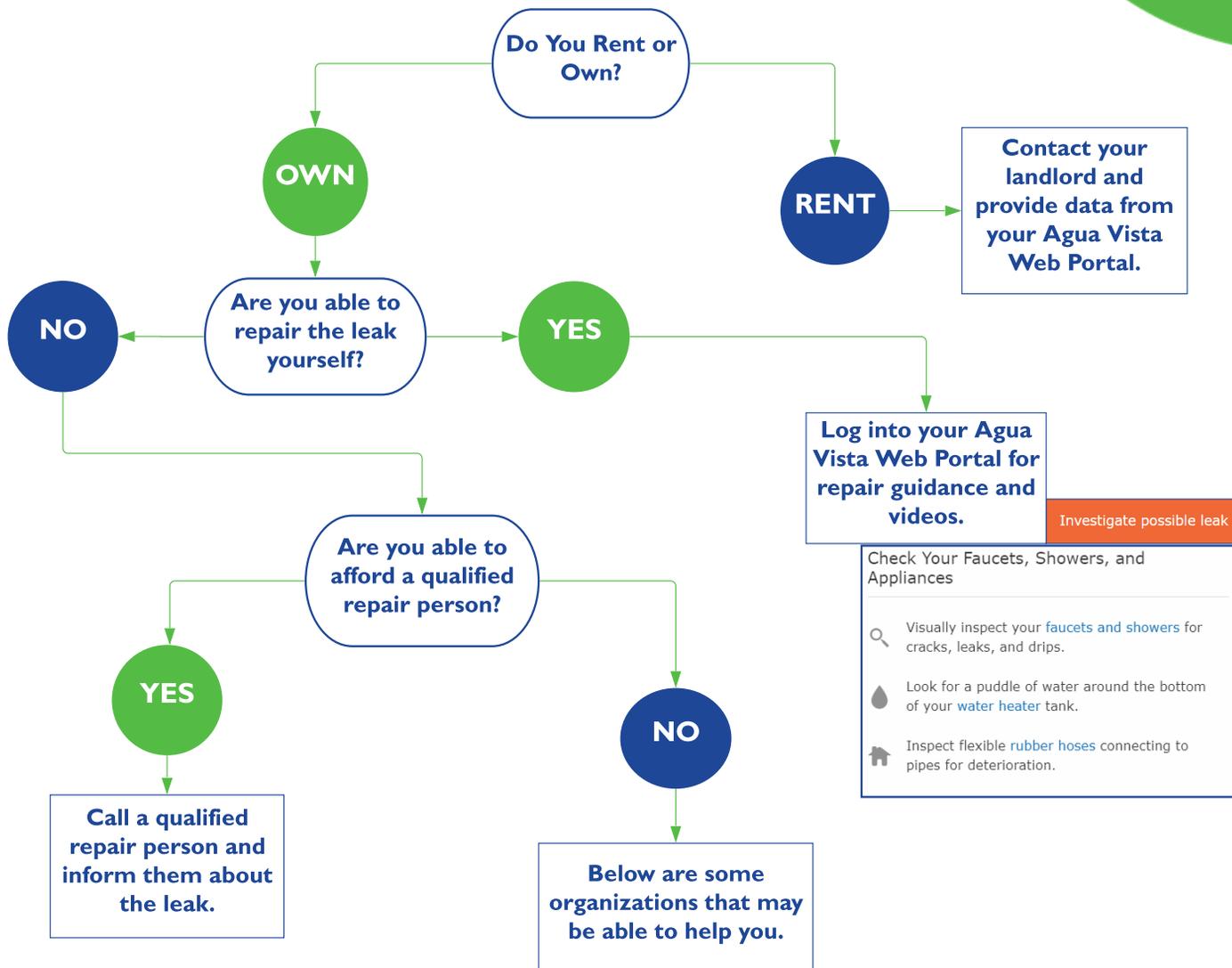
Resources Required

Successful implementation of this program will require the assistance of a Sustainability Program Coordinator (part-time, temporary position) at about 5-7 hours per week, as well as time from the Sustainability Manager and other members of staff to manage and guide the Program. The Program requires a modest budget of \$10,000 to reproduce outreach material, purchase water-saving devices and demonstration material, mail Care to Share “thank you letters”, and mail home water conservation reports to low-income regions of our service area.

Register for OWASA's Agua Vista web portal at owasa.org. On Agua Vista, you can track your water use and receive early notification of costly and potentially damaging leaks.



You Have A Leak, Now What?



919.341.5980
info@rttriangle.org
rttriangle.org



919.968.2087
rlavally@orangecountync.gov
orangecountync.gov



919.921.8460
info@hoperenovations.org
hoperenovations.org



919.960.1670
contact@jacksoncenter.info
jacksoncenter.info



919.932.7077
info@orangehabitat.org
orangehabitat.org



919.245.2490
housinghumanrightscd@orangecountync.gov
orangecountync.gov

Agenda Item 10:

Review Board Work Schedule

Purpose:

- a) Request(s) by Board Committees, Board Members and Staff
- b) January 23, 2020 Board Meeting
- c) February 13, 2020 Board Work Session
- d) Review and update the 12 Month Board Meeting Schedule
- e) Review Pending Key Staff Action Items

Information:

- Draft agenda for the January 23, 2020 meeting
- Draft agenda for the February 13, 2020 meeting
- 12 Month Board Meeting Schedule
- Pending Key Staff Action Items from Board Meetings

January 9, 2020

Agenda
Meeting of the OWASA Board of Directors
Thursday, January 23, 2020, 7:00 P.M.
Chapel Hill Town Hall

In compliance with the "Americans with Disabilities Act," interpreter services are available with five days prior notice. If you need this assistance, please contact the Clerk to the Board at 919-537-4217 or aorbich@owasa.org.

The Board of Directors appreciates and invites the public to attend and observe its meetings. Public comment is invited either by petition upon topics not on the Board's agenda, or by comments upon items appearing on the Board's agenda. Speakers are invited to submit more detailed comments via written materials, ideally submitted at least three days in advance of the meeting to the Clerk to the Board via email or US Postal Service (aorbich@owasa.org/400 Jones Ferry Road, Carrboro, NC 27510).

Public speakers are encouraged to organize their remarks for delivery within a four-minute time frame allowed each speaker, unless otherwise determined by the Board of Directors.

Announcements

1. Announcements by the Chair
 - A. Any Board Member who knows of a conflict of interest or potential conflict of interest with respect to any item on the agenda tonight is asked to disclose the same at this time.
 - B. January 30, 2020 Special Meeting of the Board of Directors to Discuss the Long-Range Water Supply Plan at 6:00 p.m. in OWASA's Community Room
2. Announcements by Board Members
3. Announcements by Staff

Petitions and Requests

1. Public
2. Board
3. Staff

Consent Agenda

Information and Reports

1. 12 Month Board Meeting Schedule (Ray DuBose/Ed Kerwin)

Action

2. (If needed) Approve Sewer Use Ordinance Update (Todd Taylor)
3. Minutes of the January 9, 2019 Meeting of the Board of Directors (Andrea Orbich)

Regular Agenda
Discussion

4. Fiscal Year 2021 Budget Calendar, Planning Assumptions, and New Budget Format (Stephen Winters)

Information and Reports

5. 2019 Annual Lakes Recreation Report (Johnny Riley)
6. Capital Improvements Program Semiannual Report (Vishnu Gangadharan)
7. Financial Report for the Six-Month Period Ended December 31, 2019 (Stephen Winters)

Summary of Board Meeting Action Items

8. Executive Director will summarize the key action items from the Board meeting and note significant items for discussion and/or action expected at the next meeting

DRAFT

Agenda
Work Session of the OWASA Board of Directors
Thursday, February 13, 2020, 6:00 P.M.
OWASA Community Room

The Board of Directors appreciates and invites the public to attend and observe its meetings. For the Board's Work Session, public comments are invited on only items appearing on this agenda. Speakers are invited to submit more detailed comments via written materials, ideally submitted at least three days in advance of the meeting to the Clerk to the Board via email or US Postal Service (aorbich@owasa.org/400 Jones Ferry Road, Carrboro, NC 27510).

For items on the agenda, public speakers are encouraged to organize their remarks for delivery within a four-minute time frame allowed each speaker, unless otherwise determined by the Board of Directors.

The Board may take action on any item on the agenda.

Announcements

- a. Announcements by the Chair
 - Any Board Member who knows of a conflict of interest or potential conflict of interest with respect to any item on the agenda tonight is asked to disclose the same at this time.
- b. Announcements by Board Members
 -
- c. Announcements by Staff
 - Update on Website Relaunch (Mary Tiger)
- d. Additional Comments, Suggestions, and Information Items by Board Members (Ray DuBose)

Consent Agenda

Action

1. Award the Bartram Drive / Galvanized Water Main Replacements Contract (Coleman Olinger)
2. Minutes of the January 23, 2020 Meeting of the Board of Directors (Andrea Orbich)
3. Minutes of the January 30, 2020 Special Meeting of the Board of Directors (Andrea Orbich)

Regular Agenda

Discussion

4. Department Managers' Fiscal Year 2021 Budget Presentations (Monica Dodson/Jesse DuClau/Ken Loflin/Stephen Winters)
5. Review Board Work Schedule (Ray DuBose/Ed Kerwin)
 - a. Request(s) by Board Committees, Board Members and Staff
 - b. February 27, 2020 Board Meeting
 - c. March 12, 2020 Work Session
 - d. 12 Month Board Meeting Schedule
 - e. Pending Key Staff Action Items

Summary of Work Session Items

6. Executive Director will summarize the key staff action items from the Work Session

Closed Session

7. The Board of Directors will convene in a Closed Session for the Purpose of Discussing a Personnel Matter (Robert Morgan)

DRAFT

OWASA Board of Directors – 12 Month Board Meeting Schedule (January 3, 2020)

Month	Board Meetings		Committee & Other Meetings
	Work Session	Business Meeting	
January 2020	Appoint Audit Firm (C) Employee Health and Dental Insurance Update for FY 21 (C) Review Comments on Sewer Use Ordinance Update Affordability Outreach Program Update Diversity and Inclusion Update 1/9/2020	Annual Lakes Recreation Report (C) CIP Semiannual Report (C) Q2 Financial Report (C) Discuss FY 21 Budget Calendar, Planning Assumptions, and New Budget Format (C) Approve Sewer Use Ordinance Update (if needed) 1/23/2020	<i>Special Meeting on the LRWSP – Draft Evaluation of Water Supply and Demand Management Alternatives (1/30/2020)</i>
February 2020	Department Managers FY 21 Budget Presentations Update on Website Relaunch Award the Bartram Drive/Galvanized Water Main Replacements Contract CS – Prepare for GC Interim Review (C) 2/13/2020	Award the WTP Finished Water Pump Improvements Contract CS – Personnel Matter with Consultant CS – GC Interim Review (C) 2/27/2020	D&I Session with VISIONS, Inc. (TBD) (Tentative) OC Appointees to the OWASA Board meet with Members of Orange County BOCC (TBD) Finance Committee meeting – in-depth review of 1 st draft operating budget (TBD)
March 2020	FY 21 Draft Budget & Rates including 1 st iteration of new budget format (C) Forest Management Program Update Award the WTP Water Mains Resiliency Contract Award the WTP Chemical Facility Improvements Contract (Tentative) Update on New Water Main Prioritization Model Discuss Deep Dive on Safety KPI CS – Prepare for ED Interim Review (C) 3/12/2020	Set date for Public Hearings – FY 21 Budget & Rates (C) FY 21 Draft Budget & Rates and Proposed Staff Rate Adjustment Recommendation (C) CS – ED Interim Review (C) 3/26/2020	Finance Committee meeting(s) to review FY 21 budget and rates, as necessary
April 2020	Review Employee Health and Dental Insurance Renewals (C) FY 21 Draft Budget and Rate Adjustment Information (C) 4/9/2020	Q3 Financial Report (C) Award the Bolinwood Drive Interceptor Contract 4/23/2020	Finance Committee meeting(s) to review FY 21 budget and rates, as necessary
May 2020	Approve Employee Health and Dental Insurance Renewals (C) Discuss Employee Merit Pay for FY 21 (C) Diversity and Inclusion Update 5/14/2020	Public Hearings – FY 21 Budget and Rates (C) Approve Employee Health and Dental Insurance Renewals (if needed) Award the University Lake Permanganate Facility Contract 5/28/2020	
June 2020	Approve FY 21 Budget and Rates, including merit pay decision (C) Election of Officers (C) 6/11/2020	TBD 6/25/2020	
July 2020	TBD 7/9/2020	TBD 7/23/2020	
August 2020	(Tentative) Discuss Work Plan for New ED (Tentative) Discuss Process to Update the Strategic Plan CS – Prepare for GC Annual Review (C) 8/13/2020	Preliminary 12 Month Financial Report (C) CIP Semiannual Report (C) CS – GC Annual Review (C) 8/27/2020	
September 2020	EEO/Affirmative Action Report & Diversity and Inclusion Update (C) Annual Report on Disposal of Surplus Personal Property (C) Forest Management Update CS – Prepare for ED Annual Review (C) 9/10/2020	Annual Report and Financial Audit (C) Annual Update of the Energy Management Plan (C) Approve General Counsel Engagement (C) CS – ED Annual Review (C) 9/24/2020	

OWASA Board of Directors – 12 Month Board Meeting Schedule (January 3, 2020)

D&I	Diversity and Inclusion	MFMM	Multi-Family Master Meter
ED	Executive Director	NCDOT	North Carolina Department of Transportation
EEO	Equal Employment Opportunity	NRTS	Natural Resources and Technical Services
FY	Fiscal Year	OC	Orange County
GC	General Counsel	Q	Quarter
HR	Human Resources	RFP	Request for Proposals
JLP	Jordan Lake Partnership	SRF	State Revolving Fund
KPI	Key Performance Indicator	SOW	Scope of Work
LRWSP	Long-Range Water Supply Plan	TBD	To Be Determined
MOA	Memorandum of Agreement	WTP	Water Treatment Plant
MWBE	Minority/Women-owned Business Enterprises	WWTP	Wastewater Treatment Plant
MST	Mountains-to-Sea Trail		

Pending Key Staff Action Items from Board Meetings

No.	Date	Action Item	Target Board Meeting Date	Person(s) Responsible	Status
1.	12-12-2019	Considering Board Member feedback, proceed to implement Group 1 practices and evaluate Group 2 practices outlined in the MWBE agenda item and update every 6 months as part of CIP semiannual report.	January 2020 August 2020	Gangadharan	
2.	12-12-2019	Schedule the next Board session with VISIONS, Inc. targeting the week of February 10, 2020.	NA	Orbich	Doodle poll emailed on 12-13-2019 to schedule the week of February 10, 2020.
3.	10-24-2019	Proceed with planning for new strategic plan to begin next fiscal year.	TBD	TBD	
4.	9-26-2019	Proceed to finalize a solar PV lease agreement with Eagle Solar and Light and begin the design process for solar panels on five OWASA's facilities	NA	Tiger	Underway – 3/ 5 contracts signed, design underway; 2/ 5 contracts waiting third party sign-off on site readiness.