



BOARD OF COMMISSIONERS

AGENDA

July 29, 2019

7:30 PM

304 E. Grand River, Board Chambers, Howell MI 48843

"The mission of Livingston County is to be an effective and efficient steward in delivering services within the constraints of sound fiscal policy. Our priority is to provide mandated services which may be enhanced and supplemented to improve the quality of life for all who work, reside and recreate in Livingston County."

Pages

1. CALL MEETING TO ORDER
2. PLEDGE OF ALLEGIANCE TO THE FLAG
3. ROLL CALL
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 - a. Minutes of Meeting Dated: July 15, 2019
 - b. Minutes of Meeting Dated: July 24, 2019
7. TABLED ITEMS FROM PREVIOUS MEETINGS
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9. REPORTS
10. APPROVAL OF CONSENT AGENDA ITEMS
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11. RESOLUTIONS FOR CONSIDERATION

Resolution 2019-07-109

- a. **2019-07-109 (Roll Call)** 19
- Resolution Authorizing Issuance of Sewage Disposal Bonds (Septage Receiving Station), Series 2019 – Department of Public Works

12. CALL TO THE PUBLIC

13. ADJOURNMENT

LIVINGSTON COUNTY BOARD OF COMMISSIONERS

MEETING MINUTES

July 15, 2019, 7:30 p.m.

304 E. Grand River, Board Chambers, Howell MI 48843

Members Present: Donald Parker, Dennis Dolan, William Green, Wes Nakagiri, Douglas Helzerman,
Robert Bezotte, Carol Griffith, and Gary Childs

Members Absent: Kate Lawrence

1. CALL MEETING TO ORDER

The meeting was called to order by Chairperson Donald Parker at 7:30 p.m.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

All rose for the Pledge of Allegiance to the Flag of the United States of America.

3. ROLL CALL

Roll call by the Clerk indicated the presence of a quorum.

4. CORRESPONDENCE

- a. Saginaw County Resolution A of June 18, 2019 Supporting the Caro Center
- b. Wexford County Resolution 19-17 Supporting the Caro Center
- c. Hillsdale County Resolution 19-083 Trial Court Funding Commission Report
- d. Menominee County Resolution 2019.14 Funding the Great Lakes Restoration Initiative
- e. Menominee County Resolution 2019.15 Medicare Prescription Drug Bill of 2003

Motion to receive and place on file the correspondence.

It was moved by W. Green

Seconded by R. Bezotte

MOTION Carried (8-0-1)

5. CALL TO THE PUBLIC

Kathleen McDonough, Hamburg Township, on behalf of the Hamburg Senior Center spoke regarding the Livingston County Master Transit Plan.

Pat Hohl, Hamburg Township Supervisor, thanked the Board for approving the previous resolution providing transportation services for seniors. Mr. Hohl stated other members of the community may use the Hamburg service and should contact the Hamburg Senior Center for more information.

Dan Wholihan, Genoa Township, spoke regarding Resolution 2019-07-104.

Kate Deroisher, Hartland Township, spoke regarding the Livingston County Master Transit Plan.

6. APPROVAL OF MINUTES

- a. Minutes of Meeting Dated: June 24, 2019
- b. Minutes of Meeting Dated: July 10, 2019

Motion to approve the minutes as presented.

It was moved by C. Griffith
Seconded by D. Dolan

MOTION Carried (8-0-1)

7. TABLED ITEMS FROM PREVIOUS MEETINGS

None.

8. APPROVAL OF AGENDA

Motion to approve the agenda as amended to replace Resolution 2019-07-103, Resolution Authorizing a Supplemental Appropriation and to Enter Into an Agreement with DoubleMap, Inc. to Provide Dispatch Software and Mobile Data Terminals (MDTs) for L.E.T.S. Transit Operations – L.E.T.S., with the revised version distributed prior to the meeting.

It was moved by G. Childs
Seconded by D. Dolan

MOTION Carried (8-0-1)

9. REPORTS

Commissioner Dolan complimented Hamburg Township for recent transportation improvements along with L.E.T.S. Director, Greg Kellogg and his staff.

Commissioner Nakagiri commented on the State CDBG program and provided a handout to the Board.

Ken Hinton remarked that the new 911 Center has received a temporary occupancy permit and moving in is underway.

10. APPROVAL OF CONSENT AGENDA ITEMS

Resolutions 2019-07-096 through 2019-07-100

10.a 2019-07-096

Resolution Revising Vital Records, Expedite, and Marriage Waiver Fees – County Clerk

10.b 2019-07-097

Resolution to Authorize Agreement for Delivery of Comprehensive Health Services for the Period of October 1, 2019 through September 30, 2020 - Health Department

10.c 2019-07-098

Resolution Authorizing Agreements with Multiple Staffing Firms to Provide Information Technology Professional Services – Information Technology

10.d 2019-07-099

Resolution Authorizing a Parking Space Lease Agreement Between Livingston County and Brighton Area Schools for L.E.T.S. Vehicle Parking – L.E.T.S.

10.e 2019-07-100

Resolution Authorizing Grant Contracts, Budget Amendment, and Capital Expenditure for the Purchase of Four Replacement Vans and Two Expansion Vans – L.E.T.S.

Motion to adopt the Resolutions on the Consent Agenda.

It was moved by C. Griffith
Seconded by R. Bezotte

Roll Call Vote: Yes (8): C. Griffith, G. Childs, D. Parker, D. Dolan, W. Green, W. Nakagiri, D. Helzerman, and R. Bezotte; No (0): None; Absent (1): K. Lawrence

MOTION Carried (8-0-1)

11. RESOLUTIONS FOR CONSIDERATION

Resolutions 2019-07-101 through 2019-07-104

11.a 2019-07-101

Resolution to Authorize the Return of Community Development Block Grant Program Income to the State of Michigan – Fiscal Services

Motion to adopt the Resolution.

It was moved by G. Childs
Seconded by D. Helzerman
Discussion

Motion to amend Resolution 2019-07-104, by adding Be it further resolved that County Administration will provide the Livingston County Board of Commissioners with a written analysis describing the countermeasures necessary to prevent a reoccurrence of this event in the future to the end of the Resolution.

It was moved by W. Nakagiri
Seconded by R. Bezotte
Discussion

Roll Call Vote: Yes (4): W. Nakagiri, D. Helzerman, R. Bezotte, and W. Green; No (4): C. Griffith, G. Childs, D. Parker, and D. Dolan; Absent (1): K. Lawrence

MOTION Failed (4-4-1)

Motion to adopt the Resolution.

It was moved by G. Childs
Seconded by D. Helzerman

MOTION Carried (8-0-1)

11.b 2019-07-102

Resolution Authorizing Agreements with ADR Consultants, LLC. DeMaria and John Stewart Associates, LLC. to Provide as Needed Construction Management Services for Minor Projects

Motion to adopt the Resolution.

It was moved by D. Dolan
Seconded by C. Griffith
Discussion

Motion to Amend Resolution 2019-07-102, to substitute not to exceed ten percent (10%) with not to exceed five percent (5%).

It was moved by W. Nakagiri
Seconded by NONE

NO SECOND, Motion to Amend Not Considered

Motion to adopt the Resolution.

It was moved by D. Dolan
Seconded by C. Griffith
Yes (7): D. Dolan, W. Green, W. Nakagiri, D. Helzerman, R. Bezotte, D. Parker and C. Griffith;
No (1): W. Nakagiri; Absent (1): K. Lawrence

MOTION Carried (7-1-1)

11.c 2019-07-103

Resolution Authorizing a Supplemental Appropriation and to Enter Into an Agreement with DoubleMap, Inc. to Provide Dispatch Software and Mobile Data Terminals (MDTs) for L.E.T.S. Transit Operations – L.E.T.S.

Motion to adopt the Resolution.

It was moved by W. Green

Seconded by C. Griffith

Discussion

MOTION Carried (8-0-1)

11.d 2019-07-104

Resolution Opposing Legislation to Prevent County Commissioner Candidates from Disclosing Their Party Affiliation on Ballots Provide to Michigan Voters – Board of Commissioners

Motion to adopt the Resolution.

It was moved by W. Nakagiri

Seconded by D. Helzerman

Discussion

Motion to amend Resolution 2019-07-104, to include changes presented in the redline version handed out prior to the meeting and correction of a typo in the fifth Whereas paragraph.

It was moved by W. Nakagiri

Seconded by R. Bezotte

Roll Call Vote: Yes (7): W. Nakagiri, D. Helzerman, R. Bezotte, C. Griffith, D. Parker, D. Dolan, and W. Green; No (1): G. Childs; Absent (1): K. Lawrence

MOTION Carried (7-1-1)

Motion to adopt the amended Resolution.

It was moved by W. Nakagiri

Seconded by D. Helzerman

Roll Call Vote: Yes (7): W. Nakagiri, D. Helzerman, R. Bezotte, C. Griffith, D. Parker, D. Dolan, and W. Green; No (1): G. Childs; Absent (1): K. Lawrence

12. CALL TO THE PUBLIC

Karen Pierce, Hamburg Township, commented on the PFAS situation and the PFAS presentation by Representative Slotkin.

Dr. Leo Hanifin, Brighton Township, spoke regarding the Master Transit Plan.

13. ADJOURNMENT

Motion to adjourn the meeting at 8:29 p.m.

It was moved by C. Griffith

Seconded by D. Helzerman

MOTION Carried (8-0-1)

Elizabeth Hundley, Livingston County Clerk

LIVINGSTON COUNTY BOARD OF COMMISSIONERS

MEETING MINUTES

July 24, 2019

IMMEDIATELY FOLLOWING THE FINANCE COMMITTEE

304 E. Grand River, Board Chambers, Howell MI 48843

| | |
|-----------------|--|
| Members Present | Donald Parker, Dennis Dolan, Kate Lawrence, William Green, Wes Nakagiri, Douglas Helzerman, Robert Bezotte, and Carol Griffith |
| Members Absent | Gary Childs |

1. CALL MEETING TO ORDER

The meeting was called to order by Chairperson D. Parker at 9:34 a.m.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

All rose for the Pledge of Allegiance to the Flag of the United States of America.

3. ROLL CALL

Indicated the presence of a quorum.

4. CALL TO THE PUBLIC

None.

5. APPROVAL OF AGENDA

Motion to approve the Agenda as presented.

Moved By W. Green

Seconded By D. Dolan

Motion Carried (8-0-1)

6. FINANCE COMMITTEE RECOMMENDATION FOR APPROVAL OF CLAIMS

Dated: July 11 through July 24, 2019

Motion to approve the Claims.

Moved By D. Dolan

Seconded By C. Griffith

Motion Carried (8-0-1)

7. FINANCE COMMITTEE RECOMMENDATION FOR APPROVAL OF PAYABLES

Dated: July 24, 2019

Motion to approve the Payables.

Moved By D. Dolan

Seconded By C. Griffith

Motion Carried (8-0-1)

8. CALL TO THE PUBLIC

None.

9. ADJOURNMENT

Motion to adjourn the meeting at 9:35 a.m.

Moved By C. Griffith

Seconded By K. Lawrence

Motion Carried (8-0-1)

Elizabeth Hundley, Livingston County Clerk

UNAPPROVED

RESOLUTION

NO: 2019-07-105

LIVINGSTON COUNTY

DATE: July 29, 2019

Resolution to Certify Officer and Employee Delegates to the 2019 Municipal Employees' Retirement System Annual Conference – Human Resources

WHEREAS, the 2019 MERS Annual Meeting will be held on October 3-4 at the Grand Traverse Resort, Acme, Michigan; and

WHEREAS, in accordance with the MERS Plan Document, delegates for the MERS Annual Meeting may be appointed by official action of the Board of Commissioners; and

WHEREAS, nominations were sought for Employee Delegates to attend the meeting; and

WHEREAS, costs of employees' attendance at the MERS annual meeting will be paid through the Benefit Fund.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners appoint Ken Hinton, County Administrator, as Officer Delegate and Stacy Bono, Benefits Specialist, as Alternate Officer Delegate, Kay Baker, as the Employee Delegate, and Rob Stanford, as the Alternate Employee Delegate for the 2019 MERS Annual Meeting.

BE IT FURTHER RESOLVED that the Livingston County Board of Commissioners authorize reasonable expenses in accordance with adopted Board policy.

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**MOVED:
SECONDED:
CARRIED:**

RESOLUTION

NO: 2019-07-106

LIVINGSTON COUNTY

DATE: July 29, 2019

Resolution Approving the FY 2019 Annual Implementation Plan of the Area Agency on Aging 1-B – Board of Commissioners

WHEREAS, the Area Agency on Aging 1-B has been supporting services to Livingston County residents since 1974; and

WHEREAS, the Area Agency on Aging 1-B has assessed the needs of older county residents and developed a plan to provide assistance that addresses identified needs; and

WHEREAS, the proposed plan has been submitted for review by the public, and has been subjected to a public hearing; and

WHEREAS, the comments at the public hearings on the proposed plan were mostly favorable, and constructive changes in the plan were made as a result of some comments; and

WHEREAS, the Livingston County Board of Commissioners appoints two representatives to the AAA 1-B Board of Directors, a County Commissioner and a county resident who is at least 60 years of age; and

WHEREAS, the Michigan Aging and Adult Services Agency requires that county Boards of Commissioners be given the opportunity to review and approve an area agency on aging's annual implementation plan.

THEREFORE BE IT RESOLVED, that the Livingston County Board of Commissioners hereby approves the FY 2020-2022 Annual Implementation Plan of the Area Agency on Aging 1-B, for the purpose of conveying such support to the Area Agency on Aging 1-B and the Michigan Aging and Adult Services Agency.

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MOVED:
SECONDED:
CARRIED:

July 17, 2019

Commissioner Donald S. Parker, Chairperson
Livingston County Board of Commissioners
304 E. Grand River Ave., Suite 201
Howell, MI 48843

Dear Commissioner Parker:

Enclosed please find the Area Agency on Aging 1-B (AAA 1-B) FY 2020-22 Multi Year Plan (MYP) Snapshot. The full plan can be found on the AAA 1-B website at <https://aaa1b.org/wp-content/uploads/2019/05/Draft-FY-2020-2022-Multi-Year-Plan-4-23-2019.pdf>. The FY 2020-22 AIP was adopted by action of the AAA 1-B Board of Directors on June 28, 2019, and has been submitted to the Michigan Aging & Adult Services Agency for approval. The AAA 1-B Board of Directors' review and approval process involves two appointees from each Region 1-B county Board of Commissioners, a member commissioner and an older adult representative. As you may know, the AAA 1-B Board of Directors consists of a majority of county commission appointees. The plan has also been reviewed and approved by the AAA 1-B Advisory Council, and has been the subject of a public hearing, where favorable comments on the plan were received.

This document is being sent to you in accordance with a directive from the Michigan Aging & Adult Services Agency, which allows each county Board of Commissioners to adopt a resolution of approval for the plan. A model resolution is enclosed for your convenience. State policy stipulates that if a county chooses to take such action, it must be completed by July 31, 2019. Please forward any adopted resolution, or minutes of the meeting where such action is taken, to the AAA 1-B, Attention: Pamela Moffitt or send by email to pmoffitt@aaa1b.org by July 31, 2019.

Thank you for your consideration of this request. If you have questions or require assistance relative to the plan, please contact Jim McGuire, Director of Research, Policy and Advocacy at (248) 262-9216.

Sincerely,



Michael Karson
Chief Executive Officer

Enclosures

c: Livingston County Commissioner Kate Lawrence, member, AAA 1-B Board of Directors
Terese Gainer, member, AAA 1-B Board of Director

SNAPSHOT OF THE FY 2020-22 MULTI YEAR AREA PLAN

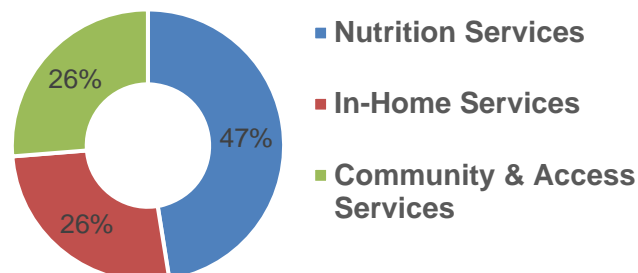
As designated by the Older Americans Act of 1965, the Plan outlines the planning, program, advocacy and funding priorities for the Area Agency on Aging 1-B. Read the Plan at: <https://aaa1b.org/about-us/key-data-and-policies/>

WHO WE ARE and WHO WE SERVE

Area Agency on Aging 1-B (AAA 1-B) is a non-profit organization responsible for coordinating a network of services to **nearly 30% of the state's older adults and family/informal caregivers**, and specifically targets underserved populations:

- Economically Disadvantaged
- Socially Disadvantaged

FUNDING ALLOCATION by SERVICE TYPE



An estimated 737,000 older adults and live in the AAA 1-B region of Livingston, Macomb, Monroe, Oakland, St. Clair and Washtenaw counties.

PRIORITIES FOR FISCAL YEAR 2020 (October 1, 2019 – September 30, 2020)

- Undertake basic research and demonstration projects that provide evidence for data-driven decision making for program advocacy, systems change and management.
- Implement the AAA 1-B Advocacy Strategy to secure increased state, federal, and/or local support for older adult services.
- Initiate the identification, measurement and reporting of outcomes for contracted services.
- Incentivize communities to conduct a Caregiver Friendly Community Self Assessment
- Increase AAA 1-B fundraising capacity and grant seeking activities.
- Secure increased support for public transportation resources that address the unique needs of transit dependent older adults and adults with a disability.
- Develop additional resources for family and informal caregivers.
- Expand wellness programming throughout Region 1-B, particularly to the private pay market.
- Expand Medical Nutrition Therapy (MNT) throughout Region 1-B to Medicare recipients.
- Develop a Grandparents Raising Grandchildren Public Policy Platform.

SERVICES REACHING THE MOST LIVES IN 2018

Information & Assistance: 37,812

Congregate Meals: 12,171

Home Delivered Meals: 10,966



AAA 1-B uses federal, state, and local dollars totaling over \$23 Million to support 25 distinct older adult programs and services.

AAA 1-B enhances the lives of older adults and adults with disabilities in the communities we serve.

www.aaa1b.com

Toll Free (800) 852-7795

RESOLUTION

NO: 2019-07-107

LIVINGSTON COUNTY

DATE: July 29, 2019

Resolution Authorizing an Agreement with Redstone Architects, Inc. to Provide a Renovation Needs Assessment for the Livingston County Sheriff's Office Building – Sheriff

WHEREAS, there is an need to determine the next steps to address current operational and future needs at the Livingston County Sheriff's Office Building; and

WHEREAS, in accordance with the County's Procurement Policy, a formal bid process was performed; submitted proposals were evaluated; and the Evaluation Committee recommends an award to the highest ranked proposal; and

WHEREAS, Redstone Architects, Inc. submitted a proposal to provide a Renovation Needs Assessment for the Livingston County Sheriff's Office Building per the scope of services described in RFP-LC-19-07 and the negotiated rates in revised Attachment A – Pricing Proposal dated July 1, 2019 and to be completed per the proposed project schedule; and

WHEREAS, funding for same has been allocated and approved as a capital project in the 2019 Operating Budget.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby authorizes entering into an Agreement with Redstone Architects, Inc. located at 2709 S. Telegraph Road, Bloomfield Hills, MI 48302 to provide a Renovation Needs Assessment for the Livingston County Sheriff's Office Building for the not to exceed rate of forty-eight thousand, three hundred fifty dollars and no cents (\$48,350.00).

BE IT FURTHER RESOLVED that the Chairman of the Livingston County Board of Commissioners is authorized to sign all forms, assurances, contracts/agreements and future amendments for monetary and contract language adjustments related to the above as prepared by Civil Counsel.

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MOVED:

SECONDED:

CARRIED:



Memorandum

To: Livingston County Board of Commissioners
From: Jeff Warder, Undersheriff
Date: July 1, 2019
Re: Resolution Authorizing an Agreement with Redstone Architects, Inc. to Provide a Renovation Needs Assessment for the Livingston County Sheriff's Office Building – GENERAL GOVERNMENT/ FINANCE / BOARD

The Livingston County Sheriff's Office (LCSO) has determined that a Renovation Needs Assessment would benefit the County in planning and determining the next steps to address current operational and future needs. The Needs Assessment would assess the existing facilities, provide an estimate of the space and operational requirements for long-term needs, develop options to meet long-term needs and provide cost options for the identified needs.

Per the County Procurement Policy, a competitive bid process was performed in which the bid was posted on the Michigan Inter-governmental Trade Network (MITN), the County website, and (6) six companies were sent the solicitation directly. Six (6) companies attended the mandatory pre-bid site visit/walk-through at the LCSO. Six (6) proposals were received and evaluated. The highest ranked proposal is being recommended for award.

Based on the recommendation of the EC, I am requesting the attached resolution be approved to award a contract with Redstone Architects, Inc. to perform a Needs Assessment for the LCSO and present to the Board of Commissioners the recommendations as determined by the Needs Assessment findings.

Thank you for your consideration. If you have any questions or concerns regarding this matter, please do not hesitate to contact me.

RFP-LC-19-07 - Evaluation Matrix

| RFP-LC-19-07: Evaluation Matrix | Maximum Points | Byce | DiClemente | DLZ | PlanteMoran | Redstone | TowerPinkster |
|--|----------------|------------|------------|------------|-------------|------------|---------------|
| General Qualifications & History of Firm | 45 | 39 | 36 | 40 | 34 | 44 | 41 |
| Specific Project Experience/References | 75 | 65 | 50 | 60 | 54 | 68 | 66 |
| Personnel Qualifications | 30 | 26 | 26 | 28 | 24 | 26 | 27 |
| Project Approach | 60 | 44 | 40 | 56 | 41 | 48 | 56 |
| General Responsiveness to RFP | 15 | 44 | 10 | 12 | 13 | 12 | 14 |
| Cost Proposal - Attachment A | 75 | 37 | 38 | 42 | 45 | 67 | 42 |
| Total Points Earned | 300 | 223 | 200 | 238 | 211 | 265 | 246 |

RESOLUTION

NO: 2019-07-108

LIVINGSTON COUNTY

DATE: July 29, 2019

Resolution Requesting Use of County Grounds During Construction of Septage Receiving Station Expansion-Dewatering Project – Department of Public Works

WHEREAS, the Livingston County Department of Public Works (LCDPW) is seeking to construct certain improvements to its Septage Receiving Station located in Hartland Township; and

WHEREAS, the project is anticipated to take approximately one year to complete with an anticipated start date of September 2019 and a finish date of August 2020; and

WHEREAS, the SRS will remain operational during this construction; and

WHEREAS, the LCDPW would like to include in its bid documents the use of a 100 foot strip offset from the existing northern property boundary and the full length of the northernmost edge (Exhibit 1); and

WHEREAS, the Contractor will construct a construction access driveway from Runyan Lake Rd. within this limit with a minimum culvert of 12 inches in diameter; and

WHEREAS, the Contractor shall provide a staging and restoration plan to the LCDPW and its Engineer for approval prior to starting construction; and

WHEREAS, the County will be named as an insured as part of the insurance coverage requirements that the LCDPW will have in its contract with the selected Contractor.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby approves the request from the LCDPW for the use of County grounds by the contractor selected to construct the SRS dewatering/expansion project for the period beginning and ending approximately September 2019 and August 2020 respectively.

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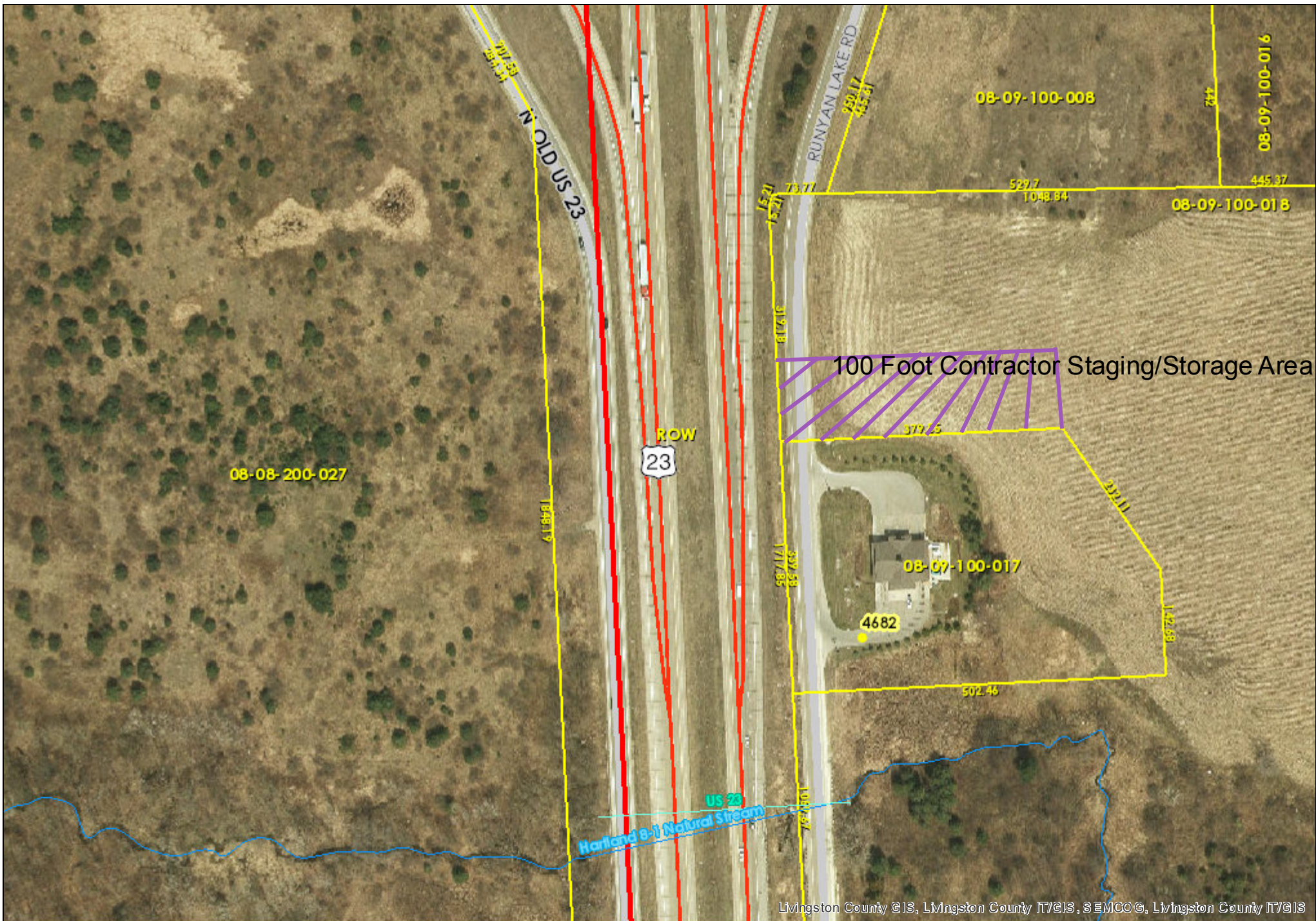
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MOVED:

SECONDED:

CARRIED:



Livingston County GIS, Livingston County IT/GIS, SEMCOG, Livingston County IT/GIS



Livingston County, Michigan
Information Technology Department
G.I.S. Division
304 E. Grand River Ave., Howell, MI 48843
517.548.3230
<http://www.livgov.com/gis>

110 55 0 110 220 Feet
1 inch = 167 feet

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Printed: 7/16/2019
Aerial Year: 2015

MAP INTERPRETATION NOTICE
Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of Livingston County. Boundary measurements and area calculations are approximate and should not be construed as survey measurements.



Memorandum

To: Livingston County Board of Commissioners

From: Robert A. Spaulding, DPW Coordinator

Date: July 15, 2019

Subject: Resolution Requesting Use of County Property during the Construction of the Livingston County Septage Receiving Station Dewatering/Expansion Project

In anticipation of our upcoming Livingston County Septage Receiving Station (SRS) expansion/dewatering project, we would like to request the use of County property for us to be able to have the selected general contractor use on a temporary basis.

The amount of land available for their use would be a 100-foot strip of property along the northernmost boundary of the 3.64-acre SRS parcel. I have attached an Exhibit A to the resolution.

Being able to offer this property for their usage to store materials and equipment should help to defer any additional costs on behalf of the contractor.

The construction agreement will require that the contractor restore the property to its present condition upon completion of the project.

Thank you for your consideration.

RESOLUTION

NO: 2019-07-109

LIVINGSTON COUNTY

DATE: July 29, 2019

Resolution Authorizing Issuance of Sewage Disposal Bonds (Septage Receiving Station), Series 2019 – Department of Public Works

- WHEREAS,** the County of Livingston (the “County”), by resolution of its Board of Commissioners, has established a Department of Public Works for the administration of the powers conferred upon the County by Act 185 of the Michigan Public Acts of 1957, as amended (“Act 185”), which Department is administered by the Board of Public Works, under the general control of the Board of Commissioners; and
- WHEREAS,** by the terms of Act 185, the County is authorized to contract for the acquisition, construction and financing of sewage disposal system improvements to serve the County and for the payment of the cost thereof by the County, with interest, and the County is then authorized to issue its bonds to provide the funds necessary therefor; and
- WHEREAS,** pursuant to Act 185, the County, acting through its Board of Public Works, has previously established a sanitary sewer system (the “Livingston Regional Sewer System”), consisting, collectively, of the Hartland Sewer System (the “Hartland Sewer System”) serving portions of the Township of Hartland, Livingston County, Michigan (“Hartland”), and the Tyrone Sewer System serving portions of the Township of Tyrone, Livingston County, Michigan (“Tyrone”); and
- WHEREAS,** the Livingston Regional Wastewater System is operated and maintained by the County, acting through its Board of Public Works; and
- WHEREAS,** pursuant to Act 185, the County, acting through its Board of Public Works, has previously entered into a contract with Hartland, Hartland Township Sanitary Drain No. 1 Drainage District, Hartland Township Sanitary Drain No. 2 Drainage District and Branches to Hartland Township Sanitary Drain No. 2 Drainage District, to, among other things, finance, construct and connect to the Hartland Sewer System, a facility located in Hartland (the “Septage Receiving Station”) to receive septage waste from septage haulers and discharge said septage waste to the Hartland Sewer System for transportation to the Genesee Wastewater Treatment Plant, Genesee County, Michigan (the “Genesee Wastewater Treatment Plant”); and
- WHEREAS,** the County has previously entered into a contract with the County of Genesee (“Genesee County”) under Act 342 of the Michigan Public Acts of 1939, as amended (“Act 342”) for the treatment at the Genesee Wastewater Treatment Plant of wastewater generated in Hartland and Tyrone, including the treatment of septage waste transported from the Septage Receiving Station; and
- WHEREAS,** on March 22, 2019, the Livingston County Board of Public Works entered into a Corrective Action Plan with Genesee County acknowledging known violations with their current Industrial Pretreatment Plan (IPP) due to the waste strength of the septage flow and agreed to undertake improvements which included the installation of certain pretreatment equipment to bring its discharge into compliance with its permit; and

WHEREAS, pursuant to Act 185, the County intends to acquire and construct improvements to the Septage Receiving Station consisting of a new building with a third receiving bay as well as septage dewatering equipment and related processing tanks to significantly lessen the waste strength of the septage flow that must be transported to the Genesee Wastewater Treatment Plant (the “2019 Project”) and thereby being able to meet its IPP limits; and

WHEREAS, there has been submitted for approval and adoption by this Board, plans, specifications, and estimates of the cost and period of usefulness of the 2019 Project; and

WHEREAS, this Resolution constitutes a contract and provides for the issuance of bonds by the County to defray part of the cost of the 2019 Project, said bonds to be secured by the contractual obligation of the County to pay amounts sufficient to pay the principal of and interest on the hereinafter authorized bonds and to pay such other expenses as may be incurred on account of the bonds.

THEREFORE, BE IT RESOLVED as follows:

PLANS AND SPECIFICATIONS – ESTIMATES OF PERIOD OF USEFULNESS AND COST. The plans and specifications for the 2019 Project and the estimates of \$8,493,700 as the cost of the 2019 Project and 25 years and upwards as the period of usefulness of the 2019 Project, as submitted to this Board of Commissioners, are approved and adopted.

AUTHORIZATION OF BONDS – PURPOSE. Bonds of the County aggregating the principal sum of not to exceed Seven Million Two Hundred Fifty Thousand Dollars (\$7,250,000) (the “Bonds”) shall be issued and sold pursuant to the provisions of this Resolution, Act 185, and other applicable laws, for the purpose of paying part of the cost of acquiring and constructing the 2019 Project.

BOND DETAILS. The bonds shall be designated “Sewage Disposal Bonds (Septage Receiving Station), Series 2019; shall be dated the date of delivery or as of such other date as approved by the Director of the Department of Public Works (the “Director”) at the time of sale; shall be numbered from 1 upwards; shall be fully registered; shall be in the denomination of \$5,000 each or any integral multiple thereof not exceeding the aggregate principal amount for each maturity at the option of the purchaser thereof; shall bear interest at a rate or rates not exceeding 6% per annum to be determined by the Director upon the sale thereof, payable on May 1 and November 1, in such years as shall be determined by the Director at the time of sale; and shall mature on May 1, in such years and in such amounts as shall be determined by the Director at the time of sale, provided that the final maturity shall be not later than May 1, 2044.

PAYMENT OF PRINCIPAL AND INTEREST. The principal of and interest on the Bonds shall be payable in lawful money of the United States. Principal shall be payable upon presentation and surrender of the Bonds to the bond registrar and paying agent as they severally mature. Interest shall be paid to the registered owner of each bond as shown on the registration books at the close of business on the 15th day of the calendar month preceding the month in which the interest payment is due. Interest shall be paid when due by check or draft drawn upon and mailed by the bond registrar and paying agent to the registered owner at the registered address.

BOOK-ENTRY-ONLY SYSTEM. Initially, one fully-registered Bond for each maturity, in the aggregate amount of such maturity, shall be issued in the name of Cede & Co., as nominee of The Depository Trust Company (“DTC”) for the benefit of other parties (the “Participants”) in the book-entry-only transfer system of DTC. In the event the County determines that it is in the best interest of the County not to continue the book-entry-only system of transfer or that the interests of the holders of the Bonds might be adversely affected if the book-entry-only system of transfer is continued, the County may notify DTC and the bond registrar and paying agent, whereupon DTC will notify the Participants of the availability through DTC of bond certificates. In such event, the bond registrar and paying agent shall deliver, transfer and exchange bond certificates as requested by DTC and any Participant or “beneficial owner” in appropriate amounts in accordance with this Resolution. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the County and the bond registrar and paying agent and discharging its responsibilities with respect thereto under applicable law or the County may determine that DTC is incapable of discharging its duties and may so advise DTC. In either such event, the County shall use reasonable efforts to locate another securities depository. Under such circumstances (if there is no successor securities depository), the County and the bond registrar and paying agent shall be obligated to deliver bond certificates in accordance with the procedures established by this Resolution. In the event bond certificates are issued, the provisions of this Resolution shall apply to, among other things, the transfer and exchange of such certificates and the method of payment of principal of and interest on such certificates. Whenever DTC requests the County and the bond registrar and paying agent to do so, the County and the bond registrar and paying agent shall cooperate with DTC in taking appropriate action after reasonable notice to make available one or more separate certificates evidencing the Bonds to any Participant having Bonds certificated to its DTC account or to arrange for another securities depository to maintain custody of certificates evidencing the Bonds.

Notwithstanding any other provision of this Resolution to the contrary, so long as any Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to the principal of, interest on and redemption premium, if any, on the Bonds and all notices with respect to the Bonds shall be made and given, respectively, to DTC as provided in the Blanket Issuer Letter of Representations between DTC and the County. The Director is authorized to sign additional documents on behalf of the County in such form as the Director deems necessary or appropriate in order to accomplish the issuance of the Bonds in accordance with law and this Resolution. Notwithstanding any other provision of this Resolution to the contrary, if the Director deems it to be in the best interest of the County, the Bonds shall not initially be issued through the book-entry-only transfer system of DTC.

BOND REGISTRAR AND PAYING AGENT. The Board of Commissioners hereby designates, and the Director may enter into an agreement with The Huntington National Bank, Grand Rapids, Michigan, as bond registrar and paying agent for the Bonds. The Director from time to time as required may designate a successor bond registrar and paying agent which shall be a bank or trust company located in the State of Michigan which is qualified to act in such capacity under the laws of the United States of America or the State of Michigan.

PRIOR REDEMPTION.

(a) Mandatory Prior Redemption. If any of the Bonds are designated by the original purchaser as term bonds such Bonds shall be subject to mandatory prior redemption at par and accrued interest as determined by the Director at the time of sale of the Bonds and upon the terms and conditions set forth in the form of bond contained in Section 10 hereof. The bonds to be redeemed shall be selected by lot.

(b) Optional Prior Redemption. The Bonds may be subject to optional redemption prior to maturity as determined by the Director at the time of sale of the Bonds.

EXECUTION, AUTHENTICATION AND DELIVERY OF THE BONDS. The Bonds shall be executed in the name of the County by the manual or facsimile signatures of the Chairperson of the Board of Commissioners and the County Clerk and authenticated by the manual signature of an authorized representative of the bond registrar and paying agent, and the seal of the County (or a facsimile thereof) shall be impressed or imprinted on the Bonds. After the Bonds have been executed and authenticated for delivery to the original purchaser thereof, they shall be delivered by the County Treasurer to the purchaser upon receipt of the purchase price. Additional Bonds bearing the facsimile signatures of the Chairperson of the Board of Commissioners and the County Clerk and upon which the seal of the County (or a facsimile thereof) is impressed or imprinted may be delivered to the bond registrar and paying agent for authentication and delivery in connection with the exchange or transfer of Bonds. The bond registrar and paying agent shall indicate on each Bond the date of its authentication.

EXCHANGE AND TRANSFER OF BONDS. Any Bond, upon surrender thereof to the bond registrar and paying agent with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner or his duly authorized attorney, at the option of the registered owner thereof, may be exchanged for Bonds of any other authorized denominations of the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered Bond.

Each Bond shall be transferable only upon the books of the County, which shall be kept for that purpose by the bond registrar and paying agent, upon surrender of such Bond together with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner or his duly authorized attorney.

Upon the exchange or transfer of any Bond, the bond registrar and paying agent on behalf of the County shall cancel the surrendered Bond and shall authenticate and deliver to the transferee a new Bond or Bonds of any authorized denomination of the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered Bond. If, at the time the bond registrar and paying agent authenticates and delivers a new Bond pursuant to this section, payment of interest on the Bonds is in default, the bond registrar and paying agent shall endorse upon the new Bond the following: "Payment of interest on this bond is in default. The last date to which interest has been paid is _____, ____."

The County and the bond registrar and paying agent may deem and treat the person in whose name any Bond shall be registered upon the books of the County as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such Bond and for all other purposes, and all payments made to any such registered owner, or upon his order, in accordance with the provisions of Section 4 of this Resolution shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and neither the County nor the bond registrar and paying agent shall be affected by any notice to the contrary. The County agrees to indemnify and save the bond registrar and paying agent harmless from and against any and all loss, cost, charge, expense, judgment or liability incurred by it, acting in good faith and without negligence hereunder, in so treating such registered owner.

For every exchange or transfer of Bonds, the County or the bond registrar and paying agent may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer.

The bond registrar and paying agent shall not be required to transfer or exchange Bonds or portions of Bonds which have been selected for redemption.

FORM OF BONDS. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA

STATE OF MICHIGAN
COUNTY OF LIVINGSTONSEWAGE DISPOSAL BOND (SEPTAGE RECEIVING STATION),
SERIES 2019

| | | | |
|----------------------|----------------------|-------------------------------|--------------|
| <u>INTEREST RATE</u> | <u>MATURITY DATE</u> | <u>DATE OF ORIGINAL ISSUE</u> | <u>CUSIP</u> |
|----------------------|----------------------|-------------------------------|--------------|

Registered Owner:

Principal Amount:

The County of Livingston (the "County"), State of Michigan, acknowledges itself indebted to, and for value received, promises to pay to the Registered Owner, or registered assigns, the Principal Amount on the Maturity Date, unless redeemed prior thereto as hereinafter provided, upon presentation and surrender of this bond at the corporate trust office of The Huntington National Bank, Grand Rapids, Michigan, the bond registrar and paying agent, and to pay to the Registered Owner, as shown on the registration books of the County maintained by the bond registrar and paying agent, as of the close of business on the 15th day of the calendar month preceding the month in which an interest payment is due, by check or draft drawn upon and mailed by the bond registrar and paying agent by first class mail postage prepaid to the Registered Owner at the registered address, interest on the Principal Amount from the Date of Original Issue or such later date through which interest shall have been paid until the obligation of the County with respect to the payment of the Principal Amount is discharged at the Interest Rate per annum specified above. Interest is payable on the first days of May and November in each year, commencing on ____ 1, 20___. Principal and interest are payable in lawful money of the United States of America. Interest shall be computed on the basis on a 360 day year of twelve 30-day months.

This bond is one of a series of bonds aggregating the principal sum of _____ Dollars (\$_____) issued by the County under and pursuant to and in full conformity with the Constitution and statutes of Michigan (especially Act no. 185, Public Acts of 1957, as amended) and a bond authorizing resolution adopted by the Board of Commissioners of the County on July ___, 2019 (the "Resolution"), for the purpose of paying part of the cost of acquiring and constructing improvements to a sewage disposal facility located in the Township of Hartland in the County. The

bonds are issued in anticipation of payments to be made by the County pursuant to law. The full faith and credit of the County are hereby pledged to such payments and to the prompt payment of the principal of, premium, if any, and interest on the bonds of this series. The County is obligated and hereby agrees to make sure payments from its general funds as a first budget obligation and is obligated, and hereby agrees, to levy a tax, if necessary, on all taxable property in the County in an amount sufficient to make such payments, subject to applicable constitutional and statutory tax limitations on the taxing power of the County. Taxes levied by the County to pay the principal of and interest on the bonds of this series are subject to constitutional and statutory tax limitations.

This bond is transferable, as provided in the Resolution, only upon the books of the County kept for that purpose by the bond registrar and paying agent, upon the surrender of this bond together with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the Registered Owner or his attorney duly authorized in writing. Upon the exchange or transfer of this bond a new bond or bonds of any authorized denomination, in the same aggregate principal amount and of the same interest rate and maturity, shall be authenticated and delivered to the transferee in exchange therefor as provided in the Resolution, and upon payment of the charges, if any, therein provided. Bonds so authenticated and delivered shall be in the denomination of \$5,000 or any integral multiple thereof not exceeding the aggregate principal amount for each maturity.

[The bond registrar and paying agent shall not be required to transfer or exchange bonds or portions of bonds which have been selected for redemption.

MANDATORY PRIOR REDEMPTION

Bonds maturing in the year 20__ are subject to mandatory prior redemption at par and accrued interest as follows:

| <u>Redemption Date</u> | <u>Principal Amount of Bonds to be Redeemed</u> |
|------------------------|---|
|------------------------|---|

Bonds or portions of bonds to be redeemed by mandatory redemption shall be selected by lot.

Bonds maturing prior to ____ 1, 20__ are not subject to optional redemption prior to maturity. Bonds maturing on and after ____ 1, 20__ are subject to redemption prior to maturity at the option of the County, in such order as shall be determined by the County, on any date occurring on and after ____ 1, 20__. Bonds of a denomination greater than \$5,000 may be partially redeemed in the amount of \$5,000 or any integral multiple thereof. If less than all of the bonds maturing in any year are to be redeemed, the bonds or portions of bonds to be redeemed shall be selected by lot. The redemption price shall be the par value of the bond or portion of the bond called to be redeemed plus interest to the date fixed for redemption.

Not less than thirty days' notice of redemption shall be given by first-class mail to the registered owners of bonds called to be redeemed at their registered addresses. Failure to receive notice of redemption shall not affect the proceedings for redemption. Bonds or portions of bonds

called for redemption shall not bear interest after the date fixed for redemption, provided funds are on hand with the bond registrar and paying agent to redeem the same.]

It is hereby certified, recited and declared that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of the bonds of this series, existed, have happened and have been performed in due time, form and manner as required by law, and that the total indebtedness of the County, including the series of bonds of which this bond is one, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the County of Livingston, Michigan, by its Board of Commissioners, has caused this bond to be executed in its name by the manual or facsimile signatures of the Chairperson of the Board of Commissioners and the County Clerk and its County seal (or a facsimile thereof) to be impressed or imprinted hereon. This bond shall not be valid unless the Certificate of Authentication has been manually executed by an authorized representative of the bond registrar and paying agent.

COUNTY OF LIVINGSTON

By: _____

Its: Chairperson, Board of Commissioners

(SEAL)

And: _____

Its: County Clerk

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the within mentioned Resolution.

Bond Registrar and Paying Agent

By: _____
Authorized Signer

AUTHENTICATION DATE:

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto

(please print or type name, address and taxpayer identification number of transferee) the within bond
and all rights thereunder and hereby irrevocably constitutes and appoints

attorney to transfer the within bond on the books kept for registration thereof, with full power of
substitution in the premises.

Dated: _____

Signature Guaranteed: _____

Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities
Transfer Association recognized signature guarantee program.

END OF BOND FORM

SECURITY. The Bonds shall be issued in anticipation of payments to be made by the County pursuant to Act 185, which provides that the County may contract to pay the costs of the 2019 Project. The full faith and credit of the County are hereby pledged to such payments and to the payment of the principal of, premium, if any, and interest on the Bonds. The County is obligated and hereby agrees to make such payments from its general funds as a first budget obligation and is obligated, and hereby agrees, to levy a tax, if necessary, on all taxable property in the County in an amount sufficient to make such payments, subject to applicable constitutional and statutory limitations on the taxing power of the County.

DEFEASANCE. In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay, at maturity or irrevocable call for earlier optional redemption, the principal of, premium, if any, and interest on the Bonds, or any portion thereof, shall have been deposited in trust, this Bond Resolution shall be defeased with respect to such Bonds, and the owners of the Bonds shall have no further rights under this Bond Resolution except to receive payment of the principal of, premium, if any, and interest on such Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange Bonds as provided herein.

PRINCIPAL AND INTEREST FUND. There shall be established for the Bonds a Principal and Interest Fund which shall be kept in a separate bank account. From the proceeds of the sale of the Bonds there shall be set aside in the Principal and Interest Fund any accrued interest received from the purchaser of the Bonds at the time of delivery of the same. All payments made by the County pursuant to Act 185 and other applicable law to pay the principal of, premium, if any, and interest on the Bonds shall be placed in the Principal and Interest Fund.

CONSTRUCTION FUND. The remainder of the proceeds of the sale of the Bonds shall be set aside in a construction fund for the 2019 Project and used, together with other moneys available to the County, if any, to acquire and construct the 2019 Project in accordance with the plans and specifications therefor.

APPROVAL OF MICHIGAN DEPARTMENT OF TREASURY. The issuance and sale of the Bonds shall be subject to permission being granted therefor by the Department of Treasury of the State of Michigan pursuant to Act 34, Public Acts of Michigan, 2001, as amended, and, if necessary, the Director is authorized and directed to make application to the Department of Treasury for permission to issue and sell the Bonds as provided by the terms of this Bond Resolution.

SALE, ISSUANCE, DELIVERY, TRANSFER AND EXCHANGE OF BONDS. The Bonds shall be sold at a competitive sale as hereinafter provided. The Director is hereby authorized to approve an Official Notice of Sale for the Bonds and publish the same in accordance with law in *The Bond Buyer* at least seven days before the date set for the sale of the Bonds. Sealed bids for the purchase of the Bonds shall be received up to such time as shall hereafter be determined by the Director. Following the receipt of bids for the Bonds, the Bonds shall be awarded to the successful bidder therefor pursuant to a written order (the "Sale Order") to be executed by the Director at the time of sale of the Bonds and which shall set forth, with respect to the Bonds, the principal amount, principal maturities and dates, interest rates and interest payment dates, redemption provisions, if any, and purchase price to be paid by the purchaser, as well as such other terms and provisions as the Director determines to be necessary or appropriate in connection with the sale of the Bonds. The members of the Board of Public Works, the Director and other appropriate County officials are authorized to do all things necessary to effectuate the sale, issuance, delivery, transfer and exchange of the Bonds in accordance with the provisions of this Resolution. In making the determination in the Sale Order with respect to principal maturities and dates, interest rates, and purchase price of the Bonds, the Director shall be limited as follows:

The interest rate on any Bond shall not exceed 6% per annum.

The final maturity date of the Bonds shall not be later than May 1, 2044.

(c) The purchase price of the Bonds shall not be less than 99% of the principal amount thereof.

REPLACEMENT OF BONDS. Upon receipt by the Director of proof of ownership of an unmatured Bond, of satisfactory evidence that the Bond has been lost, apparently destroyed or wrongfully taken and of security or indemnity which complies with applicable law and is satisfactory to the Director, the Director may authorize the bond registrar and paying agent to deliver a new executed Bond to replace the Bond lost, apparently destroyed or wrongfully taken in compliance with applicable law. In the event an outstanding matured Bond is lost, apparently destroyed or wrongfully taken, the Director may authorize the bond registrar and paying agent to pay the Bond without presentation upon the receipt of the same documentation required for the delivery of a replacement Bond. The bond registrar and paying agent, for each new Bond delivered or paid without presentation as provided above, shall require the payment of expenses, including counsel fees, which may be incurred by the bond registrar and paying agent and the County in the premises. Any Bond delivered pursuant the provisions of this section in lieu of any Bond lost, apparently destroyed or wrongfully taken shall be of the same form and tenor and be secured in the same manner as the Bond in substitution for which such Bond was delivered.

TAX COVENANT. The County covenants to comply with all requirements of the Internal Revenue Code of 1986, as amended, necessary to assure that the interest on the Bonds will be and will remain excludable from gross income for federal income tax purposes. The Director and other appropriate County and Board of Public Works officials are authorized to do all things necessary to assure that the interest on the Bonds will be and will remain excludable from gross income for federal income tax purposes.

QUALIFIED TAX EXEMPT OBLIGATIONS. The Bonds are hereby designated as Qualified Tax Exempt Obligations as described in Section 265(b)(3)(B) of the Internal Revenue Code of 1986, as amended, such designation to be confirmed by the Director at the time of publication of the Official Notice of Sale.

OFFICIAL STATEMENT. The Director is authorized to cause the preparation of an official statement for the Bonds for the purpose of enabling compliance with Rule 15c2-12 issued under the Securities Exchange Act of 1934, as amended (the "Rule") by the successful bidder or bidders and shall do all other things necessary to enable compliance with the Rule by the successful bidder or bidders. After the award of the Bonds, the County will provide copies of a "final official statement" (as defined in paragraph (e)(3) of the Rule) on a timely basis and in reasonable quantity as requested by the successful bidder or bidders to enable such bidder or bidders to comply with paragraph (b)(4) of the Rule and the rules of the Municipal Securities Rulemaking Board.

CONTINUING DISCLOSURE. The Treasurer of the County is authorized to execute and deliver in the name and on behalf of the County (i) a certificate to comply with the requirements for a continuing disclosure undertaking pursuant to subsection (b)(5) of the Rule and (ii) amendments to such certificate from time to time in accordance with the terms of such certificate (the certificate and any amendments thereto are collectively referred to herein as the "Continuing Disclosure Certificate"). The County hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate. The remedies for any failure of the Board to comply with and carry out the provisions of the Continuing Disclosure Certificate shall be as set forth therein.

REDUCTION IN PRINCIPAL AMOUNT OF BOND ISSUE. If the Director shall determine that it is not necessary to sell Bonds in the principal amount of Seven Million Two Hundred Fifty Thousand Dollars (\$7,250,000), he may by order reduce the principal amount of Bonds to be sold to that amount deemed necessary. In such event, the Director shall reduce the amount of Bonds maturing in any one or more years as necessary.

CONFLICTING RESOLUTIONS. All resolutions and parts of resolutions insofar as they may be in conflict herewith are hereby rescinded.

BLOOMFIELD 9888-32 2392993v3



Livingston County
Department of Public Works
2300 E. Grand River, Suite 105
Howell, Michigan 48843-7581
Phone (517) 546-7150 Fax (517) 545-9658



Board of Public Works

Livingston County, Michigan

RESOLUTION No. 2019-02

APPROVED: July 11, 2019

Resolution Recommending the County of Livingston to Authorize the Issuance of Sewage Disposal Bonds (Septage Receiving Station), Series 2019

At a regular meeting of the Board of Public Works of Livingston County, Michigan, held on July 11, 2019.

PRESENT: Jonckheere, Tatara, Domas, Wilson

ABSENT: McCleer, Brewer, Arens

The Director of the Department of Public Works presented a proposed resolution (the “Bond Resolution”) of the County Board of Commissioners authorizing the issuance of the County’s Sewage Disposal Bonds (Septage Receiving Station), Series 2019 (the “Bonds”).

The following resolution was offered by Tatara and seconded by Domas:

BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE COUNTY OF LIVINGSTON, as follows:

1. That the proposed Bond Resolution is hereby approved and ordered submitted to the County Board of Commissioners with the recommendation by this Board of Public Works that the

same be approved and adopted. A copy of the Bond Resolution shall be attached to the minutes of this meeting.

2. That all resolutions and parts of resolutions, insofar as the same may be in conflict herewith, are hereby rescinded.

ADOPTED via Roll Call Vote.

YEAS: Jonckheere, Wilson, Tatara, Domas

NAYS: None

STATE OF MICHIGAN)
)SS
COUNTY OF LIVINGSTON)

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the Livingston County Board of Public Works held on the July 11, 2019, the original of which resolution is on file in my office. I further certify that notice of said meeting was given in accordance with the open meetings act.

Secretary, Livingston County Board
of Public Works

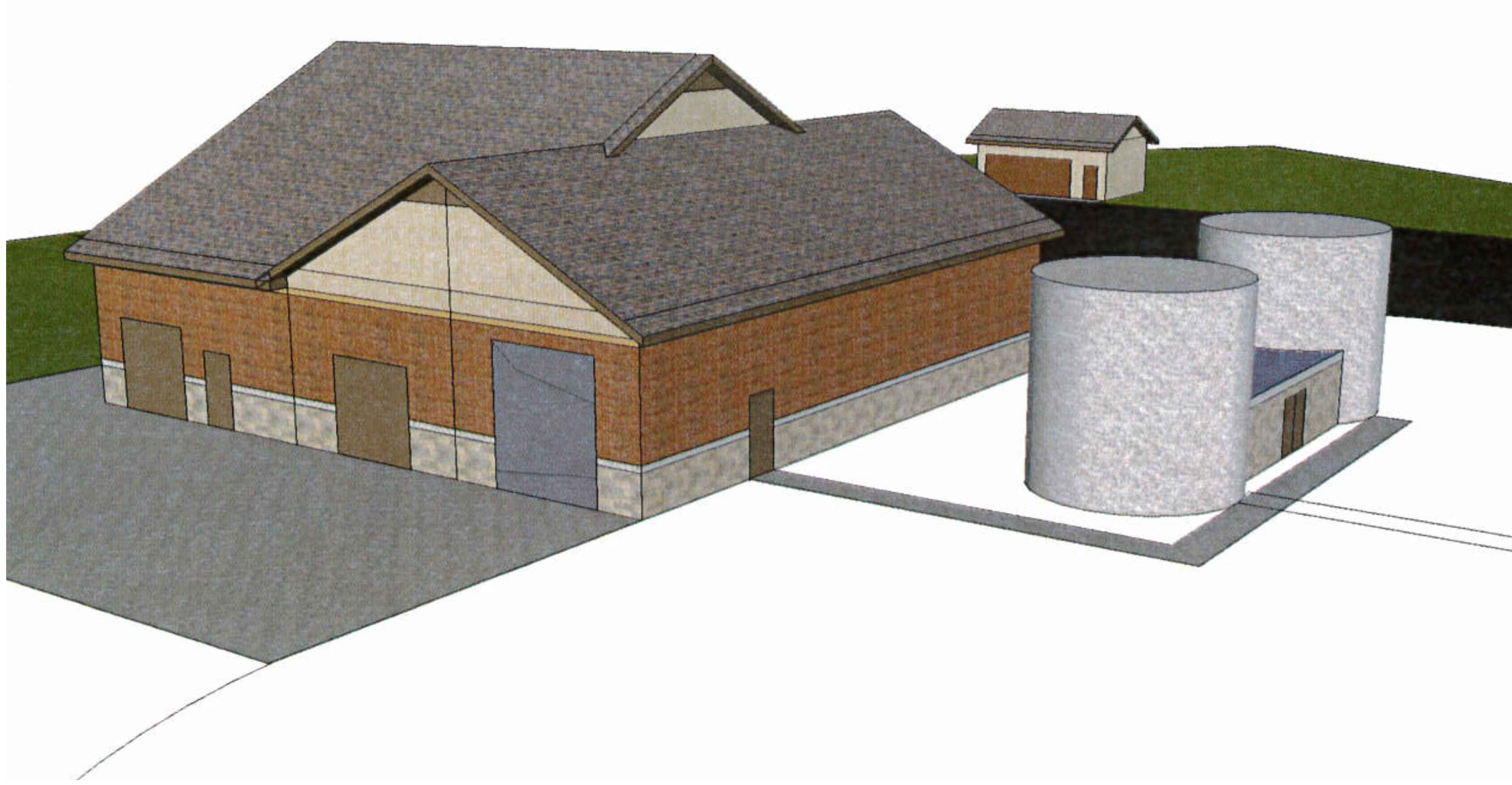
BLOOMFIELD 9888-32 2392986v2



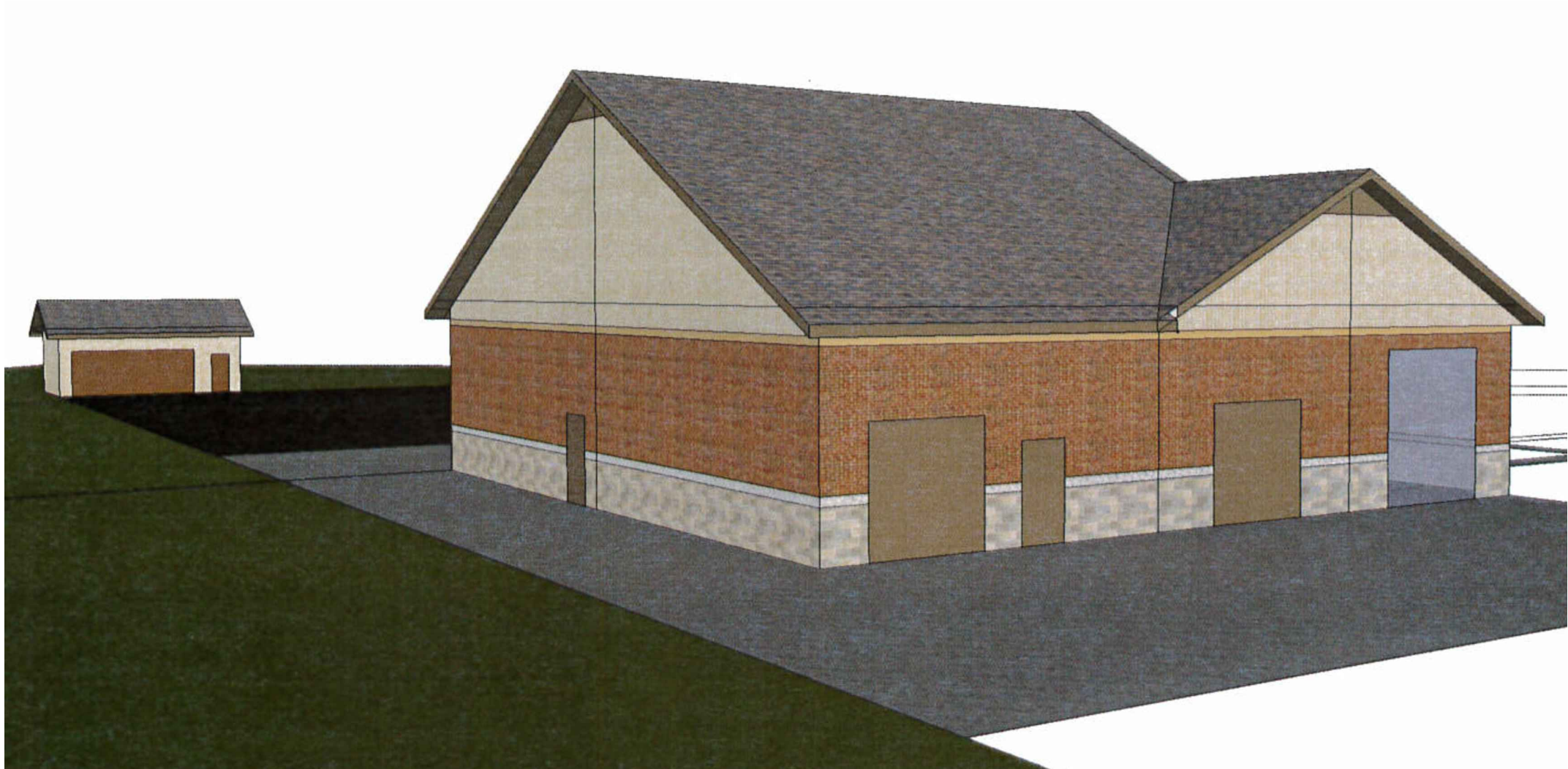
EXISTING BUILDING SOUTH ELEVATION



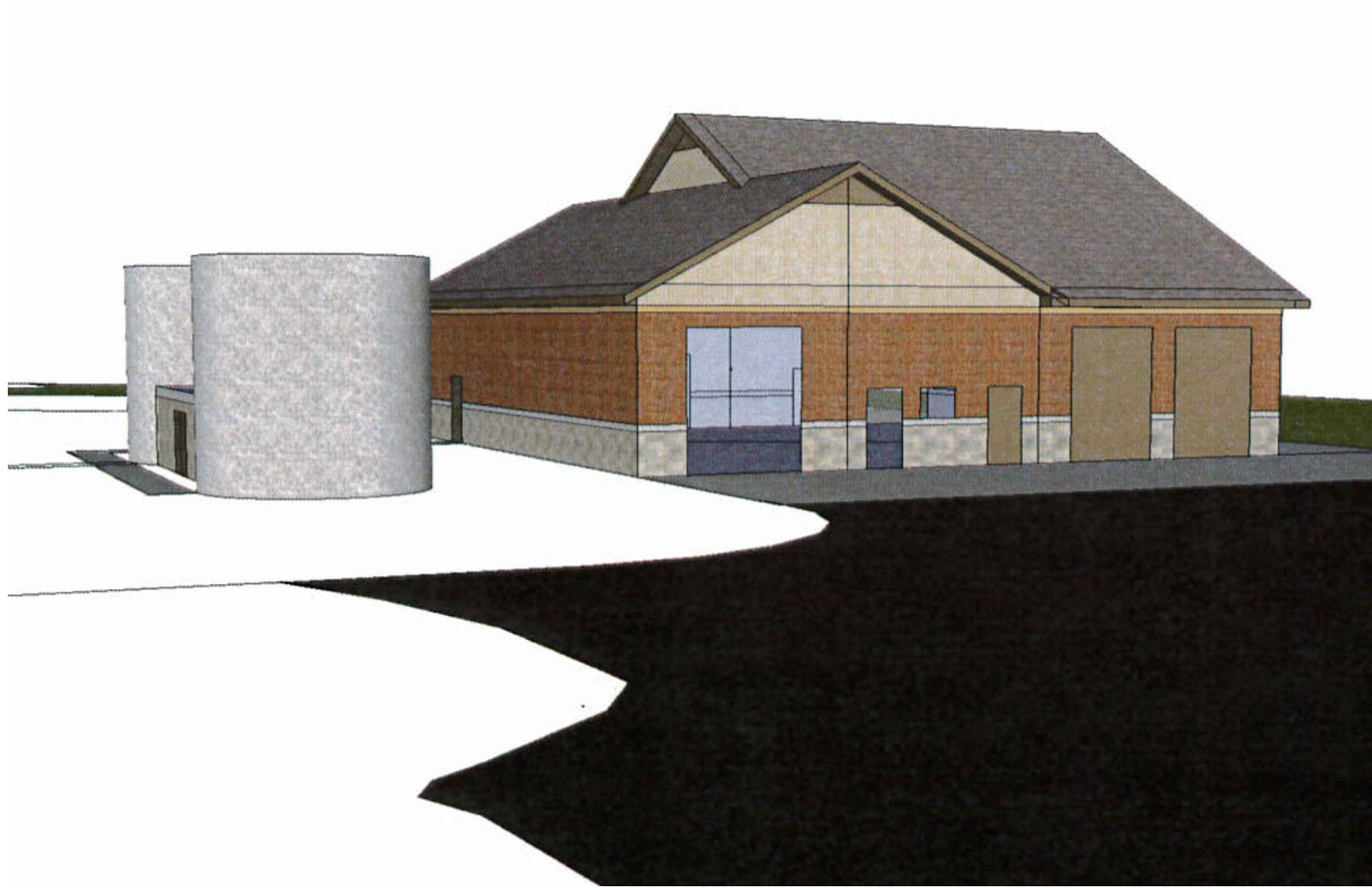
EXISTING BUILDING FROM NORTHWEST



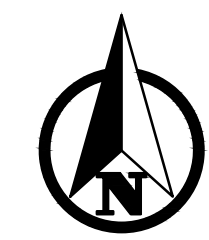
PROPOSED BUILDING FROM NORTHWEST



PROPOSED BUILDING FROM NORTHEAST



PROPOSED BUILDING FROM SOUTHWEST



PLAN SCALE: AS NOTED



| PLAN REVISIONS | | | |
|----------------|------------------|-----|-------------|
| 1 | SITE PLAN REVIEW | CCN | MAY 6, 2019 |

CENTURY A&E
Facilities Design
277 Crahan Avenue NE - Grand Rapids, MI 49525
Telephone: (616) 456-5227 / Fax: (616) 456-5228 / Web: www.centuryae.com

Moore+Bruggink
Consulting Engineers
2020 Monroe Ave.
Grand Rapids, MI 49505
(616) 363-9801 mailbox@mbce.com

BUILDING MATERIALS
IN
SRS IMPROVEMENTS
LIVINGSTON COUNTY DRAIN COMMISSION
LIVINGSTON COUNTY, MICHIGAN

| | |
|---------------------|-----------------|
| FIELD SURVEY / DATE | N/A |
| PROJECT NO.: | 180208-1/MBI046 |
| DESIGN DRAWN BY: | CWN |
| DESIGNED BY: | CCN |
| CHECKED BY: | CCN |
| PLAN DATE: | 5/2/2019 |
| SHEET NUMBER | X OF X |



Engineer's Estimate of Costs

2020 Monroe Ave., NW
Grand Rapids, MI 49505
Phone: (616) 363-9801

Client: Livingston County
Project Name: Livingston County SRS - Solids Handling Facility - Conceptual Design Layout
Project Location: Runyan Lake Rd. Facility
Type of Work: Wastewater Process

Project Number: 180208
Date: 6/27/2019
Estimator/Engineer: JSL
Checked By: BJH
Stage: 80% Design

| Item No. | Description | Estimated Quantity | Unit | Unit Price | Amount |
|--|--|--------------------|------|----------------|-----------------------|
| 1 | Mobilization, Overhead, Bonding, Legal and Profit | 1 | LSUM | \$1,174,400.00 | \$1,174,400.00 |
| SITE IMPROVEMENTS | | | | | |
| 2 | Asphalt Top Course - 2.5" | 550 | Tons | \$140 | \$77,000 |
| 3 | Asphalt Leveling Course - 2.5" | 550 | Tons | \$140 | \$77,000 |
| 4 | Grading | 7290 | Syd | \$3 | \$19,000 |
| 5 | Clearing | 0.1 | Ac | \$7,500 | \$1,000 |
| 6 | Undercutting | 100 | Cyd | \$100 | \$10,000 |
| 7 | 6" Agg Base | 3590 | Syd | \$10 | \$36,000 |
| 8 | 8" Concrete Approaches | 60 | Cyd | \$150 | \$9,000 |
| 9 | Engineered Fill | 8000 | Cyd | \$20 | \$160,000 |
| 10 | Tank Retaining Wall Grout | 15 | Cyd | \$100 | \$2,000 |
| 11 | Tank Building Handrail | 85 | Ft | \$20 | \$2,000 |
| 12 | 4" Sidewalk | 130 | Ft | \$15 | \$2,000 |
| 13 | 12" Storm Pipe | 1 | LSUM | \$7,480 | \$8,000 |
| 14 | Site Piping | 1 | LSUM | \$173,000 | \$173,000 |
| 15 | Water Service from new NPW wells | 2 | Ea | \$10,000 | \$20,000 |
| 16 | Process & Controls | 1 | LSUM | \$252,000 | \$252,000 |
| 17 | Ex. Station Electrical Modifications | 1 | LSUM | \$47,000 | \$47,000 |
| 18 | Restoration | 3700 | Syd | \$5 | \$19,000 |
| 19 | Tree Plantings | 30 | Ea | \$400 | \$12,000 |
| 20 | Construction Staging Area and Culvert | 1 | Ea | \$20,000 | \$20,000 |
| 21 | Non-Potable Well | 2 | Ea | \$20,000 | \$40,000 |
| 22 | Pressant Effluent Flume Manhole | 1 | Ea | \$6,500 | \$7,000 |
| 23 | Storage Building | 1 | LSUM | \$68,200 | \$69,000 |
| 24 | Soil and Erosion Control | 1 | Ea | \$10,000 | \$10,000 |
| PROCESS EQUIPMENT | | | | | |
| 25 | Sludge Press and Accessories | 1 | LSUM | \$803,000 | \$803,000 |
| 26 | Actuators | 7 | Ea | \$3,000 | \$21,000 |
| 27 | Flow Magmeters | 4 | Ea | \$2,500 | \$10,000 |
| 28 | Process Piping and Valves | 1 | LSUM | \$74,000 | \$74,000 |
| 28 | Solids Press Feed Pump | 1 | Ea | \$23,200 | \$24,000 |
| 29 | Buildings (Includes Struct, Arch, HVAC and Electrical) | 5800 | Sft | \$390 | \$2,262,000 |
| 30 | RoFAS Screen | 1 | LSUM | \$326,000 | \$326,000 |
| 31 | 100,000 gal Sludge Storage Tank | 2 | Ea | \$239,000 | \$478,000 |
| 32 | Sludge Storage Valve Room | 1 | LSUM | \$188,000 | \$188,000 |
| 33 | Tank Mixers | 2 | Ea | \$97,000 | \$194,000 |
| 34 | Conveyance System | 1 | Ea | \$354,040 | \$355,000 |
| 35 | Generator and ATS | 1 | Ea | \$65,000 | \$65,000 |
| Sub Total | | | | | \$7,047,000.00 |
| Design Engineering | | | | | \$266,300.00 |
| Permitting (Wetlands, Part 41, Dewatering, Air QC) (0.75%) | | | | | \$52,900.00 |
| Construction Engineering (6%) | | | | | \$422,800.00 |
| Contingency (10%) | | | | | \$704,700.00 |
| Project Estimate Total | | | | | \$8,493,700.00 |

GENESEE COUNTY DRAIN COMMISSIONER
DIVISION OF WATER AND WASTE SERVICES
LINDEN WASTE WATER TREATMENT PLANT

CORRECTIVE ACTION PLAN AGREEMENT

WHEREAS, the Genesee County Drain Commissioner Division of Water and Waste Services (POTW), pursuant to the powers and responsibilities vested in and imposed upon the POTW by applicable law, regulation and NPDES permit, and the Livingston County Board of Public Works (LCBPW) on behalf of the Livingston County Septage Receiving Station (LCSRS), pursuant to its IPP User Permit No. 06-1307-81 (Permit), enter into the following Agreement ("Agreement") for corrective action:

RECITALS

A. The POTW owns and operates a sanitary sewer system and the Linden Waste Water Treatment Plant, which is potentially impacted by discharges from users, including LCSRS, and has implemented an industrial pretreatment program (the IPP) to control such discharges.

B. The LCSRS received the above Permit on January 5, 2018, which authorized it to discharge certain nondomestic waste water through outfall 001 into the POTW's Linden Waste Water Treatment Plant. (Exhibit 1)

C. The LCSRS is subject to pretreatment regulations, standards and requirements under local, state, federal statutes and regulations, including requirements that are contained in the Permit.

D. Discharges from the Outfall 001 have failed to comply with applicable limits in the Permit since January 5, 2018, for Total Arsenic, BOD-5 pounds per day (ppd), Available Cyanide ppd, Total Molybdenum, Total Kjeldahl Nitrogen ppd, Oil and Grease, Oil and Grease ppd, Phosphorus, and Total Suspended Solids ppd, as demonstrated by the Compliance Results Violation Report attached as Exhibit 2.

E. The LCBPW and the POTW have met to discuss the above violations, and the LCBPW has proposed to undertake improvements which will include the installation of certain pretreatment equipment.

F. LCBPW has submitted a planned improvement to bring its discharge into compliance with its Permit (Exhibit 3)

G. The POTW is agreeable to the improvements proposed by LCBPW, provided LCBPW commits to a corrective action plan (CAP) as provided in this order that will result in the improvements being installed and operable by June 30, 2020.

AGREEMENTS

THEREFORE, it is agreed between the LCBPW and the POTW as follows:

1. Upon timely approval of the CAP by the POTW in its reasonable discretion, the LCBPW shall have until June 30, 2020 to complete the improvements so that they are operable. Extensions to the schedule will not be unreasonably withheld based upon currently unforeseen construction issues, provided that LCBPW provides both notice and such reasonable verification as POTW requests.
2. LCBPW agrees to provide quarterly progress reports (on or before March 15, June 15, September 15, December 15) to the POTW about the LCSRS's progress in completing the improvements for the CAP and the LCSRS's efforts during the interim to reduce violations or other noncompliance.
3. In the event the LCSRS fails to satisfy any of the requirements or schedules set forth above in this Agreement and the CAP, as approved, the LCBPW shall within five (5) working days after the violation or expiration of a deadline, notify the POTW in writing. This notification shall describe the reasons for the failure, the additional amount of time needed and the steps that will be taken to avoid further violations or delays. The POTW in its reasonable discretion shall determine whether to grant any relief from the violated requirement or schedule.
4. The LCBPW agrees to reimburse the POTW for sampling, monitoring, surveillance, inspection, enforcement, administrative and all other reasonable costs associated with this Agreement as permitted by Section 17.11 of the Livingston County Sewer Use Ordinance within thirty (30) days from the date of the POTW's request.
5. Execution and implementation of this Agreement, including the CAP, does not relieve the LCSRS of its other obligations (including those that may arise, such as obligations to test and address per- and polyfluoroalkyl and related substances) to comply with the Permit, which remains in full force and effect.
6. As long as LCBPW remains in compliance with the Agreement, including the CAP, the POTW agrees to hold in abeyance any fine or penalty for violations of applicable Permit limits which occurred prior to June 30, 2020.
7. Any failure to comply with this Agreement, including the CAP, shall constitute a violation of the Permit, the Genesee County Sewer Use Ordinance and the Livingston County Sewer Use Ordinance and shall subject the LCSRS to any and all legal actions and/or escalated enforcement responses available under law, regulation, and the Permit for any and all violations since January 5, 2018.

8. Nothing in this Agreement shall be construed to limit any authority of the POTW to issue further orders or to take any other action which it deems necessary to protect the sanitary sewer system, the waste water treatment plant, the environment or the public health and safety or to insure compliance with its NPDES permit.

9. The foregoing recitals and agreements to compromise shall not be admissible against LCBPW or LCSRS in any proceeding beyond the enforcement of this Agreement in any subsequent administrative and legal proceeding.


10. This Agreement shall become effective on the later of the dates of execution below and shall terminate as agreed to by the Parties.

GENESEE COUNTY DRAIN COMMISSIONER
DIVISION OF WASTE AND WATER SERVICES
DISTRICT NO 3 SANITARY SEWER DISTRICT

Name Authorized Representative: Jeff Wright
Title: County Agency, GCDC

Dated: _____

LIVINGSTON COUNTY BOARD OF PUBLIC WORKS



Name of Authorized Representative: BRIAN LUXHEERE
Title: DPW DIRECTOR

Dated: 3/22/19

EXHIBIT 1



GENESEE COUNTY DRAIN COMMISSIONER'S OFFICE

- DIVISION OF -

WATER & WASTE SERVICES

G-4610 BEECHER ROAD - FLINT, MICHIGAN 48532-2617

PHONE (810) 732-7870 - FAX (810) 732-9773

JEFFREY WRIGHT
COMMISSIONER

GCDCWWS IPP USER PERMIT

Permit No.: 06-1307-81

Permit Type: Industrial User Permit

Receiving Plant: Linden WWTP

User Discharge Status: Nondomestic User

This permit is not transferable

| Permittee: | Permittee Contact: | Contact Title: |
|---|--|------------------------------|
| Livingston County Septage Receiving Station 4682 Runyan Lake Road Fenton, MI 48430 | Name: Robert Demyanovich Phone: (517) 552-6910 Email: bdemyanovich@county.livingston.mi.us | Deputy Drain Commissioner |

In accordance with the provisions of the Genesee County Sewer Use Ordinance (Genesee County Ordinance No. 06-05, as amended) ("Sewer Use Ordinance") Livingston County Septage Receiving Station ("Permittee" or "Company") is hereby authorized to discharge certain nondomestic wastewater from the above-identified premises (the premises) and through the outfall(s) identified in this Permit into the Genesee County Drain Commissioner Division of Water and Waste Services ("GCDCWWS") sewer system (the "POTW") in accordance with the terms, conditions, and requirements set forth in this Permit. The premises are limited solely to the land, building, structures, and other improvements located within the boundaries as shown by Attachment A.

Compliance with this Permit shall not relieve the Permittee of its obligation to comply with any or all applicable pretreatment regulations, standards, or requirements under local, state, or federal laws or regulations, including any such laws, regulations, standards, or requirements that may become effective during the term of this Permit.

Noncompliance with any term, condition, or requirement of this Permit shall also constitute a violation of the Sewer Use Ordinance (and may also violate other applicable state and federal laws and regulations), subject to applicable fines, penalties and civil or criminal enforcement actions, including, but not limited to, fines of \$1000.00 or more, per day per violation, and payment of costs, as provided by the Sewer Use Ordinance.

The Permittee's act of discharging to the POTW constitutes the Permittee's acknowledgement and acceptance of all terms, conditions, and requirements of this Permit and the Sewer Use Ordinance.

This Permit is based on the information submitted by the Permittee to GCDCWWS in the Permit application and/or other information possessed by GCDCWWS as of the effective date of the Permit.

On its effective date, this Permit shall supersede any prior permit or other authorization to discharge, if any.

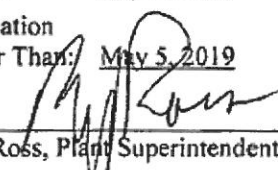
Date Permit Issued: January 5, 2018

Permit Effective Date: January 5, 2018

Permit Expiration Date: July 5, 2019

Permit Renewal Application
Must Be Filed No Later Than: May 5, 2019

Issued By:

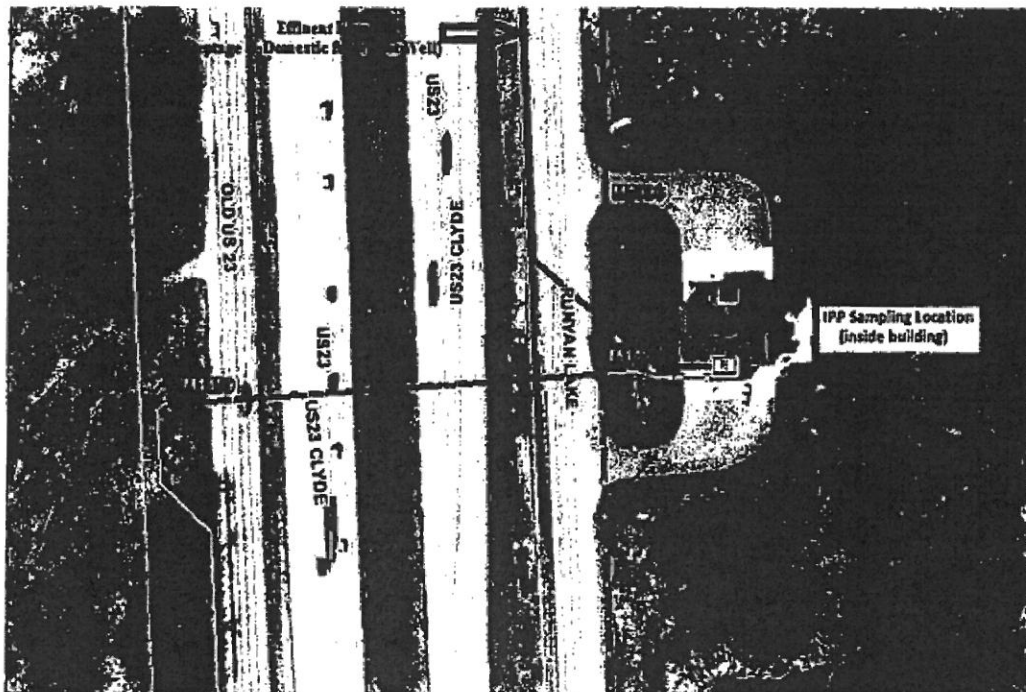

Brian Ross, Plant Superintendent

Part 1. Effluent Limitations.

- A. During the effective period of this Permit, the Permittee is authorized to discharge the following specified wastewater to the POTW from the outfall(s) described below.

Outfall Name and/or Location of Outfall and Type of Discharge

- 001 Outfall 001 is located at the point of discharge from the Permittee's premises to the Runyan Lake Road sewer system. The discharge shall be limited to wastewater generated by the Permittee's operations at the premises, as follows: sanitary wastewater from bathroom sinks and toilets; and process wastewater from the Septage Tank Haulers (with all process waters collected and sent through screening pretreatment prior to discharge.)



GCDCWWS Permit No. 06-1307-81
 Permittee: Livingston County Septage Receiving Station

B. The discharge from Outfall 001 as authorized by this Permit shall not exceed the following specific effluent limitations:

(1) Pollutants in concentrations, or mass where indicated, that exceed the maximum or average values listed below in this subsection:

| <u>Parameter</u> | <u>IMC</u> <u>(mg/l)¹</u> | <u>Monthly Average</u> <u>(mg/l)¹</u> | <u>Monthly Average</u> <u>(lb/day)</u> | |
|--------------------------------------|---|---|---|-------|
| Arsenic | --- | 0.24 | --- | |
| Cadmium | --- | 0.11 | --- | |
| Chromium (T) | --- | 4.1 | --- | |
| Copper | --- | n/a | 9.8 | (SAL) |
| Cyanide, available | 0.37 | --- | 0.014 | (SAL) |
| Lead | --- | 1.8 | --- | |
| Mercury | --- | NQ ² | --- | |
| Molybdenum | --- | 0.32 | --- | |
| Nickel | --- | 1.6 | --- | |
| PCBs | ND ³ | --- | --- | |
| Selenium | --- | 0.145 | --- | |
| Silver | --- | 0.11 | --- | |
| Zinc | --- | n/a | 7.2 | (SAL) |
| Acetone | 60 | --- | --- | |
| MEK | 105 | --- | --- | |
| Ammonia Nitrogen | --- | --- | --- | |
| Ammonia Nitrogen expressed as TKN | --- | n/a ⁴ | 340 | (SAL) |
| BOD ₅ | --- | n/a ⁵ | 1,210 | (SAL) |
| Phosphorous (T) | --- | 100 ⁶ | --- | |
| TSS | --- | n/a ⁷ | 4,290 | (SAL) |
| pH | 6.5 Min (s.u.) 9.5 Max (s.u.) | --- | --- | |
| Fats, Oils and Grease | 500 | --- | 280 | (SAL) |

IMC = Instantaneous Maximum Concentration.

T = Total

SAL = Special Alternative Limit

n/a = Not Applicable (standard limit replaced with SAL)

Notes:

- Discharges which contain more than one pollutant which may contribute to fume toxicity shall be subject to more restrictive limitations, as determined necessary by the POTW Manager. The more restrictive discharge limits will be calculated based on the additive fume toxicity of all compounds identified or reasonably expected to be present in the discharge, including, but not limited to, the specific compounds, if any, listed in Section 6.1.B of the Sewer Use Ordinance.
- NQ = Non-quantifiable concentration, defined as at or above the quantification level of 0.2 ug/l using U.S. EPA Method 245.1 (or at or above other quantification levels applicable under alternative test methods required by the POTW Manager or by other applicable laws or regulations). Mercury sampling procedures, preservation and handling, and analytical protocol for compliance monitoring of a User's discharge shall be in accordance with U.S. EPA method 245.1, unless the POTW Manager requires U.S. EPA Method 1631 (or other appropriate method). The quantification level shall be 0.2 ug/l for Method 245.1 or 0.5 ng/l for Method 1631, unless higher levels are approved by the POTW Manager because of sample matrix interference.
- The instantaneous maximum concentration, daily maximum and monthly average discharge limit for PCBs is non-detect. Except as otherwise required by the POTW Manager, compliance with this limit shall be determined as follows:

A compliance limit of "non-detect" shall be used for instantaneous maximum concentration, daily maximum and monthly average. Any discharge of PCBs at or above the quantification level is a specific violation of this Permit and the Sewer Use Ordinance.

PCB sampling procedures, preservation and handling, and analytical protocol for compliance monitoring of a User's discharge shall be in accordance with U.S. EPA method 608. The quantification level shall be 0.1 ug/l, unless higher levels are determined appropriate by the POTW Manager because of sample matrix interference. Total PCBs shall be defined as the sum of the Aroclors 1016, 1221, 1232, 1242, 1248, 1254 and 1260. In addition, any detected Aroclor-specific measurements shall be reported.

- 4 *Any discharge of ammonia nitrogen in excess of 20 mg/l, or discharge of ammonia nitrogen expressed as TKN in excess of 32 mg/l (equivalent for normal domestic sewage), shall be subject to surcharge as provided by the Sewer Use Ordinance.*
- 5 *Any discharge of BOD in excess of 250 mg/l shall be subject to surcharge as provided by the Sewer Use Ordinance.*
- 6 *Any discharge of phosphorous (T) in excess of 20 mg/l shall be subject to surcharge as provided by the Sewer Use Ordinance.*
- 7 *Any discharge of TSS in excess of 300 mg/l shall be subject to surcharge as provided by the Sewer Use Ordinance.*
- 8 *Any discharge of FOG in excess of 100 mg/l shall be subject to surcharge as provided by the Sewer Use Ordinance.*

The IMC, daily maximum, and monthly average limits listed above for each pollutant parameter are the concentrations which may not be exceeded and at which enforcement begins. The surcharge threshold concentrations as specified in notes 4 through 8 (above) are the concentrations above which surcharges may be imposed. Discharges exceeding the surcharge thresholds, but which are less than the IMC, daily maximum, or monthly average limits (and which do not violate any other applicable prohibitions, limitations, standards, or requirements), are not violations of this Permit or the Sewer Use Ordinance, but are subject to surcharges as provided by this Permit and the Sewer Use Ordinance. All violations of applicable discharge prohibitions and limitations and all instances of noncompliance with applicable discharge requirements constitute a violation of this Permit and the Sewer Use Ordinance, subject to applicable fines, penalties and other enforcement actions. In no event shall the imposition of a surcharge for a discharge which does not meet the applicable prohibitions, limitations or requirements be construed as authorizing the illegal discharge or otherwise excuse a violation of this Permit or the Sewer Use Ordinance.

- C. The Permittee shall not contribute or cause to be contributed to the POTW, directly or indirectly, any pollutant, substance or wastewater which will cause "pass through" or "interference" as those terms are defined by the Sewer Use Ordinance.
- D. The Permittee shall not contribute or cause to be contributed to the POTW, directly or indirectly, any of the substances, pollutants, or wastewater prohibited by Section 6.1(B)(4) through 6.1(B)(35) of the Sewer Use Ordinance.
- E. The dilution of any of Permittee's effluent or discharge as a partial or complete substitute for adequate treatment to achieve compliance with applicable local, state, or federal standards or limitations is prohibited as provided by Section 6.6 of the Sewer Use Ordinance.
- F. The Permittee's discharges shall at all times comply with all other applicable local, state, and federal laws, regulations, standards, and requirements, including, but not limited to, the Sewer Use Ordinance, and including any such laws, regulations, standards, or requirements that may become effective during the term of this Permit.

Part 2. Sampling and Monitoring Requirements.

The Permittee shall comply with all monitoring requirements as provided by this Permit, the Sewer Use Ordinance, and other applicable laws and regulations, and/or as otherwise required by the POTW Manager, including, but not limited to, the following:

A. Monitoring Location, Frequency and Sample Type for Specified Pollutant Parameters.

During the **months of April through November** of effective period of this Permit, the Permittee shall monitor for the following sample parameters, according to the following monitoring locations, frequencies, and sample types:

| <u>Parameter</u> | <u>Location</u> ¹ | <u>Minimum Frequency</u> ² | <u>Type</u> ³ | <u>Report</u> ⁴ |
|-----------------------------------|------------------------------|---------------------------------------|--------------------------|--|
| Arsenic | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Cadmium | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Chromium (T) | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Copper | Outfall 001 | Weekly | 24-Hour Composite | Monthly Avg (mg/l) & Monthly Avg Load (lb/day) |
| Cyanide, available | Outfall 001 | Weekly | Grab | Daily Max (mg/l) & Monthly Avg Load (lb/day) |
| Lead | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Mercury | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Molybdenum | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Nickel | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| PCBs | Outfall 001 | Annually | Grab | Daily Max (mg/l) |
| Selenium | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Silver | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Zinc | Outfall 001 | Weekly | 24-Hour Composite | Monthly Avg (mg/l) & Monthly Avg Load (lb/day) |
| Acetone | Outfall 001 | Monthly | Grab | Daily Max (mg/l) |
| MEK | Outfall 001 | Monthly | Grab | Daily Max (mg/l) |
| Ammonia Nitrogen | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Ammonia Nitrogen expressed as TKN | Outfall 001 | Weekly | 24-Hour Composite | Monthly Avg (mg/l) & Monthly Avg Load (lb/day) |
| BOD5 | Outfall 001 | Weekly | 24-Hour Composite | Monthly Avg (mg/l) & Monthly Avg Load (lb/day) |
| Phosphorus (T) | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| TSS | Outfall 001 | Weekly | 24-Hour Composite | Monthly Avg (mg/l) & Monthly Avg Load (lb/day) |
| pH | Outfall 001 | Monthly | Grab | Daily Min (s.u.) & Daily Max (s.u.) |
| Fats, Oil and Grease | Outfall 001 | Weekly | Grab | Daily Max (mg/l) & Monthly Avg Load (lb/day) |

Monitoring Location, Frequency and Sample Type for Specified Pollutant Parameters.

During the months of **December through March** of effective period of this Permit, the Permittee shall monitor for the following sample parameters, according to the following monitoring locations, frequencies, and sample types:

| <u>Parameter</u> | <u>Location</u> ¹ | <u>Minimum Frequency</u> ² | <u>Type</u> ³ | <u>Report</u> ⁴ |
|-----------------------------------|------------------------------|---------------------------------------|--------------------------|--|
| Arsenic | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Cadmium | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Chromium (T) | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Copper | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) & Monthly Avg Load (lb/day) |
| Cyanide, available | Outfall 001 | Monthly | Grab | Daily Max (mg/l) & Monthly Avg Load (lb/day) |
| Lead | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Mercury | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Molybdenum | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Nickel | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| PCBs | Outfall 001 | Annually | Grab | Daily Max (mg/l) |
| Selenium | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Silver | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Zinc | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) & Monthly Avg Load (lb/day) |
| Acetone | Outfall 001 | Monthly | Grab | Daily Max (mg/l) |
| MEK | Outfall 001 | Monthly | Grab | Daily Max (mg/l) |
| Ammonia Nitrogen | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Ammonia Nitrogen expressed as TKN | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) & Monthly Avg Load (lb/day) |
| BOD5 | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) & Monthly Avg Load (lb/day) |
| Phosphorus (T) | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| TSS | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) & Monthly Avg Load (lb/day) |
| pH | Outfall 001 | Monthly | Grab | Daily Min (s.u.) & Daily Max (s.u.) |
| Fats, Oil and Grease | Outfall 001 | Monthly | Grab | Daily Max (mg/l) & Monthly Avg Load (lb/day) |

Notes:

- 1 Outfall 001 means the point of discharge from the Septage Receiving before comingling with any raw sewage to the Runyan Lake Road sewer system as provided by Part 1(A) of this Permit. The specific sample monitoring and measurement locations at Outfall 001 shall be as required by the POTW Manager.
- 2 "Daily" means at least once within every 24 hour period; "weekly" means at least once within every 7 day period; "monthly" means at least once within each calendar month; "quarterly" means at least once within every 3 month period (once during the period January through March, once during the period April through June, once during the period July through September, and once during the period October through December, unless otherwise provided by this permit); "semi-annually" means at least twice per year (once during the period January through June and once during the period July through December, unless otherwise provided by this permit); and "continuous" means at all times during discharge.
- 3 "Grab" sample means an individual sample that is taken from a wastestream on a one-time basis without regard to the flow in the wastestream and over a period of time not to exceed 15 minutes. For facilities for which historical sampling data does not exist, the Permittee shall take a minimum of 4 grab samples for pH, temperature, cyanide, oil and grease, and volatile organics (and any other parameter designated by the POTW Manager), unless a lesser or greater number

of grab samples is approved or required in advance by the POTW Manager. For facilities for which historical sampling data is available, the Permittee may request a lower minimum number of grab samples for one or more of the parameters listed above. The Permittee must demonstrate to the POTW Manager's satisfaction that using a lower minimum of grab samples for a parameter will result in a representative sample and allow the POTW Manager to adequately assess and assure compliance by the Permittee with applicable pretreatment standards and requirements. If the POTW Manager authorizes the Permittee to use a lower minimum number of grab samples for any parameter(s), the lower minimum number and parameter(s) shall be noted immediately below.

The POTW Manager has authorized the Permittee to use a lower minimum number of grab samples than the required above for the following specified parameter(s) (if none, indicate "Not Applicable"): *Not Applicable*

Grab samples may be required to show compliance with instantaneous maximum discharge limits.

"Composite" sample means a series of individual samples collected on a flow or time proportional basis, taken at regular intervals over a specific time period, and combined into a single sample (formed either by continuous sampling or by mixing discrete samples) representative of the average stream during the sampling period.

Except as otherwise provided by this Permit, or otherwise required by the POTW Manager, the specific requirements applicable to the use of grab and composite sampling shall be as provided by the Sewer Use Ordinance.

"24-hour composite" means samples must be obtained through flow-proportioned composite sampling techniques. 24-hour composite samples must be obtained through flow-proportional composite sampling techniques, unless the Permittee demonstrates to the POTW Manager that time-proportional composite sampling or grab sampling will be representative of the Permittee's discharge.

Daily Max (mg/L), or Daily Max (s.u.) for pH, means the highest value measured from all samples collected during the reporting period. Monthly Avg (lb/day) means the mass load calculated as follows: numerical mean flow during a given calendar month in million gallons per day, multiplied by the numerical mean concentration of all samples collected during that same calendar month in mg/L, multiplied by 8.34.

The Permittee may be required by the POTW Manager to perform additional monitoring of the parameters listed in this Permit (including, but not limited to, different locations, frequencies or sample types) as determined necessary by the POTW Manager or as otherwise provided under applicable laws and regulations. The POTW Manager shall be allowed access at all reasonable times to all required sampling and monitoring equipment, structures, and devices.

Except as may be otherwise expressly provided by this Permit, or as otherwise required by the POTW Manager, the Permittee shall follow the sampling, analysis, and monitoring requirements and procedures as provided by Article 9 of the Sewer Use Ordinance.

C. Flow Monitoring – Location, Frequency, and Method.

The Permittee is required to monitor flow from the premises; the Permittee shall monitor the flow during the effective period of this permit as follows:

| Parameter | Location | Frequency | Type | Report |
|-----------|-------------|-----------|------------------|-----------------------|
| Flow | Outfall 001 | Daily | Continuous Meter | Monthly Avg (gal/day) |

Monthly wastewater flow meter data shall be reported to the POTW with the monthly self-monitoring reports.

If required to monitor flow, the Permittee shall use flow measurement devices and methods consistent with approved scientific practices to ensure the accuracy and reliability of

measurements of the volume of monitored discharges. Measurement devices used by the Permittee shall be capable of measuring flows with a maximum deviation of less than 10 percent from true discharge rates throughout the range of expected discharge volumes.

The Permittee may be required by the POTW Manager to perform additional or different flow monitoring (including, but not limited to, different locations, frequencies, or methods) as determined necessary by the POTW Manager. The POTW Manager shall be allowed access at all reasonable times to all required meters.

- D. Self-Monitoring. Except as otherwise provided by Part 2(E) of this Permit, the Permittee shall conduct self-monitoring to ensure compliance with all applicable requirements of this Permit, the Sewer Use Ordinance, and other applicable laws and regulations. When performing its own sampling, the Permittee shall submit the samples for analysis to a laboratory approved by the POTW Manager (which may include the Permittee's own laboratory if approved by the POTW Manager). If the Permittee uses its own laboratory for the analysis, the Permittee shall send a split sample to an independent laboratory at least twice a year as a quality control check. When performing its own sampling or monitoring, the Permittee shall record and maintain for all samples and monitoring the date, exact place, time (including start time and stop time) and method of sampling or measurement, and the name(s) of person(s) collecting the samples or measurements; sampler programming information; the sample preservation techniques or procedures used; the full chain-of-custody for each sample; the dates the analyses were performed; who performed the analyses; the analytical techniques and methods used; quality assurance/quality control (QA/QC) procedures used and QA/QC data; and the results of the analyses.
- E. Automatic Resampling Upon Indication of Permit Violation; Notification and Report Required. If sampling performed by the Permittee indicates a violation, the Permittee shall notify the POTW Manager within 24 hours of becoming aware of the violation. The Permittee shall also repeat the sampling and analysis and submit the results of the repeat analysis to GCDCWWS within 30 days after becoming aware of the violation, except that the Permittee shall not be required to resample if (a) GCDCWWS performs sampling at the Permittee's Premises at a frequency of at least once per month, or (b) GCDCWWS performs sampling at the Permittee's Premises between the time when the Permittee performs its initial sampling and the time when the Permittee receives the results of the sampling that indicates the violation.
- F. Sampling and Analysis Performed by GCDCWWS. The sampling and analysis required by Part 2(C) of this Permit may be performed by GCDCWWS in lieu of the Permittee, as determined necessary by the POTW Manager. GCDCWWS shall provide the Permittee with copies of analytical results prepared by GCDCWWS. If GCDCWWS performs the required sampling and analysis for the Permittee, the Permittee shall fully reimburse GCDCWWS for the sampling, including administrative and overhead costs. The POTW Manager may contract with an independent firm to perform the sampling and analysis and the Permittee shall fully reimburse GCDCWWS for amounts paid by GCDCWWS to the firm.
- G. Splits. If requested, GCDCWWS shall be provided with splits of any sample taken by the Permittee. The Permittee shall be provided with splits of any sample taken by GCDCWWS if the Permittee requests a split in advance of the time the sample is taken. In cases of disputes arising over split samples, the portion taken and analyzed by GCDCWWS shall be controlling unless proven invalid by the Permittee (at no cost to GCDCWWS).
- H. Surcharge. If an analysis of wastewater discharged from the Permittee identifies any strength characteristic in excess of Normal Strength Domestic Waste, then a surcharge may be levied against the Permittee by GCDCWWS on any such excess characteristic, in accordance with this Permit and the Sewer Use Ordinance.

- I. Monitoring Points. All samples and measurements shall be taken at the monitoring points specified in this Permit and at any other monitoring points as required by the POTW Manager. The Permittee shall not change monitoring points without the prior approval of the POTW Manager.
- J. Control Structures. As determined necessary and appropriate by the POTW Manager to verify compliance with the requirements of this Permit and applicable laws and regulations, the POTW Manager may require the Permittee to install, or cause to be installed, suitable control structures (such as a manhole or sampling vault) and necessary measuring and sampling devices (including automatic devices) to facilitate the observation, sampling, and measurement of the quantity, composition, and concentrations of discharges from the Permittee's Premises to the POTW. The structures and devices shall be operated and maintained at all times in a safe, clean and operating condition at no cost or expense to GCDCWWS. Proper operation and maintenance includes, but not limited to, effective performance, adequate funding, adequate operator staffing, and adequate quality assurance/quality control (QA/QC) procedures for measuring, sampling and analysis. The design, installation, operation and maintenance of any required structures or devices shall be subject to the approval of the POTW Manager and, at a minimum, shall conform with all local, state and federal specifications and requirements.
- K. Sampling and Analytical Methods to Demonstrate Compliance. Unless otherwise specified by this Permit or by the POTW Manager, all sampling, measurements, sample handling, sample preservation, tests, and analyses of the characteristics of discharges to the POTW shall be performed in accordance with the procedures approved by the U.S. EPA contained in 40 CFR part 136. If, as determined by the POTW Manager, the sampling and analytical techniques contained in 40 CFR part 136 are not available, do not apply to the discharge or pollutants in question, are not appropriate under the circumstances for application to the discharge or pollutants in question, or where one or more alternate techniques are available under 40 CFR part 136, sampling and analysis shall be performed using validated sampling and analytical methods and procedures approved or required by the POTW Manager.
- L. Representative Sampling. All samples and measurements taken as required by this Permit shall be representative of the volume and nature of the monitored discharge. This shall be subject to verification by GCDCWWS through the use of split sampling or other means determined necessary by the POTW Manager.
- M. Maintenance, Repair and Calibration of Sampling Equipment. All equipment used for sampling, measurement and analysis as required by this Permit (including, but not limited to, all required discharge flow meters) must be routinely calibrated, inspected, and maintained by the Permittee as provided by the Sewer Use Ordinance. Calibration, inspection and maintenance shall be performed as often as determined necessary by the POTW Manager to ensure that monitoring data, measurements and analysis are accurate and representative, and consistent with the accepted capability of the type of equipment used. At a minimum, the meters shall be calibrated once every 12 months or at such other frequency specified by the POTW Manager. The Permittee shall pay all costs to GCDCWWS associated with calibrating the meters.

The Permittee shall keep a complete and accurate written record of all calibrations, inspections and maintenance done (including, but not limited to, the date and time of the activity, a description of what was done and the methods used, the names of persons conducting the activity, and any required or recommended follow-up). The record shall also include a description of all problems discovered regarding the equipment whether in response to a regularly scheduled inspection or otherwise. GCDCWWS, in any event, may inspect and test a user's sampling and flow measurement equipment and instruments at all reasonable times.
- N. Records of Sampling and Analysis. The Permittee shall keep a written record of all samples, measurements, and analysis required by this Permit and the Sewer Use Ordinance. At a

minimum, the records shall include the date, exact place, time (including start time and stop time) and method of sampling or measurement, and the name(s) of person(s) taking the samples or measurements; sampler programming information; the sample preservation techniques or procedures used; the full chain-of-custody for each sample; the dates the analyses were performed; who performed the analyses; the analytical techniques and methods used; quality assurance/quality control (QA/QC) procedures used and QA/QC data; and the results of the analyses. Records shall be maintained and retained as provided by Section 14.1 of the Sewer Use Ordinance.

- O. Costs. All costs of monitoring, sample collection, and sample analyses (including, but not limited to, the costs or fees associated with inspection or surveillance), and the costs of purchasing, maintaining, repairing and calibrating all equipment used for sampling, measurement and analysis as required by this Permit and the Sewer Use Ordinance, shall be the responsibility of the Permittee, and shall be at no cost to GCDCWWS, regardless of whether such activities are undertaken by GCDCWWS or the Permittee.

Part 3. Special Conditions

- A. The special conditions, if any, specified by this Part shall apply to the Permittee's discharge to the POTW. (If there are no special conditions, the POTW Manager will indicate "not applicable" below.)

1. Specific Alternative Limits (SAL)

The SALs contained herein are limited in concentration and mass loading, both of which will be enforced the same as any other permit limit. These limits were determined by allocation using a statistical analysis of historical data over the last three years. If the permittee does not agree with a SAL, a written request may be submitted to the POTW Manager; such requests will be evaluated and responded to by GCDCWWS. Allocations will be reevaluated annually and may be modified as deemed necessary by GCDCWWS.

2. Hauler Permits

- a. All trucked waste haulers of domestic septage shall complete a "Septage Hauler Application for Discharge", and be issued a GCDCWWS Septage Permit prior to discharge to the Permittee's facility.
- b. All trucked waste haulers of wastewaters other than domestic septage shall complete a "General IPP Application" with waste characterization analytical test results. Discharges of wastewaters other than domestic septage shall be permitted individually by the GCDCWWS, and copied to the Permittee.

3. Flow Proportional Sampling.

As required by Part 2 Section A of this Permit, 24-hour composite samples must be obtained through flow-proportional composite sampling techniques. The Permittee must submit a detailed, written plan to GCDCWWS on how it intends to comply with flow proportional sampling requirements. GCDCWWS will allow a maximum period of 60 days from the effective date of this Permit for the Permittee to come into full compliance with the flow proportional sampling requirements.

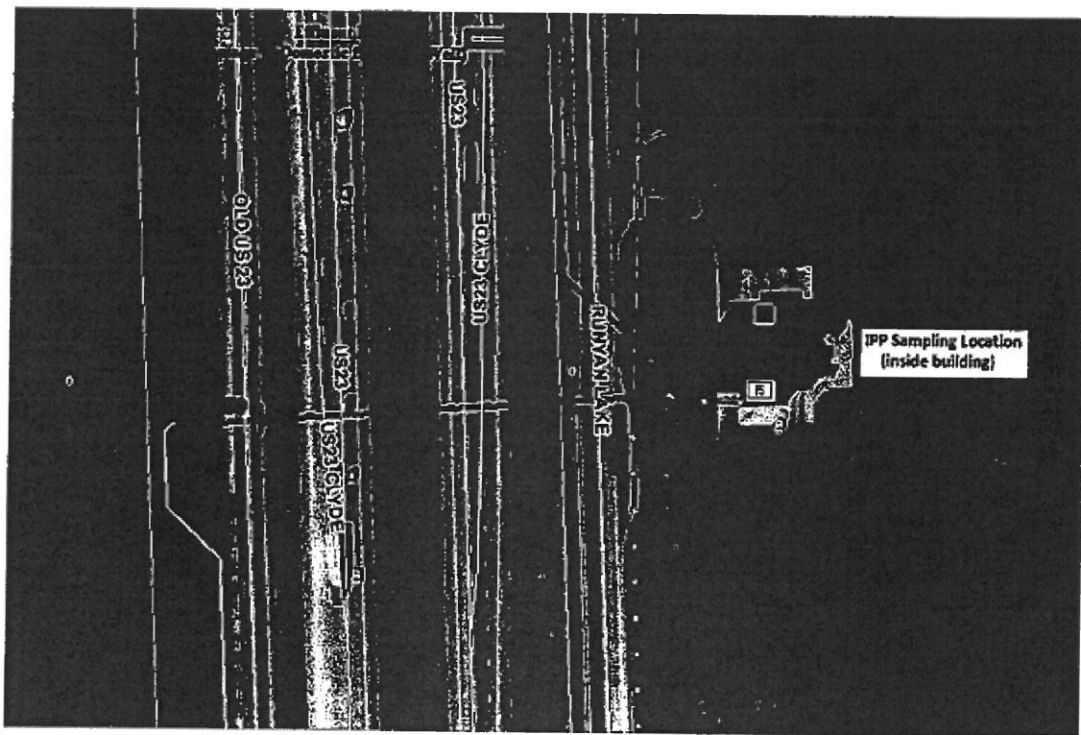
4. Additional Pretreatment Evaluation

Part 1. Effluent Limitations.

- A. During the effective period of this Permit, the Permittee is authorized to discharge the following specified wastewater to the POTW from the outfall(s) described below.

Outfall Name and/or Location of Outfall and Type of Discharge

- 001 Outfall 001 is located at the point of discharge from the Permittee's premises to the Runyan Lake Road sewer system. The discharge shall be limited to wastewater generated by the Permittee's operations at the premises, as follows: sanitary wastewater from bathroom sinks and toilets; and process wastewater from the Septage Tank Haulers (with all process waters collected and sent through screening pretreatment prior to discharge.)



B. The discharge from Outfall 001 as authorized by this Permit shall not exceed the following specific effluent limitations:

(1) Pollutants in concentrations, or mass where indicated, that exceed the maximum or average values listed below in this subsection:

| <u>Parameter</u> | <u>IMC</u> <u>(mg/l)¹</u> | <u>Monthly Average</u> <u>(mg/l)¹</u> | <u>Monthly Average</u> <u>(lb/day)</u> | |
|--------------------------------------|---|---|---|-------|
| Arsenic | --- | 0.24 | --- | |
| Cadmium | --- | 0.11 | --- | |
| Chromium (T) | --- | 4.1 | --- | |
| Copper | --- | n/a | 9.8 | (SAL) |
| Cyanide, available | 0.37 | --- | 0.014 | (SAL) |
| Lead | --- | 1.8 | --- | |
| Mercury | --- | NQ ² | --- | |
| Molybdenum | --- | 0.32 | --- | |
| Nickel | --- | 1.6 | --- | |
| PCBs | ND ³ | --- | --- | |
| Selenium | --- | 0.145 | --- | |
| Silver | --- | 0.11 | --- | |
| Zinc | --- | n/a | 7.2 | (SAL) |
| Acetone | 60 | --- | --- | |
| MEK | 105 | --- | --- | |
| Ammonia Nitrogen | --- | --- | --- | |
| Ammonia Nitrogen expressed as TKN | --- | n/a ⁴ | 340 | (SAL) |
| BOD ₅ | --- | n/a ⁵ | 1,210 | (SAL) |
| Phosphorous (T) | --- | 100 ⁶ | --- | |
| TSS | --- | n/a ⁷ | 4,290 | (SAL) |
| pH | 6.5 Min (s.u.) 9.5 Max (s.u.) | --- | --- | |
| Fats, Oils and Grease | 500 | --- | 280 | (SAL) |

IMC = Instantaneous Maximum Concentration.

T = Total

SAL = Special Alternative Limit

n/a = Not Applicable (standard limit replaced with SAL)

Notes:

- Discharges which contain more than one pollutant which may contribute to fume toxicity shall be subject to more restrictive limitations, as determined necessary by the POTW Manager. The more restrictive discharge limits will be calculated based on the additive fume toxicity of all compounds identified or reasonably expected to be present in the discharge, including, but not limited to, the specific compounds, if any, listed in Section 6.1.B of the Sewer Use Ordinance.
- NQ = Non-quantifiable concentration, defined as at or above the quantification level of 0.2 ug/l using U.S. EPA Method 245.1 (or at or above other quantification levels applicable under alternative test methods required by the POTW Manager or by other applicable laws or regulations). Mercury sampling procedures, preservation and handling, and analytical protocol for compliance monitoring of a User's discharge shall be in accordance with U.S. EPA method 245.1, unless the POTW Manager requires U.S. EPA Method 1631 (or other appropriate method). The quantification level shall be 0.2 ug/l for Method 245.1 or 0.5 ng/l for Method 1631, unless higher levels are approved by the POTW Manager because of sample matrix interference.
- The instantaneous maximum concentration, daily maximum and monthly average discharge limit for PCBs is non-detect. Except as otherwise required by the POTW Manager, compliance with this limit shall be determined as follows:

A compliance limit of "non-detect" shall be used for instantaneous maximum concentration, daily maximum and monthly average. Any discharge of PCBs at or above the quantification level is a specific violation of this Permit and the Sewer Use Ordinance.

PCB sampling procedures, preservation and handling, and analytical protocol for compliance monitoring of a User's discharge shall be in accordance with U.S. EPA method 608. The quantification level shall be 0.1 ug/l, unless higher levels are determined appropriate by the POTW Manager because of sample matrix interference. Total PCBs shall be defined as the sum of the Aroclors 1016, 1221, 1232, 1242, 1248, 1254 and 1260. In addition, any detected Aroclor-specific measurements shall be reported.

- 4 Any discharge of ammonia nitrogen in excess of 20 mg/l, or discharge of ammonia nitrogen expressed as TKN in excess of 32 mg/l (equivalent for normal domestic sewage), shall be subject to surcharge as provided by the Sewer Use Ordinance.*
- 5 Any discharge of BOD in excess of 250 mg/l shall be subject to surcharge as provided by the Sewer Use Ordinance.*
- 6 Any discharge of phosphorous (T) in excess of 20 mg/l shall be subject to surcharge as provided by the Sewer Use Ordinance.*
- 7 Any discharge of TSS in excess of 300 mg/l shall be subject to surcharge as provided by the Sewer Use Ordinance.*
- 8 Any discharge of FOG in excess of 100 mg/l shall be subject to surcharge as provided by the Sewer Use Ordinance.*

The IMC, daily maximum, and monthly average limits listed above for each pollutant parameter are the concentrations which may not be exceeded and at which enforcement begins. The surcharge threshold concentrations as specified in notes 4 through 8 (above) are the concentrations above which surcharges may be imposed. Discharges exceeding the surcharge thresholds, but which are less than the IMC, daily maximum, or monthly average limits (and which do not violate any other applicable prohibitions, limitations, standards, or requirements), are not violations of this Permit or the Sewer Use Ordinance, but are subject to surcharges as provided by this Permit and the Sewer Use Ordinance. All violations of applicable discharge prohibitions and limitations and all instances of noncompliance with applicable discharge requirements constitute a violation of this Permit and the Sewer Use Ordinance, subject to applicable fines, penalties and other enforcement actions. In no event shall the imposition of a surcharge for a discharge which does not meet the applicable prohibitions, limitations or requirements be construed as authorizing the illegal discharge or otherwise excuse a violation of this Permit or the Sewer Use Ordinance.

- C. The Permittee shall not contribute or cause to be contributed to the POTW, directly or indirectly, any pollutant, substance or wastewater which will cause "pass through" or "interference" as those terms are defined by the Sewer Use Ordinance.*
- D. The Permittee shall not contribute or cause to be contributed to the POTW, directly or indirectly, any of the substances, pollutants, or wastewater prohibited by Section 6.1(B)(4) through 6.1(B)(35) of the Sewer Use Ordinance.*
- E. The dilution of any of Permittee's effluent or discharge as a partial or complete substitute for adequate treatment to achieve compliance with applicable local, state, or federal standards or limitations is prohibited as provided by Section 6.6 of the Sewer Use Ordinance.*
- F. The Permittee's discharges shall at all times comply with all other applicable local, state, and federal laws, regulations, standards, and requirements, including, but not limited to, the Sewer Use Ordinance, and including any such laws, regulations, standards, or requirements that may become effective during the term of this Permit.*

Part 2. Sampling and Monitoring Requirements.

The Permittee shall comply with all monitoring requirements as provided by this Permit, the Sewer Use Ordinance, and other applicable laws and regulations, and/or as otherwise required by the POTW Manager, including, but not limited to, the following:

A. Monitoring Location, Frequency and Sample Type for Specified Pollutant Parameters.

During the **months of April through November** of effective period of this Permit, the Permittee shall monitor for the following sample parameters, according to the following monitoring locations, frequencies, and sample types:

| <u>Parameter</u> | <u>Location</u> ¹ | <u>Minimum Frequency</u> ² | <u>Type</u> ³ | <u>Report</u> ⁴ |
|-----------------------------------|------------------------------|---------------------------------------|--------------------------|--|
| Arsenic | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Cadmium | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Chromium (T) | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Copper | Outfall 001 | Weekly | 24-Hour Composite | Monthly Avg (mg/l) & Monthly Avg Load (lb/day) |
| Cyanide, available | Outfall 001 | Weekly | Grab | Daily Max (mg/l) & Monthly Avg Load (lb/day) |
| Lead | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Mercury | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Molybdenum | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Nickel | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| PCBs | Outfall 001 | Annually | Grab | Daily Max (mg/l) |
| Selenium | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Silver | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Zinc | Outfall 001 | Weekly | 24-Hour Composite | Monthly Avg (mg/l) & Monthly Avg Load (lb/day) |
| Acetone | Outfall 001 | Monthly | Grab | Daily Max (mg/l) |
| MEK | Outfall 001 | Monthly | Grab | Daily Max (mg/l) |
| Ammonia Nitrogen | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Ammonia Nitrogen expressed as TKN | Outfall 001 | Weekly | 24-Hour Composite | Monthly Avg (mg/l) & Monthly Avg Load (lb/day) |
| BOD5 | Outfall 001 | Weekly | 24-Hour Composite | Monthly Avg (mg/l) & Monthly Avg Load (lb/day) |
| Phosphorus (T) | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| TSS | Outfall 001 | Weekly | 24-Hour Composite | Monthly Avg (mg/l) & Monthly Avg Load (lb/day) |
| pH | Outfall 001 | Monthly | Grab | Daily Min (s.u.) & Daily Max (s.u.) |
| Fats, Oil and Grease | Outfall 001 | Weekly | Grab | Daily Max (mg/l) & Monthly Avg Load (lb/day) |

Monitoring Location, Frequency and Sample Type for Specified Pollutant Parameters.

During the months of **December through March** of effective period of this Permit, the Permittee shall monitor for the following sample parameters, according to the following monitoring locations, frequencies, and sample types:

| <u>Parameter</u> | <u>Location</u> ¹ | <u>Minimum Frequency</u> ² | <u>Type</u> ³ | <u>Report</u> ⁴ |
|-----------------------------------|------------------------------|---------------------------------------|--------------------------|--|
| Arsenic | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Cadmium | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Chromium (T) | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Copper | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) & Monthly Avg Load (lb/day) |
| Cyanide, available | Outfall 001 | Monthly | Grab | Daily Max (mg/l) & Monthly Avg Load (lb/day) |
| Lead | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Mercury | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Molybdenum | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Nickel | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| PCBs | Outfall 001 | Annually | Grab | Daily Max (mg/l) |
| Selenium | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Silver | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Zinc | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) & Monthly Avg Load (lb/day) |
| Acetone | Outfall 001 | Monthly | Grab | Daily Max (mg/l) |
| MEK | Outfall 001 | Monthly | Grab | Daily Max (mg/l) |
| Ammonia Nitrogen | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| Ammonia Nitrogen expressed as TKN | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) & Monthly Avg Load (lb/day) |
| BOD5 | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) & Monthly Avg Load (lb/day) |
| Phosphorus (T) | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) |
| TSS | Outfall 001 | Monthly | 24-Hour Composite | Monthly Avg (mg/l) & Monthly Avg Load (lb/day) |
| pH | Outfall 001 | Monthly | Grab | Daily Min (s.u.) & Daily Max (s.u.) |
| Fats, Oil and Grease | Outfall 001 | Monthly | Grab | Daily Max (mg/l) & Monthly Avg Load (lb/day) |

Notes:

- 1 Outfall 001 means the point of discharge from the Septage Receiving before comingling with any raw sewage to the Runyan Lake Road sewer system as provided by Part 1(A) of this Permit. The specific sample monitoring and measurement locations at Outfall 001 shall be as required by the POTW Manager.
- 2 "Daily" means at least once within every 24 hour period; "weekly" means at least once within every 7 day period; "monthly" means at least once within each calendar month; "quarterly" means at least once within every 3 month period (once during the period January through March, once during the period April through June, once during the period July through September, and once during the period October through December, unless otherwise provided by this permit); "semi-annually" means at least twice per year (once during the period January through June and once during the period July through December, unless otherwise provided by this permit); and "continuous" means at all times during discharge.
- 3 "Grab" sample means an individual sample that is taken from a wastestream on a one-time basis without regard to the flow in the wastestream and over a period of time not to exceed 15 minutes. For facilities for which historical sampling data does not exist, the Permittee shall take a minimum of 4 grab samples for pH, temperature, cyanide, oil and grease, and volatile organics (and any other parameter designated by the POTW Manager), unless a lesser or

greater number of grab samples is approved or required in advance by the POTW Manager. For facilities for which historical sampling data is available, the Permittee may request a lower minimum number of grab samples for one or more of the parameters listed above. The Permittee must demonstrate to the POTW Manager's satisfaction that using a lower minimum of grab samples for a parameter will result in a representative sample and allow the POTW Manager to adequately assess and assure compliance by the Permittee with applicable pretreatment standards and requirements. If the POTW Manager authorizes the Permittee to use a lower minimum number of grab samples for any parameter(s), the lower minimum number and parameter(s) shall be noted immediately below.

The POTW Manager has authorized the Permittee to use a lower minimum number of grab samples than the required above for the following specified parameter(s) (if none, indicate "Not Applicable"): *Not Applicable*

Grab samples may be required to show compliance with instantaneous maximum discharge limits.

"Composite" sample means a series of individual samples collected on a flow or time proportional basis, taken at regular intervals over a specific time period, and combined into a single sample (formed either by continuous sampling or by mixing discrete samples) representative of the average stream during the sampling period.

Except as otherwise provided by this Permit, or otherwise required by the POTW Manager, the specific requirements applicable to the use of grab and composite sampling shall be as provided by the Sewer Use Ordinance.

"24-hour composite" means samples must be obtained through flow-proportioned composite sampling techniques. 24-hour composite samples must be obtained through flow-proportional composite sampling techniques, unless the Permittee demonstrates to the POTW Manager that time-proportional composite sampling or grab sampling will be representative of the Permittee's discharge.

Daily Max (mg/L), or Daily Max (s.u.) for pH, means the highest value measured from all samples collected during the reporting period. Monthly Avg (lb/day) means the mass load calculated as follows: numerical mean flow during a given calendar month in million gallons per day, multiplied by the numerical mean concentration of all samples collected during that same calendar month in mg/L, multiplied by 8.34.

The Permittee may be required by the POTW Manager to perform additional monitoring of the parameters listed in this Permit (including, but not limited to, different locations, frequencies or sample types) as determined necessary by the POTW Manager or as otherwise provided under applicable laws and regulations. The POTW Manager shall be allowed access at all reasonable times to all required sampling and monitoring equipment, structures, and devices.

Except as may be otherwise expressly provided by this Permit, or as otherwise required by the POTW Manager, the Permittee shall follow the sampling, analysis, and monitoring requirements and procedures as provided by Article 9 of the Sewer Use Ordinance.

C. Flow Monitoring – Location, Frequency, and Method.

The Permittee is required to monitor flow from the premises; the Permittee shall monitor the flow during the effective period of this permit as follows:

| Parameter | Location | Frequency | Type | Report |
|-----------|-------------|-----------|------------------|-----------------------|
| Flow | Outfall 001 | Daily | Continuous Meter | Monthly Avg (gal/day) |

Monthly wastewater flow meter data shall be reported to the POTW with the monthly self-monitoring reports.

If required to monitor flow, the Permittee shall use flow measurement devices and methods consistent with approved scientific practices to ensure the accuracy and reliability of measurements of the volume of monitored discharges. Measurement devices used by the Permittee shall be capable of measuring flows with a maximum deviation of less than 10 percent from true discharge rates throughout the range of expected discharge volumes.

The Permittee may be required by the POTW Manager to perform additional or different flow monitoring (including, but not limited to, different locations, frequencies, or methods) as determined necessary by the POTW Manager. The POTW Manager shall be allowed access at all reasonable times to all required meters.

- D. Self-Monitoring. Except as otherwise provided by Part 2(E) of this Permit, the Permittee shall conduct self-monitoring to ensure compliance with all applicable requirements of this Permit, the Sewer Use Ordinance, and other applicable laws and regulations. When performing its own sampling, the Permittee shall submit the samples for analysis to a laboratory approved by the POTW Manager (which may include the Permittee's own laboratory if approved by the POTW Manager). If the Permittee uses its own laboratory for the analysis, the Permittee shall send a split sample to an independent laboratory at least twice a year as a quality control check. When performing its own sampling or monitoring, the Permittee shall record and maintain for all samples and monitoring the date, exact place, time (including start time and stop time) and method of sampling or measurement, and the name(s) of person(s) collecting the samples or measurements; sampler programming information; the sample preservation techniques or procedures used; the full chain-of-custody for each sample; the dates the analyses were performed; who performed the analyses; the analytical techniques and methods used; quality assurance/quality control (QA/QC) procedures used and QA/QC data; and the results of the analyses.
- E. Automatic Resampling Upon Indication of Permit Violation; Notification and Report Required. If sampling performed by the Permittee indicates a violation, the Permittee shall notify the POTW Manager within 24 hours of becoming aware of the violation. The Permittee shall also repeat the sampling and analysis and submit the results of the repeat analysis to GCDCWWS within 30 days after becoming aware of the violation, except that the Permittee shall not be required to resample if (a) GCDCWWS performs sampling at the Permittee's Premises at a frequency of at least once per month, or (b) GCDCWWS performs sampling at the Permittee's Premises between the time when the Permittee performs its initial sampling and the time when the Permittee receives the results of the sampling that indicates the violation.
- F. Sampling and Analysis Performed by GCDCWWS. The sampling and analysis required by Part 2(C) of this Permit may be performed by GCDCWWS in lieu of the Permittee, as determined necessary by the POTW Manager. GCDCWWS shall provide the Permittee with copies of analytical results prepared by GCDCWWS. If GCDCWWS performs the required sampling and analysis for the Permittee, the Permittee shall fully reimburse GCDCWWS for the sampling, including administrative and overhead costs. The POTW Manager may contract with an independent firm to perform the sampling and analysis and the Permittee shall fully reimburse GCDCWWS for amounts paid by GCDCWWS to the firm.
- G. Splits. If requested, GCDCWWS shall be provided with splits of any sample taken by the Permittee. The Permittee shall be provided with splits of any sample taken by GCDCWWS if the Permittee requests a split in advance of the time the sample is taken. In cases of disputes arising over split samples, the portion taken and analyzed by GCDCWWS shall be controlling unless proven invalid by the Permittee (at no cost to GCDCWWS).
- H. Surcharge. If an analysis of wastewater discharged from the Permittee identifies any strength characteristic in excess of Normal Strength Domestic Waste, then a surcharge may be levied

against the Permittee by GCDCWWS on any such excess characteristic, in accordance with this Permit and the Sewer Use Ordinance.

- I. Monitoring Points. All samples and measurements shall be taken at the monitoring points specified in this Permit and at any other monitoring points as required by the POTW Manager. The Permittee shall not change monitoring points without the prior approval of the POTW Manager.
- J. Control Structures. As determined necessary and appropriate by the POTW Manager to verify compliance with the requirements of this Permit and applicable laws and regulations, the POTW Manager may require the Permittee to install, or cause to be installed, suitable control structures (such as a manhole or sampling vault) and necessary measuring and sampling devices (including automatic devices) to facilitate the observation, sampling, and measurement of the quantity, composition, and concentrations of discharges from the Permittee's Premises to the POTW. The structures and devices shall be operated and maintained at all times in a safe, clean and operating condition at no cost or expense to GCDCWWS. Proper operation and maintenance includes, but not limited to, effective performance, adequate funding, adequate operator staffing, and adequate quality assurance/quality control (QA/QC) procedures for measuring, sampling and analysis. The design, installation, operation and maintenance of any required structures or devices shall be subject to the approval of the POTW Manager and, at a minimum, shall conform with all local, state and federal specifications and requirements.
- K. Sampling and Analytical Methods to Demonstrate Compliance. Unless otherwise specified by this Permit or by the POTW Manager, all sampling, measurements, sample handling, sample preservation, tests, and analyses of the characteristics of discharges to the POTW shall be performed in accordance with the procedures approved by the U.S. EPA contained in 40 CFR part 136. If, as determined by the POTW Manager, the sampling and analytical techniques contained in 40 CFR part 136 are not available, do not apply to the discharge or pollutants in question, are not appropriate under the circumstances for application to the discharge or pollutants in question, or where one or more alternate techniques are available under 40 CFR part 136, sampling and analysis shall be performed using validated sampling and analytical methods and procedures approved or required by the POTW Manager.
- L. Representative Sampling. All samples and measurements taken as required by this Permit shall be representative of the volume and nature of the monitored discharge. This shall be subject to verification by GCDCWWS through the use of split sampling or other means determined necessary by the POTW Manager.
- M. Maintenance, Repair and Calibration of Sampling Equipment. All equipment used for sampling, measurement and analysis as required by this Permit (including, but not limited to, all required discharge flow meters) must be routinely calibrated, inspected, and maintained by the Permittee as provided by the Sewer Use Ordinance. Calibration, inspection and maintenance shall be performed as often as determined necessary by the POTW Manager to ensure that monitoring data, measurements and analysis are accurate and representative, and consistent with the accepted capability of the type of equipment used. At a minimum, the meters shall be calibrated once every 12 months or at such other frequency specified by the POTW Manager. The Permittee shall pay all costs to GCDCWWS associated with calibrating the meters.

The Permittee shall keep a complete and accurate written record of all calibrations, inspections and maintenance done (including, but not limited to, the date and time of the activity, a description of what was done and the methods used, the names of persons conducting the activity, and any required or recommended follow-up). The record shall also include a description of all problems discovered regarding the equipment whether in response to a

regularly scheduled inspection or otherwise. GCDCWWS, in any event, may inspect and test a user's sampling and flow measurement equipment and instruments at all reasonable times.

- N. Records of Sampling and Analysis. The Permittee shall keep a written record of all samples, measurements, and analysis required by this Permit and the Sewer Use Ordinance. At a minimum, the records shall include the date, exact place, time (including start time and stop time) and method of sampling or measurement, and the name(s) of person(s) taking the samples or measurements; sampler programming information; the sample preservation techniques or procedures used; the full chain-of-custody for each sample; the dates the analyses were performed; who performed the analyses; the analytical techniques and methods used; quality assurance/quality control (QA/QC) procedures used and QA/QC data; and the results of the analyses. Records shall be maintained and retained as provided by Section 14.1 of the Sewer Use Ordinance.
- O. Costs. All costs of monitoring, sample collection, and sample analyses (including, but not limited to, the costs or fees associated with inspection or surveillance), and the costs of purchasing, maintaining, repairing and calibrating all equipment used for sampling, measurement and analysis as required by this Permit and the Sewer Use Ordinance, shall be the responsibility of the Permittee, and shall be at no cost to GCDCWWS, regardless of whether such activities are undertaken by GCDCWWS or the Permittee.

Part 3. Special Conditions

- A. The special conditions, if any, specified by this Part shall apply to the Permittee's discharge to the POTW. (If there are no special conditions, the POTW Manager will indicate "not applicable" below.)

1. Specific Alternative Limits (SAL)

The SALs contained herein are limited in concentration and mass loading, both of which will be enforced the same as any other permit limit. These limits were determined by allocation using a statistical analysis of historical data over the last three years. If the permittee does not agree with a SAL, a written request may be submitted to the POTW Manager; such requests will be evaluated and responded to by GCDCWWS. Allocations will be reevaluated annually and may be modified as deemed necessary by GCDCWWS.

2. Hauler Permits

- a. All trucked waste haulers of domestic septage shall complete a "Septage Hauler Application for Discharge", and be issued a GCDCWWS Septage Permit prior to discharge to the Permittee's facility.
- b. All trucked waste haulers of wastewaters other than domestic septage shall complete a "General IPP Application" with waste characterization analytical test results. Discharges of wastewaters other than domestic septage shall be permitted individually by the GCDCWWS, and copied to the Permittee.

3. Flow Proportional Sampling.

As required by Part 2 Section A of this Permit, 24-hour composite samples must be obtained through a period of 60 days from the effective date of this Permit for the Permittee to come into full compliance

4. Additional Pretreatment Evaluation

This permit is issued for an 18-month period to allow the Permittee to evaluate, pilot test, and report to the POTW Manager on additional pretreatment prior to discharge to the POTW. All corresponding reports and data shall be submitted at least three (3) months prior to expiration of this Permit.

5. Total Kjeldahl Nitrogen (TKN)

TKN represents the sum of Ammonia-N and organically-bound nitrogen in wastewater. The applicable limit in this Permit is expressed as TKN, and is based on 100% of this organically-bound nitrogen converting to Ammonia-N prior to and within the treatment plant. The Permittee may, if desired, evaluate and report to the POTW Manager on what portion of the organically-bound nitrogen is believed to convert to Ammonia-N prior to and within the treatment plant. All corresponding reports and data shall be submitted at least three (3) months prior to expiration of this Permit.

6. Mercury Reduction Plan

On or before six (6) months after the effective date of this Permit, the permittee shall submit to GCDCWWS an approvable Mercury Reduction Plan (MRP) designed to proceed toward the goal.

a. The MRP shall include at a minimum the following:

1. An annual review and semi-annual monitoring of potential sources of mercury entering the collection system;
2. Implementation of reasonable control measures when sources of mercury are discovered. Factors to be considered include significance of sources, economic considerations, and technical and treatability considerations and such other factors as determined appropriate by the POTW Superintendent (e.g. schedules of compliance; treatment system for removal of the pollutant from the discharged wastewater; written procedures for disposal of contaminated wastes and wastewater; employee training, and on-going employee training requirements regarding pollutant related issues; and elimination, if feasible, of any materials containing the pollutant).
3. A commitment by the Permittee that reasonable control measures and/or best management practices will be implemented when sources of the pollutant are discovered. The Pollutant Reduction Plan shall be implemented upon approval from the GCDCWWS.

- b. On or before March 31 of each year following approval of the MRP, the permittee shall submit a status report for the previous calendar year to GCDCWWS that includes a) the MRP monitoring for the previous year, b) an updated list of the potential sources of the pollutant in the Permittee's discharge, and c) a summary of all actions taken to reduce or eliminate the identified sources of the pollutant or substance.

- c. The POTW Superintendent may modify an approved RP at any time as determined necessary to meet the goals and objectives of the Sewer Use Ordinance.
- d. Holding enforcement action in abeyance. If the effluent sample analysis results of a User's discharge exceeds the applicable discharge limit, detection level, or quantification level for a pollutant, the POTW Superintendent may, in the POTW Superintendent's sole discretion, nevertheless allow that discharge to continue and may hold any enforcement action regarding the prohibited discharge in abeyance, subject to the terms, conditions, and requirements of the Sewer Use Ordinance section 6.1(C)(6). User's discharges of the pollutant in question to the POTW. The MRP shall meet all of the requirements of the Section 6.1(C) of the Sewer Use Ordinance.
- e. Notwithstanding any provision of this subsection to the contrary, and regardless of whether the Permittee fully complies with all requirements and conditions of the Sewer Use Ordinance, the User Permit, and/or an approved MRP, the POTW Superintendent shall have the unconditional right to prohibit and terminate any non-compliant discharge at any time and without prior notice, and to take any enforcement action in response thereto, including any enforcement action that had previously been held in abeyance under this subsection.

Part 4. Reporting, Notification, and Records Retention.

- A. Required Reports and Notifications. The Permittee shall comply with all reporting and notice requirements as provided by this Permit, the Sewer Use Ordinance, and other applicable laws and regulations, including, but not limited to, the following:
 - 1. Baseline Reports. If determined applicable to the Permittee, the Permittee shall submit to GCDCWWS within the required submission deadlines the reports as required by Section 8.1(A) of the Sewer Use Ordinance.
 - 2. Reports on Compliance with Categorical Pretreatment Standard Deadline. If determined applicable to the Permittee, the Permittee shall submit to GCDCWWS within the required submission deadlines the reports as required by Section 8.1(B) of the Sewer Use Ordinance.
 - 3. Periodic Reports on Continued Compliance; and Reports Required for Nondomestic Users Not Subject to Categorical Pretreatment Standards. All monitoring results obtained by the Permittee as required by this Permit shall be summarized and reported on an Industrial User Monitoring Report Form (copy attached) every month (unless required more frequently by the applicable pretreatment standard or by the POTW Manager) and as otherwise required by Section 8.1(C) or 8.2 (as applicable) of the Sewer Use Ordinance. The monthly reports are due 30 days after the end of each month, and shall be submitted no later than the 30th of each month. Each report shall indicate the following information for the applicable reporting period: the nature and concentration (or mass) of all pollutants in the effluent for which sampling and analysis were performed; the measured maximum and average daily flows; the names

- of all person(s) responsible for operating and maintaining any pretreatment equipment, pretreatment processes, or responsible for wastewater management at the Permittee's facilities and premises, with a brief description of each person's duties; information regarding materials or substances which may cause interference or pass through; and any other information required by the Sewer Use Ordinance or deemed necessary by the POTW Manager to assess and assure compliance with applicable discharge requirements or to safeguard the operation of the POTW.
4. Notice of Potential Problems. The Permittee shall immediately notify GCDCWWS of any discharge by the Permittee that could cause problems to the POTW, including, but not limited to, slug loadings, or discharges that exceed any applicable discharge prohibition or limitation, or otherwise result in noncompliance with permit requirements.
 5. Notice by User of Violation of Pretreatment Standards. If sampling performed by an industrial user indicates a violation, the user shall notify GCDCWWS within 24 hours of becoming aware of the violation (and shall comply with other applicable requirements provided by Part 2 of this Permit regarding repeat sampling and analysis).
 6. Notice of Changed Discharge or Change in User Status. The Permittee shall promptly notify GCDCWWS in advance of any substantial change in the volume or character of pollutants in its discharge, or of any Premises expansion, production increase, or process modifications that could result in a substantial change in the volume or character of pollutants in its discharge, as provided by Section 8.5 of the Sewer Use Ordinance.
 7. Notice Regarding Discharge of Wastes That Are Otherwise Hazardous. If the Permittee discharges to the POTW a substance that, if disposed of other than by discharge to the POTW, would be a hazardous waste under 40 CFR part 261 or under the rules promulgated under the state hazardous waste management act (Part 111 of Act 451 of the Public Acts of Michigan of 1994, MCLA §§ 324.11101 et seq., as amended), the Permittee shall notify the POTW Manager, the U.S. EPA Region V Waste Management Division Director, and the Chief of the Waste Management Division of the Michigan Department of Environmental Quality, of the discharge as required by MAC R 323.2310(15).
 8. Notice Regarding Installation of New Pretreatment Facilities. Within 5 days after completing installation of any new pretreatment facilities, the Permittee shall notify GCDCWWS in writing of the time and date when it intends to commence operation of the new facilities, and the identity of the person who will conduct any tests to be performed. The pretreatment facilities shall not be placed in regular operation until adequate tests have been conducted to establish that the discharges will comply with the requirements of this Permit and other applicable laws and regulations. Upon prior written request by GCDCWWS, the Permittee shall allow a representative of GCDCWWS to observe the tests at the time they are conducted. The costs of all tests shall be paid by the Permittee.
 9. Other applicable reporting and notification requirements. The Permittee shall comply with other applicable reporting and notice requirements as provided by this Permit, the Sewer Use Ordinance, or any other applicable laws or regulations, including, but not limited to, the reporting and notice requirements in connection with accidental discharges (Section 10.8 of the Sewer Use Ordinance), upset (Section 11.1 of the Sewer Use Ordinance), and bypass (Section 12.3 of the Sewer Use Ordinance), and

any other reports or notice requirements determined necessary by the POTW Manager to assess and assure compliance with the requirements of the Sewer Use Ordinance.

B. Requirements Applicable to All Reports and Notifications. All reports and notifications submitted by the Permittee to GCDCWWS as required by this Permit shall meet the following requirements:

1. All reports required by this Permit shall be based upon data obtained through appropriate sampling and analysis performed during the period covered by the report. The data shall be representative of conditions occurring during the applicable reporting period.
2. If the Permittee monitors any pollutant or sampling parameter more frequently than required by this Permit, using test procedures prescribed in 40 CFR Part 136, as amended, (or otherwise approved by EPA or as specified in this Permit), the results of such additional monitoring shall be included in any calculations of actual daily maximum, monthly average, or instantaneous pollutant discharge, and these results, along with the increased monitoring frequency, shall be included in all reports and notifications submitted to GCDCWWS pursuant to this Permit (including, but not limited to, the quarterly monitoring reports required by Part 3(A)(3) of this Permit).
3. The POTW Manager may require that reports, notifications, and other required documents and data be submitted in a standardized format, as specified by the POTW Manager.
4. The reports, notifications, and other documents and data required to be submitted or maintained by this Permit and the Sewer Use Ordinance shall be subject to all of the provisions as specified by MAC R 323.2310(13).
5. Failure to provide the notifications and reports required by this Permit constitutes a violation of this Permit and the Sewer Use Ordinance. Providing the required notifications and reports shall not relieve the Permittee of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, fish kills, or any other damage to person or property; nor shall such notification or report relieve the Permittee of any fines, penalties, or other liability which may be imposed by applicable laws or regulations. Further, the reporting and notification requirements required by this Permit shall not be construed to authorize a discharge that exceeds a discharge prohibition or limitation under this Permit or other applicable laws or regulations.
6. All written reports and notifications required by this Permit shall be signed and certified as follows:
 - a. Required Signatures. The reports and notifications shall be signed by an "authorized representative" of the User as defined by the Sewer Use Ordinance.
 - b. Required Certification. The reports and notifications shall include 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."

8. All written reports and notifications required by this Permit shall be submitted to GCDCWWS at the following address:
**Anthony Ragnone Treatment Plant
Attn: Lisa Milton
G-9290 Farrand Rd.
Montrose, MI 48457**
9. All non-written or oral notifications required by this Permit shall be made by contacting GCDCWWS at the following telephone numbers:
 - a. During normal business hours (Monday through Friday, 7:00 AM to 3:30 PM):
 - i. The Environmental Compliance Office should be notified by telephone at (810) 232-7662 extension 2233.
 - ii. If no answer at the number above, call Lisa Milton at cell phone number (810) 919-1829.
 - iii. If no answer at the number above, call the Assistant Plant Superintendent, Joe Perroud, at (810) 735-7135 extension 6202.
 - iv. If no answer at the number above, call the Plant Superintendent, Brian Ross, at (810) 735-7135 extension 6203.
 - b. All other times (including after hours, weekends and holidays):
 - i. The Treatment Plant's Operation Supervisor should be notified by telephone at (810) 735-7135.
- C. Records Retention. The Permittee shall retain and preserve all records, reports, analyses, and information related to matters regulated by this Permit (and shall make the records, reports, analyses, and information available to GCDCWWS for inspection and copying) for a period of at least 3 years in accordance with Article 14 of the Sewer Use Ordinance.

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| Part 5. Accidental Discharge. |
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- A. Accidental Discharge Requirements. The Permittee shall meet and maintain compliance at all times with the minimum requirements for preparing for, responding to, and reporting, accidental discharges to GCDCWWS as provided by Article 10 of the Sewer Use Ordinance, and any additional or more restrictive requirements provided by this Permit, a slug control plan, or other applicable laws and regulations.
- B. Accidental Discharge Notice and Report.
 1. Upon the occurrence of any accidental discharge of any substance, pollutant or wastewater prohibited by this Permit, or the occurrence of any slug load or spill that may enter the POTW, the Permittee shall *immediately* (regardless of the time of day) notify GCDCWWS of the incident by telephone at the telephone numbers provided in Part 3(B)(8) of this Permit. The notification shall include all available information regarding the date, time, and location of the discharge, its volume, duration, constituents, loading, and concentrations, corrective actions taken and required, and other available information as necessary to determine what impact the discharge may have on the POTW.

2. Within 5 days of an accidental discharge, the Permittee shall submit to GCDCWWS a detailed written report. The report shall specify the same and any additional available information regarding the accidental discharge, slug load or spill as required by Part 4(B)(1), above. The report shall also specify the cause of the incident; the exact dates and times of noncompliance and, if the noncompliance is continuing, the time by which compliance is reasonably expected to occur; the impact on the Permittee's compliance status; the measures that have been or will be taken by the Permittee to prevent similar future incidents from occurring.
3. The Permittee's notification of accidental releases in accordance with this section Part 4(B) shall not relieve the Permittee of other reporting requirements that arise under local, State, or Federal laws or regulations.

**Part 6. Permit Modification, Suspension/Revocation,
Reissuance, Expiration, Transfer, and Stay.**

- A. Permit Modification. This Permit may be modified by the POTW Manager for any reason determined necessary by the POTW Manager to assure compliance with the requirements of the Sewer Use Ordinance and other applicable laws and regulations, including, but not limited to, any of the reasons provided by Section 7.7 of the Sewer Use Ordinance.

The Permittee shall be informed by GCDCWWS of any changes in the permit at least 30 days prior to the effective date of the change, unless a shorter time is determined necessary by the POTW Manager to meet applicable laws or to protect human health or the environment, or to facilitate an enforcement action.
- B. Permit Suspension and Revocation. This Permit may be suspended (for a specified period) or permanently revoked by the POTW Manager for any reason determined necessary by the POTW Manager to assure compliance with the requirements of the Sewer Use Ordinance, the POTW's NPDES permit, or other applicable laws and regulations, including, but not limited to, any of the reasons provided by Section 7.11 of the Sewer Use Ordinance.

Upon suspension or revocation of a permit, the Permittee shall immediately terminate its discharge to the POTW and shall not thereafter recommence discharge without further authorization from the POTW Manager as provided by the Sewer Use Ordinance.
- C. Permit Reissuance. To apply for reissuance of this Permit, the Permittee must submit a complete permit application accompanied by payment of an application fee to the POTW at least 90 days prior to the expiration date of the this Permit. It shall be the responsibility of the Permittee to make a timely application for reissuance.
- D. Permit Expiration; Continuation of Expired Permits.
 1. This Permit shall expire on the date indicated by this Permit. Except as provided by Section (D)(2) of this Part, upon expiration of this Permit the Permittee shall immediately terminate its discharge to the POTW and shall not thereafter recommence discharge without further authorization from the POTW Manager as provided by the Sewer Use Ordinance.
 2. This Permit shall continue to be effective (and the Permittee may continue its discharge to the POTW) after the date of expiration until it is reissued only if the Permittee has submitted a complete permit application in a form and containing the information required by the POTW Manager at least 90 days prior to the expiration

date of this Permit; and the failure to reissue the permit, prior to expiration of the previous permit, is not due to any act or failure to act on the part of the Permittee.

- E. Permit Non-Transferable. This Permit is issued to the Permittee for specific discharges from specific outfalls at the Premises and may not be assigned or transferred or sold to a new or different owner, operator, user, discharger, facility or premises, or to a new or changed facility or operation.
- F. Permit Not Stayed. Except as otherwise expressly provided by the Sewer Use Ordinance, no action taken or request filed by the Permittee shall operate to stay the effect of this Permit or of any provision, term or condition of this Permit, including, but not limited to, a request for permit modification or reissuance, or a notification of planned changes or anticipated noncompliance.

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| <p>Part 7. Operation and Maintenance of Pollution Controls.</p> |
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- A. Provision of Necessary Pretreatment Facilities. The Permittee shall provide all necessary wastewater treatment required to comply with all applicable pretreatment standards and requirements within the time limitations specified by this Permit or other applicable law or regulation, as determined necessary by the POTW Manager. All facilities required to pretreat wastewater shall be provided, operated, and maintained at the Permittee's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to GCDCWWS for review, and shall be acceptable to the POTW Manager before construction of the facility. The review of such plans and operating procedures does not in any way relieve the Permittee from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the POTW Manager under the provisions of this Permit. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be approved by the POTW Manager prior to the initiation of the changes. The Permittee shall notify GCDCWWS regarding the installation of new pretreatment facilities as provided by Section 8.7 of the Sewer Use Ordinance.
- B. Proper Operation and Maintenance. The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to comply with the requirements of this Permit. Proper operation and maintenance includes, but is not limited to, effective performance, adequate funding, adequate operator staffing, and adequate quality assurance/quality control (QA/QC) procedures for sampling and analysis.
- C. Removed Substances. Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in accordance with Section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation and Recovery Act.
- D. Duty to Halt or Reduce Activity. Upon reduction of efficiency of operation, or loss, or failure of all or part of the Permittee's pretreatment equipment or facility, the Permittee shall, to the extent necessary to maintain compliance with categorical pretreatment standards and other applicable standards, requirements, and limits, control its production and all discharges until operation of the equipment or facility is restored or an alternative method of treatment is provided. This requirement applies in situations, including, but not limited to, where the primary source of power for the pretreatment equipment or facility is reduced, lost, or fails. It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Permit.

- E. Duty to Mitigate. The Permittee shall take all reasonable steps to minimize or correct any adverse impact to the POTW or the environment resulting from noncompliance with this Permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.
- F. Duty to Pretreat Prior to Discharge to POTW. Except as otherwise expressly required by this Permit, by the Sewer Use Ordinance, or other applicable law or regulation, the prohibitions and limitations provided by this Permit shall apply at the point where wastewater and pollutants are discharged or caused to be discharged into the POTW and any required pretreatment shall, at a minimum, be completed before that point of discharge is reached.
- G. Additional Pretreatment Measures. The POTW Manager may require the Permittee to take additional pretreatment measures, as determined necessary by the POTW Manager, including, but not limited to, the measures provided by Section 16.7 of the Sewer Use Ordinance.
- H. Duty to Keep Pretreatment Maintenance Records. The Permittee shall keep a written record of pretreatment facility operations and maintenance (routine or non-routine) for all required pretreatment facilities. At a minimum, the records shall include the date, exact place, time (including start time and stop time) of operations and maintenance, the name(s) of person(s) conducting the activity, a description of any problems with proper operation or maintenance, and any required or recommended follow-up. Such records shall be maintained and retained as provided by Section 14.1 of the Sewer Use Ordinance.

Part 8. Inspection, Surveillance, and Monitoring.

- A. In General. GCDCWWS is authorized to carry out all inspection, surveillance, sampling and monitoring activities and procedures, as necessary to determine, independent of information supplied by the Permittee, or any other persons, compliance or noncompliance with applicable pretreatment standards and requirements, with this Permit, the Sewer Use Ordinance, and other applicable laws and regulations. This authority includes, but is not limited to, the authority to undertake any of the activities and procedures as provided by Section 17.1(A) of the Sewer Use Ordinance.
- B. Right of Entry. The POTW Manager and other authorized representatives of GCDCWWS bearing proper credentials and identification are authorized to enter the Permittee's Premises to conduct inspection, surveillance and monitoring activities as necessary to determine compliance with this Permit and the Sewer Use Ordinance, and in that regard shall have at a minimum, the authority as provided by Section 17.1 (B) of the Sewer Use Ordinance.
- C. Access Without Delay Required. The Permittee shall allow GCDCWWS ready access at all reasonable times to all parts of the Permittee's premises as provided by Section 17.1 (C) of the Sewer Use Ordinance.
- D. Refusal to Allow Entry. If the Permittee refuses to permit access to an authorized POTW representative or to permit the representative to obtain, take, and remove samples or make copies of documents or undertake other authorized inspection, surveillance and monitoring activities as provided by this Permit or the Sewer Use Ordinance, the POTW Manager may order the termination of the discharge of wastewater to the POTW; order the Permittee to permit access within a time certain; issue the Permittee a notice of violation of this section; or take other appropriate action as provided by this Permit or the Sewer Use Ordinance and other applicable laws and regulations.
- E. Duty to Provide Information. The Permittee shall furnish to GCDCWWS any available information and records required to be kept by this Permit which GCDCWWS requests as

provided by Section 7.13 of the Sewer Use Ordinance. The Permittee's failure to submit the requested information to GCDCWWS within 24 hours (or within any alternate time period approved by the POTW Manager as provided by this section) constitutes a violation of this Permit.

Part 9. Violations and Enforcement.

- A. Duty to Comply. The Permittee shall fully comply with all standards, requirements and conditions of this Permit, the Sewer Use Ordinance, any notice, order, decision or determination promulgated, issued or made by the POTW Manager under the Sewer Use Ordinance, and state and federal laws and regulations. Failure to fully comply shall be grounds for enforcement action or proceedings, including, but not limited to, the enforcement actions and proceedings provided by this Permit and the Sewer Use Ordinance.
- B. Municipal Civil Infractions. Any person that violates any provision of this Permit, the Sewer Use Ordinance, or any notice, order, decision or determination promulgated, issued or made by the POTW Manager under the Sewer Use Ordinance, shall (except as provided by Part 8, Section C) be responsible for a municipal civil infraction, subject to payment of a civil fine of not less than \$1,000.00 per day for each infraction and not more than \$10,000.00 per day for each infraction, plus costs and other sanctions, as provided by Section 17.6(A) of the Sewer Use Ordinance. Further, repeat offenses shall be subject to increased fines of not less than \$2,500.00 plus costs and other sanctions for a first repeat offense, and not less than \$5,000.00 plus costs and other sanctions for a second or any subsequent repeat offense as provided by Section 17.6(B) of the Sewer Use Ordinance.
- C. Criminal Penalties: Imprisonment. Any person that (1) at the time of a violation knew or should have known that a pollutant or substance was discharged contrary to any provision of this Permit or the Sewer Use Ordinance, or contrary to any notice, order, decision or determination promulgated, issued or made by the POTW Manager under the Sewer Use Ordinance; or (2) intentionally makes a false statement, representation, or certification in an application for, or form pertaining to a permit, or in a notice, report, or record required by this permit or the Sewer Use Ordinance; or (3) intentionally falsifies, tampers with, or renders inaccurate any sampling or monitoring device or record required to be maintained by this Permit or the Sewer Use Ordinance; or (4) commits any other act that is punishable under state law by imprisonment for more than 90 days; shall, upon conviction, be guilty of a misdemeanor punishable by a fine of \$500.00 per violation, per day, or imprisonment for up to 90 days, or both in the discretion of the court, as provided by Section 17.7 of the Sewer Use Ordinance.
- D. Judicial Relief. GCDCWWS may commence a civil action for appropriate judicial relief for a violation of any provision of this Permit or the Sewer Use Ordinance, or any notice, order, decision or determination promulgated, issued or made by the POTW Manager under the Sewer Use Ordinance, as provided by Section 17.12 of the Sewer Use Ordinance.
- E. Remedies Cumulative. The imposition of a single penalty, fine, order, damage, or surcharge upon any person for a violation of any provision of this Permit or the Sewer Use Ordinance, or any notice, order, decision or determination promulgated, issued or made by the POTW Manager under the Sewer Use Ordinance, shall be cumulative as provided by Section 17.13 of the Sewer Use Ordinance.
- F. Separate Violations. Each day (or portion thereof) on which a violation occurs or continues is a separate and distinct violation for which applicable remedies may be imposed.

- G. Number of Violations. The number of violations resulting from noncompliance with applicable discharge prohibitions or effluent limitations shall be determined as provided by Section 17.9 of the Sewer Use Ordinance.
- H. Public Nuisance. A violation of this Permit, the Sewer Use Ordinance, or of any order, notice or agreement issued or entered into under the Sewer Use Ordinance, is deemed to be a public nuisance and shall also be subject to abatement on that basis.

Part 10. Cost Reimbursement.

- A. Reimbursement of GCDCWWS. Any person that discharges to the POTW (including, but not limited to, any person that causes or creates a discharge that violates any provision of this Permit or the Sewer Use Ordinance; produces a deposit or obstruction, or otherwise damages, injures, or impairs the POTW; or causes or contributes to a violation of any federal, state or local law governing the POTW, whether any such act is intentional or unintentional) shall be liable to and shall fully reimburse the POTW for all expenses, costs, losses or damages (direct or indirect) payable or incurred by GCDCWWS as a result of, or associated with, any discharge, deposit, obstruction, damage, injury, impairment, violation, exceedence, noncompliance, or act as provided by Section 17.11 of the Sewer Use Ordinance.
- B. Violation for Nonpayment. The Permittee's failure or refusal to fully and timely pay any reimbursable costs that are due and payable to GCDCWWS as provided by this Permit and the Sewer Use Ordinance constitutes a violation of this Permit and the Sewer Use Ordinance.

Part 11. Industrial Pretreatment Program Fees.

- A. Billing, Payment, and Collection. Industrial Pretreatment Program Fees (including, but not limited to Surcharges) shall be billed, paid, and collected as provided by Article 21 of the Sewer Use Ordinance.
- B. Violation for Nonpayment. The Permittee's failure or refusal to fully and timely pay any Industrial Pretreatment Program Fees that are due and payable to GCDCWWS as provided by this Permit and the Sewer Use Ordinance constitutes a violation of this Permit and the Sewer Use Ordinance.

Part 12. Rates and Charges for Sewer Service.

- A. Billing, Payment, and Collection. Sewer service charges shall be billed, paid, and collected as provided by Article 22 of the Sewer Use Ordinance.
- B. Violation for Nonpayment. The Permittee's failure or refusal to fully and timely pay any sewer service charge that is due and payable to GCDCWWS constitutes a violation of this Permit and the Sewer Use Ordinance.

Part 13. Additional Terms, Conditions, and Requirements.

- A. All discharges by the Permittee to the POTW shall be subject to and fully comply with the requirements, terms and conditions of this Permit, the requirements of the Sewer Use

Ordinance, and any applicable state and federal laws and regulations, as amended, modified or revised.

- B. All exceedences of applicable discharge prohibitions and limitations and all instances of noncompliance with applicable discharge requirements constitute a violation of this Permit and the Sewer Use Ordinance, subject to applicable fines, penalties and other enforcement actions provided by this Permit and the Sewer Use Ordinance. In no case shall the imposition of a surcharge for a discharge which does not meet the applicable prohibitions, limitations or requirements be construed as authorizing the illegal discharge or otherwise excuse a violation of the this Permit or the Sewer Use Ordinance.
- C. The failure or refusal by the Permittee to fully comply with any of the terms, conditions or requirements of this Permit constitutes sufficient cause for the POTW Manager to refuse or terminate service to the Permittee and/or the Permittee's Facility.
- D. Nothing in this Permit shall operate or be construed to nullify, conflict with, or prevent the full application of the Sewer Use Ordinance to any discharge by the Permittee to the POTW or to limit in any way the POTW Manager's power, authority and discretion to administer and enforce the Sewer Use Ordinance with respect to such discharges.
- E. In all cases, the most stringent or restrictive standard or requirement applicable to the Permittee's discharge shall control, whether established by this Permit, the Sewer Use Ordinance, any notice, order, permit, decision or determination promulgated, issued or made by the POTW Manager under the Sewer Use Ordinance, state laws or regulations, including the POTW's NPDES permit, or federal laws or regulations. Further, if state or federal laws or regulations provide for standards and requirements not covered by this Permit or the Sewer Use Ordinance that are otherwise applicable to the Permittee's discharge, those standards and requirements shall apply to the Permittee in addition to those required by this Permit or the Sewer Use Ordinance, and the most restrictive of those additional standards or requirements shall control and shall be complied with by the Permittee within the time period required by the law or regulation.
- F. Unless otherwise expressly provided by this Permit, specific provisions of the Sewer Use Ordinance referred to in this Permit are incorporated by reference in this Permit as if set forth fully herein.
- G. The issuance of this Permit does not convey to the Permittee any property or contractual rights or privileges of any kind whatsoever, nor does it authorize any injury to private or public property or any invasion of personal rights, nor any violation of local, state or federal laws or regulations. GCDCWWS does not guarantee uninterrupted service and shall not be liable for injuries or damages by such interruptions whether caused by defects in original construction, cave-ins, accidents, repairs or other causes; nor shall the GCDCWWS be liable, to the Permittee or other person, firm or corporation for injuries or damages of any nature caused by the use of the sewage disposal system or by interruptions of service. Further, nothing in this Permit shall be construed to permit any discharge except in full compliance with this Permit, the Sewer Use Ordinance or any notice, order or determination made or issued by the POTW Manager under the Sewer Use Ordinance.
- H. The POTW Manager may refuse to accept, and/or may condition acceptance of, all or any portion of any proposed or existing discharge by Permittee to the POTW, regardless of whether or not a permit has been issued for the discharge, if the POTW Manager determines that the discharge has a reasonable potential to adversely affect the operation of the POTW; result in pass through or interference; violate any requirement of the Sewer Use Ordinance or other applicable law or regulation; cause the POTW to violate its NPDES permit; or if the impacts of the discharge on the POTW or the POTW's discharge are uncertain or unknown

(because, for example, no local limits or headworks analysis has been conducted for particular pollutants in the discharge). If the POTW Manager denies the Permittee permission to commence or continue all or any portion of a discharge to the POTW, the Permittee shall refrain from commencing to discharge or shall immediately terminate the discharge to the POTW and shall not thereafter recommence discharge without written authorization from the POTW Manager. Similarly, if the POTW Manager denies the Permittee permission to commence or continue all or any portion of a discharge to the POTW except subject to conditions determined necessary and appropriate by the POTW Manager, the Permittee shall refrain from commencing or continuing the discharge except in full compliance with those conditions. This includes, but is not limited to, the POTW Manager's right to revise or revoke this Permit.

- I. The provisions of this Permit are severable, and if any provision of this Permit, or the application of any provision of this Permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Permit, shall not be affected thereby.
- J. The waiver of any provision of this Permit shall constitute not constitute a waiver of any other provision nor shall any waiver of any provision of this Permit constitute a continuing waiver unless otherwise expressly provided.

| |
|------------------------------|
| Part 14. Definitions. |
|------------------------------|

- A. Unless otherwise expressly provided by this Permit, all terms used in this Permit that are defined in the Sewer Use Ordinance shall have the same meaning as provided by the Sewer Use Ordinance.
- B. Unless otherwise expressly provided by this Permit, all references in this Permit to "days" means "consecutive calendar days."

GCDCWWS Permit No. 06-1307-81
Permittee: Livingston County Septage Receiving Station

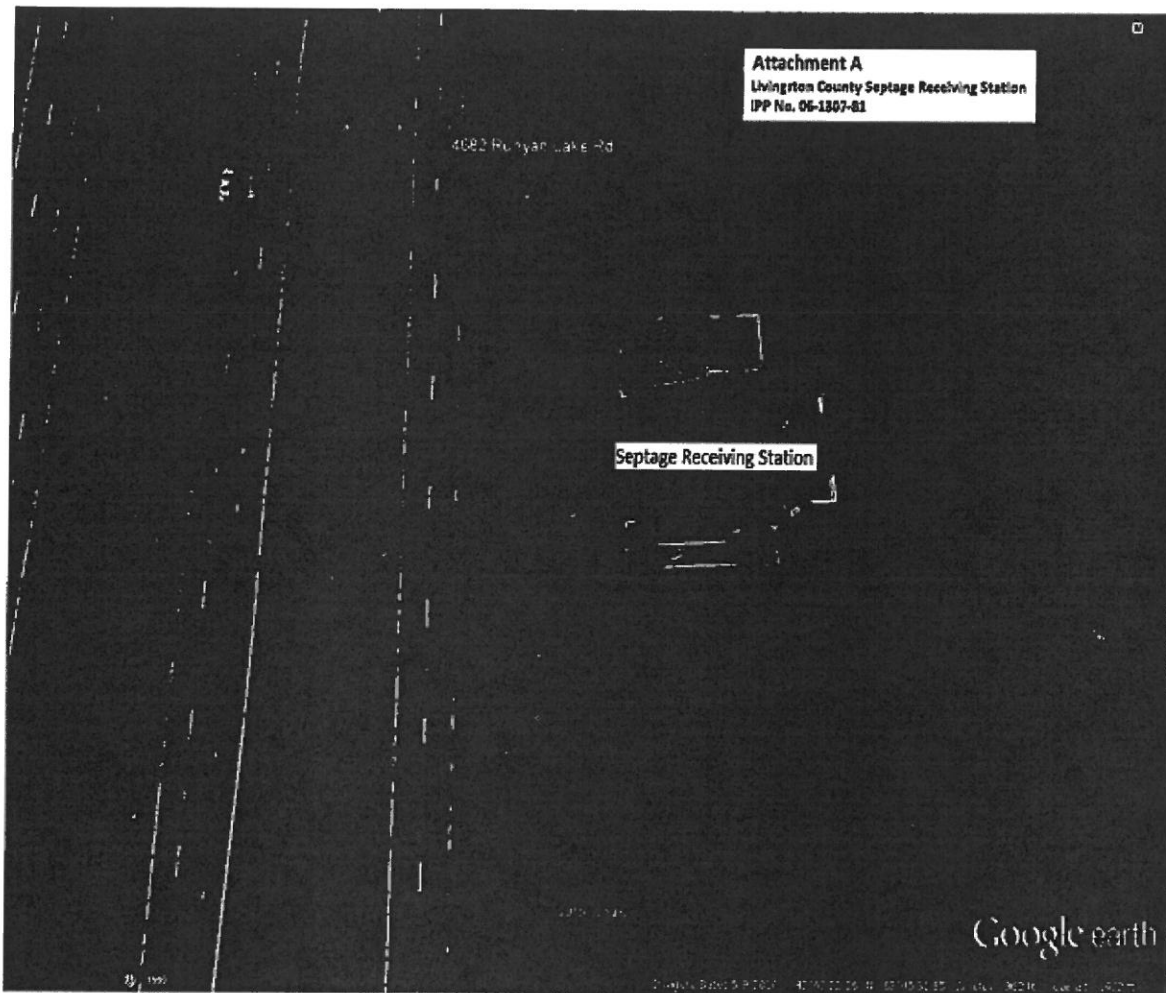


EXHIBIT 2

Industrial Pretreatment Program

Compliance Results Violations Report - by Parameter

Permit: 06-1307-81
 Permittee: Livingston County Septage Receiving Station
 Location: 4682 Runyan Lake Road, Fenton, MI 48430

Arsenic, Total

| Sample ID | Auth? | MonPoint | Collection Method | Collection Date | Units | Result | Rslt Figs | Reporting Limit | Adjusted Result | Comp Flag | Limit |
|------------------|-------|------------|-------------------|-----------------|-------|--------|-----------|-----------------|-----------------|-----------|-------|
| Aug-18-Avg | | 001 | | 08-31-2018 | mg/L | .3700 | | | .3700 | M T | 0.24 |
| Sep-18-Avg | | 001 | | 09-30-2018 | mg/L | .3500 | | | .3500 | M T | 0.24 |
| Total Results: 2 | | Avg: .3600 | Min: .3500 | Max: .3700 | | | | | | | |

BOD-5 PPD

| Sample ID | Auth? | MonPoint | Collection Method | Collection Date | Units | Result | Rslt Figs | Reporting Limit | Adjusted Result | Comp Flag | Limit |
|------------------|-------|----------------|-------------------|-----------------|-------|-----------|-----------|-----------------|-----------------|-----------|-------|
| Feb-18-Avg | | 001 | | 02-28-2018 | ppd | 1409.0000 | | | 1409.0000 | M | 1210 |
| Mar-18-Avg | | 001 | | 03-31-2018 | ppd | 1311.0000 | | | 1311.0000 | M | 1210 |
| Apr-18-Avg | | 001 | | 04-30-2018 | ppd | 1651.0000 | | | 1651.0000 | M | 1210 |
| May-18-Avg | | 001 | | 05-31-2018 | ppd | 1540.0000 | | | 1540.0000 | M | 1210 |
| Total Results: 4 | | Avg: 1477.7500 | Min: 1311.0000 | Max: 1651.0000 | | | | | | | |

Cyanide, Available ppd

| Sample ID | Auth? | MonPoint | Collection Method | Collection Date | Units | Result | Rslt Figs | Reporting Limit | Adjusted Result | Comp Flag | Limit |
|------------------|-------|------------|-------------------|-----------------|-------|--------|-----------|-----------------|-----------------|-----------|-------|
| Jun-18-Avg | | 001 | | 06-30-2018 | ppd | .0450 | | | .0450 | M T | 0.014 |
| Total Results: 1 | | Avg: .0450 | Min: .0450 | Max: .0450 | | | | | | | |

Molybdenum, Total

| Sample ID | Auth? | MonPoint | Collection Method | Collection Date | Units | Result | Rslt Figs | Reporting Limit | Adjusted Result | Comp Flag | Limit |
|------------------|-------|------------|-------------------|-----------------|-------|--------|-----------|-----------------|-----------------|-----------|-------|
| Sep-18-Avg | | 001 | | 09-30-2018 | mg/L | .4400 | | | .4400 | M T | 0.32 |
| Total Results: 1 | | Avg: .4400 | Min: .4400 | Max: .4400 | | | | | | | |

Nitrogen, Total Kjeldahl ppd

| Sample ID | Auth? | MonPoint | Collection Method | Collection Date | Units | Result | Rslt Figs | Reporting Limit | Adjusted Result | Comp Flag | Limit |
|------------------|-------|---------------|-------------------|-----------------|-------|----------|-----------|-----------------|-----------------|-----------|-------|
| Apr-18-Avg | | 001 | | 04-30-2018 | ppd | 397.0000 | | | 397.0000 | M | 340 |
| May-18-Avg | | 001 | | 05-31-2018 | ppd | 674.0000 | | | 674.0000 | M T | 340 |
| Jun-18-Avg | | 001 | | 06-30-2018 | ppd | 546.6667 | | | 546.6667 | M T | 340 |
| Sep-18-Avg | | 001 | | 09-30-2018 | ppd | 400.0000 | | | 400.0000 | M | 340 |
| Total Results: 4 | | Avg: 504.4167 | Min: 397.0000 | Max: 674.0000 | | | | | | | |

Oil and Grease

| Sample ID | Auth? | MonPoint | Collection Method | Collection Date | Units | Result | Rslt Figs | Reporting Limit | Adjusted Result | Comp Flag | Limit |
|------------|-------|----------|-------------------|-----------------|-------|--------|-----------|-----------------|-----------------|-----------|-------|
| GCDC | | 001 | GRAB | 03-14-2018 | mg/L | 1600 | | | 1600 | D T | 500 |
| Livingston | | 001 | GRAB | 04-19-2018 | mg/L | 940 | | | 940 | D T | 500 |
| Livingston | | 001 | GRAB | 05-02-2018 | mg/L | 520 | | | 520 | D | 500 |
| Livingston | | 001 | GRAB | 05-23-2018 | mg/L | 980 | | | 980 | D T | 500 |

Oil and Grease

| Sample ID | Auth? | MonPoint | Collection Method | Collection Date | Units | Result | Rslt Flgs | Reporting Limit | Adjusted Result | Comp Flag | Limit |
|---|-------|----------|-------------------|-----------------|-------|--------|-----------|-----------------|-----------------|-----------|-------|
| 06-1307-81-060518-001Liv | | 001 | GRAB | 06-05-2018 | mg/L | 1200 | | | 1200 | D T | 500 |
| 06-1307-81-061218-001liv | | 001 | GRAB | 06-12-2018 | mg/L | 600 | | | 600 | D | 500 |
| 06-1307-81-061918-001liv | | 001 | GRAB | 06-19-2018 | mg/L | 600 | | | 600 | D | 500 |
| 06-1307-81-062118-001artp | | 001 | GRAB | 06-21-2018 | mg/L | 1900 | | | 1900 | D T | 500 |
| 06-1307-81-062618-001liv | | 001 | GRAB | 06-26-2018 | mg/L | 580 | | | 580 | D | 500 |
| 06-1307-81-070318-001LIV | | 001 | GRAB | 07-03-2018 | mg/L | 1600 | | | 1600 | D T | 500 |
| 06-1307-81-071918-001Liv | | 001 | GRAB | 07-19-2018 | mg/L | 840 | | | 840 | D T | 500 |
| 06-1307-81-081518-001liv | | 001 | GRAB | 08-15-2018 | mg/L | 1200 | | | 1200 | D T | 500 |
| 06-1307-81-082218-001liv | | 001 | GRAB | 08-22-2018 | mg/L | 840 | | | 840 | D T | 500 |
| 06-1307-81-082918-001Liv | | 001 | GRAB | 08-29-2018 | mg/L | 680 | | | 680 | D | 500 |
| 06-1307-81-090518-001artp | | 001 | GRAB | 09-05-2018 | mg/L | 1800 | | | 1800 | D T | 500 |
| Total Results: 15 Avg: 1058.6667 Min: 520.0000 Max: 1900.0000 | | | | | | | | | | | |

Oil and grease ppd

| Sample ID | Auth? | MonPoint | Collection Method | Collection Date | Units | Result | Rslt Flgs | Reporting Limit | Adjusted Result | Comp Flag | Limit |
|--|-------|----------|-------------------|-----------------|-------|----------|-----------|-----------------|-----------------|-----------|-------|
| Mar-18-Avg | | 001 | | 03-31-2018 | ppd | 422.0000 | | | 422.0000 | M T | 280 |
| Apr-18-Avg | | 001 | | 04-30-2018 | ppd | 308.0000 | | | 308.0000 | M | 280 |
| May-18-Avg | | 001 | | 05-31-2018 | ppd | 532.0000 | | | 532.0000 | M T | 280 |
| Total Results: 3 Avg: 420.6667 Min: 308.0000 Max: 532.0000 | | | | | | | | | | | |

Phosphorus

| Sample ID | Auth? | MonPoint | Collection Method | Collection Date | Units | Result | Rslt Flgs | Reporting Limit | Adjusted Result | Comp Flag | Limit |
|--|-------|----------|-------------------|-----------------|-------|----------|-----------|-----------------|-----------------|-----------|-------|
| Feb-18-Avg | | 001 | | 02-28-2018 | mg/L | 130.0000 | | | 130.0000 | M T | 100 |
| Apr-18-Avg | | 001 | | 04-30-2018 | mg/L | 120.0000 | | | 120.0000 | M T | 100 |
| May-18-Avg | | 001 | | 05-31-2018 | mg/L | 166.6667 | | | 166.6667 | M T | 100 |
| Jun-18-Avg | | 001 | | 06-30-2018 | mg/L | 359.9000 | | | 359.9000 | M T | 100 |
| Jul-18-Avg | | 001 | | 07-31-2018 | mg/L | 120.7500 | | | 120.7500 | M T | 100 |
| Aug-18-Avg | | 001 | | 08-31-2018 | mg/L | 114.8000 | | | 114.8000 | M | 100 |
| Total Results: 6 Avg: 166.6661 Min: 114.8000 Max: 359.9000 | | | | | | | | | | | |

TSS, ppd

| Sample ID | Auth? | MonPoint | Collection Method | Collection Date | Units | Result | Rslt Flgs | Reporting Limit | Adjusted Result | Comp Flag | Limit |
|--|-------|----------|-------------------|-----------------|-------|------------|-----------|-----------------|-----------------|-----------|-------|
| Mar-18-Avg | | 001 | | 03-31-2018 | ppd | 5010.0000 | | | 5010.0000 | M | 4290 |
| Apr-18-Avg | | 001 | | 04-30-2018 | ppd | 7153.0000 | | | 7153.0000 | M T | 4290 |
| May-18-Avg | | 001 | | 05-31-2018 | ppd | 11875.0000 | | | 11875.0000 | M T | 4290 |
| Total Results: 3 Avg: 8012.6667 Min: 5010.0000 Max: 11875.0000 | | | | | | | | | | | |

EXHIBIT 3



Moore+Bruggink
Consulting Engineers

January 9, 2019

*LCDC – Feasibility Study
Completion Documents*

Mr. Bob Demyanovich
Livingston County Drain Commissioners Office
2300 East Grand River Avenue, Suite 105
Howell, Michigan 48843

Dear Mr. Demyanovich:

Upon completion of the attached geotechnical report, and following review of subsurface condition and recommendations, Moore+Bruggink has estimated the following project timeline for project implementation. Additionally, an updated conceptual estimate has been provided to close out the conceptual design phase.

Geotechnical Report

In general, subsurface conditions encountered at the project site appear acceptable for conventional shallow foundation support of structures. The conditions meet the net allowable bearing pressure of 3,000 psf recommended for buildings and retaining walls, and total settlement is approximately 1 inch or less. Larger and heavier structures such as the sludge tanks can expect settlement on the order of 1-1/2 to 2 inches, which can be accommodated using flexible pipe connections.

The need for unplanned dewatering during the 2008 Phase 2 construction and the confirmed presence of artesian aquifer(s) during the current geotechnical study present a unique geotechnical challenge for the proposed improvements. The report recommends excavations for new structures and utilities be performed no deeper than elevation 957.0 feet to minimize the risk of artesian flow and provide adequate uplift resistance.

Project Timeline

Below are the project milestones developed through the enclosed project timeline:

| | |
|-------------------------|--------------|
| Begin Full Design Phase | January 2019 |
| 60% Review | March 2019 |
| 90% Review | May 2019 |
| Out for Permits | May 2019 |
| Bidding | May 2019 |
| Start Construction | July 2019 |
| Startup Solids Handling | April 2020 |
| Project Completion | May 2020 |

2020 Monroe Avenue NW | Grand Rapids, MI 49505-6298
T (616) 363 9801 | F (616) 363 2480 | W mbce.com



Mr. Bob Demyanovich
January 9, 2019
Page 2

Conceptual Estimate

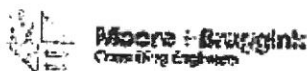
Given the site recommendations of the geotechnical report, the conceptual project cost has been adjusted to include grading changes and items included at the request of the County at our last meeting. The updated conceptual cost is \$6,850,000 and the full breakdown has been included.

Moore+Bruggink has now completed the Conceptual Design contract, and will provide a follow-up proposal to provide full design engineering services for the County. We look forward to continuing to partner with the County on these improvements.

Sincerely,

Jeff S. Landers, P.E.
Project Manager

Attachments: Geotechnical Report, Project Timeline, Conceptual Estimate



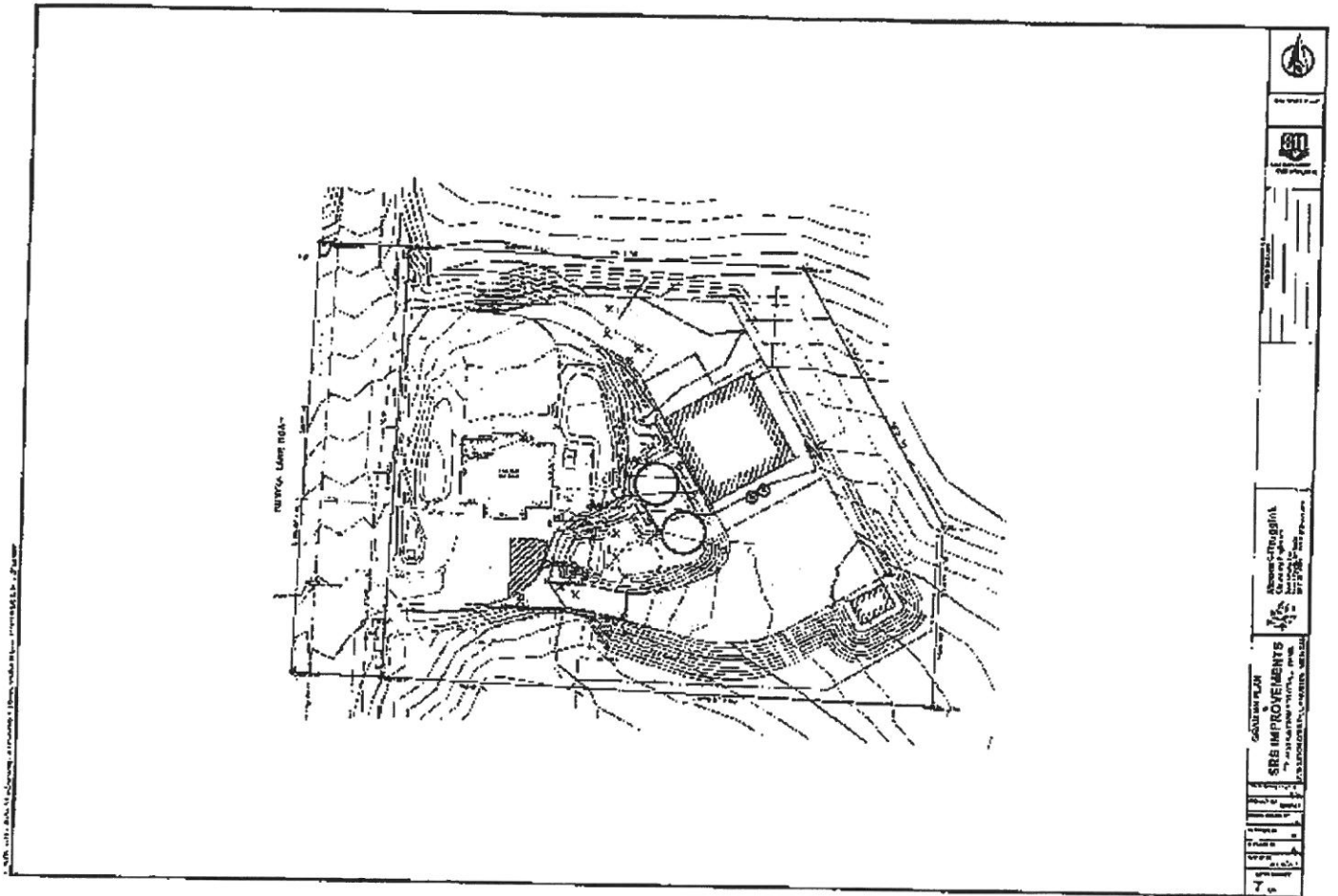
Engineer's Estimate of Costs

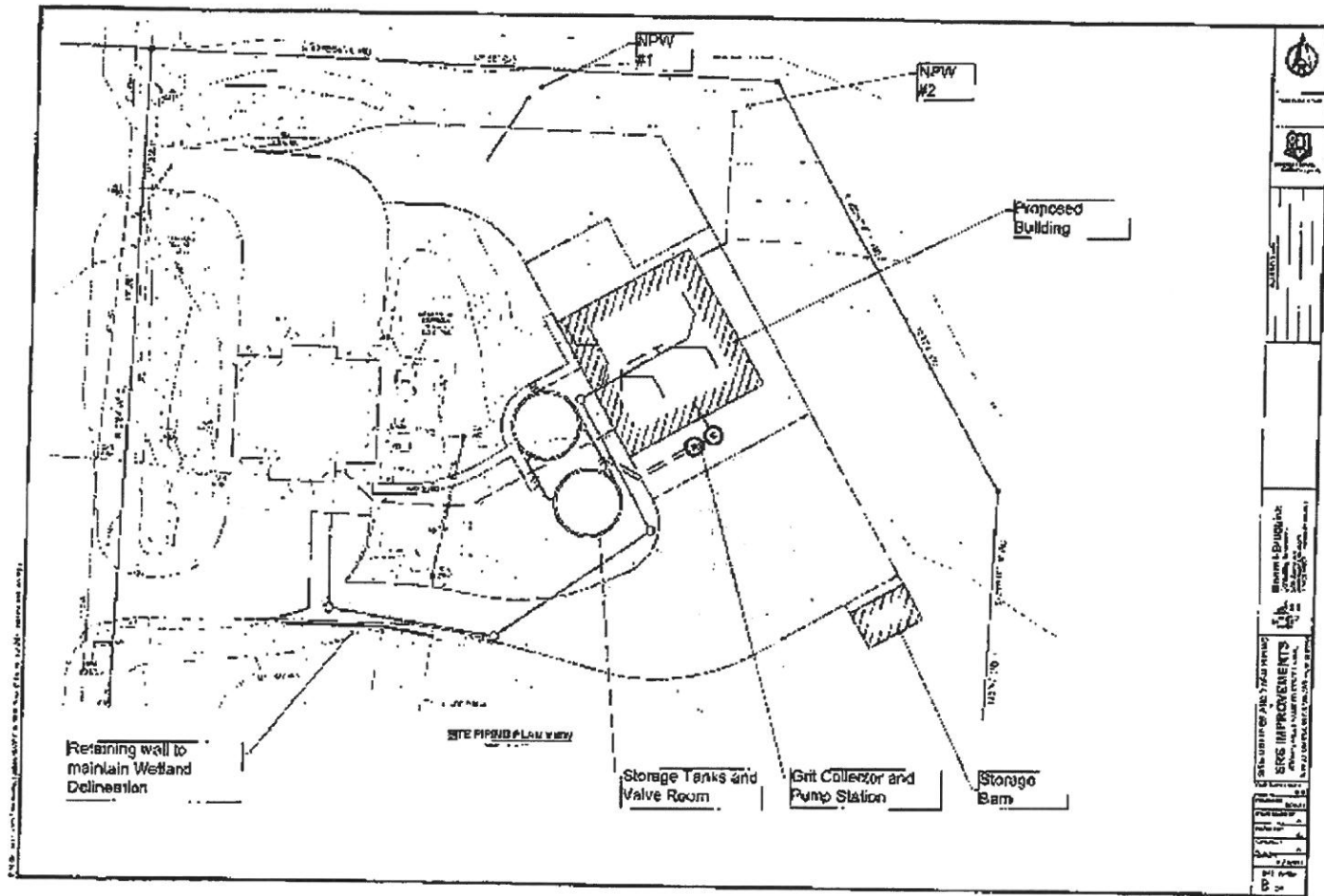
2000 Monroe Ave., NW
Grand Rapids, MI 49505
Phone: (616) 351-9801

Client: Livingston County
Project Name: Livingston County SRS - Solids Handling Facility - Conceptual Design Layout
Project Location: Runyon Lake Rd. Facility
Type of Work: Wastewater Process

Project Number: 180208
Date: 1/9/2019
Estimator/Engineer: JSL
Checked By: B.J.H.
Stage: Preliminary

| Item No. | Description | Estimated Quantity | Unit | Unit Price | Amount |
|--|--|--------------------|------|--------------|-----------------------|
| 1 | Mobilization, Overhead, Bonding, Legal and Profit | 1 | LSUM | \$939,600.00 | \$939,600.00 |
| CONSTRUCTION | | | | | |
| 2 | Asphalt Top Course - 2.5" | 341.44 | Tons | \$140.00 | \$47,801.36 |
| 3 | Asphalt Leveling Course - 2.5" | 341.44 | Tons | \$140.00 | \$47,801.36 |
| 4 | Grading | 7268 | Syd | \$2.50 | \$18,170.00 |
| 5 | Clearing | 0.06 | Ac | \$7,500.00 | \$474.43 |
| 6 | Undercutting | 105 | Cyd | \$100.00 | \$10,500.00 |
| 7 | 6" Agg Base | 2791 | Syd | \$10.00 | \$27,907.00 |
| 8 | 6" Concrete Approaches | 51 | Cyd | \$150.00 | \$7,650.00 |
| 9 | Engineered Fill | 5720 | Cyd | \$20.00 | \$114,400.00 |
| 10 | 4" Sidewalk | 130 | Lt | \$15.00 | \$1,950.00 |
| 11 | 12" Storm Pipe | 22.00 | Lt | \$60.00 | \$1,320.00 |
| 12 | Precast Retaining Walls | 75.00 | Lt | \$200.00 | \$15,000.00 |
| 13 | Site Piping | 1.00 | LSUM | \$140,000.00 | \$140,000.00 |
| 14 | Water Service from near NPW walls | 2 | Ea | \$10,000.00 | \$20,000.00 |
| 15 | Electrical Service, Security, SCADA | 1 | Ea | \$360,000.00 | \$360,000.00 |
| 16 | Process & Controls | 1 | LSUM | \$252,000.00 | \$252,000.00 |
| 17 | Restoration | 4431 | Syd | \$5.00 | \$22,154.61 |
| 18 | Soil and Erosion Control | 1 | Ea | \$2,000.00 | \$2,000.00 |
| PROCESS EQUIPMENT | | | | | |
| 19 | Sludge Pumps and Accessories | 1 | LSUM | \$375,000.00 | \$375,000.00 |
| 20 | Buildings (Includes Struct, Arch, HVAC and Electrical) | 5700 | Sq | \$250.00 | \$1,425,000.00 |
| 21 | RoFAS Screen | 1 | LSUM | \$381,000.00 | \$381,000.00 |
| 22 | 100,000 gal Sludge Storage Tank | 2 | Ea | \$182,000.00 | \$364,000.00 |
| 23 | Sludge Storage Valve Room | 1 | LSUM | \$188,000.00 | \$188,000.00 |
| 24 | Tank Mixers | 2 | Ea | \$65,000.00 | \$130,000.00 |
| 25 | Odor Control Piping | 137.50 | Lt | \$90.00 | \$12,375.00 |
| 26 | Pump Station and Grit Collector | 1 | LSUM | \$132,000.00 | \$132,000.00 |
| 27 | Odor Control System | 1 | LSUM | \$207,000.00 | \$207,000.00 |
| 28 | Generator and ATS | 1 | Ea | \$65,000.00 | \$65,000.00 |
| Sub Total | | | | | \$5,635,000.00 |
| Design Engineering (5%) | | | | | \$281,750.00 |
| Permitting (Wetlands, Part 41, Dewatering, Air OC) (0.5%) | | | | | \$28,175.00 |
| Construction Engineering (6%) | | | | | \$338,100.00 |
| Contingency (10%) | | | | | \$563,500.00 |
| Total Estimate | | | | | \$6,546,325.00 |









Moore & Bruggini
Consulting Engineers

Engineer's Estimate of Costs

2100 Monroe Ave., NW
Grand Rapids, MI 49503
Phone: (616) 361-9801

Client: Livingston County
Project Name: Livingston County SRS - Solids Handling Facility - Conceptual Design Layout
Project Location: Runyon Lake Rd. Facility
Type of Work: Wastewater Process

Project Number: 180206
Date: 1/8/2019
Estimator/Engineer: JSI
Checked By: BJH
Stage: Preliminary

| Item No. | Description | Estimated Quantity | Unit | Unit Price | Amount |
|---|--|--------------------|------|--------------|-----------------------|
| 1 | Mobilization, Overhead, Bonding, Legal and Profit | 1 | LSUM | \$939,600.00 | \$939,600.00 |
| NOTES AND REQUIREMENTS | | | | | |
| 2 | Asphalt Top Course - 2.5" | 341.44 | Tons | \$140.00 | \$47,801.36 |
| 3 | Asphalt Levelling Course - 2.5" | 341.44 | Tons | \$140.00 | \$47,801.36 |
| 4 | Grading | 7288 | Syd | \$2.60 | \$18,219.44 |
| 5 | Clearing | 0.06 | Ac | \$7,500.00 | \$474.43 |
| 6 | Undercutting | 100 | Cyd | \$100.00 | \$10,000.00 |
| 7 | 6" Agg Base | 2791 | Syd | \$10.00 | \$27,907.00 |
| 8 | 8" Concrete Approaches | 61 | Cyd | \$160.00 | \$7,690.88 |
| 9 | Engineered Fill | 5720 | Cyd | \$20.00 | \$114,400.00 |
| 10 | 4" Sidewalk | 130 | Ft | \$16.00 | \$1,950.00 |
| 11 | 12" Storm Pipe | 22.00 | Ft | \$60.00 | \$1,320.00 |
| 12 | Precast Retaining Walls | 75.00 | LH | \$200.00 | \$15,000.00 |
| 13 | Site Piping | 1.00 | LSUM | \$140,000.00 | \$140,000.00 |
| 14 | Water Service from new NPW wells | 2 | Ea | \$10,000.00 | \$20,000.00 |
| 15 | Electrical Service, Security, SCADA | 1 | Ea | \$360,000.00 | \$360,000.00 |
| 16 | Process & Controls | 1 | LSUM | \$232,000.00 | \$232,000.00 |
| 17 | Restoration | 4431 | Syd | \$5.00 | \$22,164.81 |
| 18 | Soil and Erosion Control | 1 | Ea | \$2,000.00 | \$2,000.00 |
| PROCESSING | | | | | |
| 19 | Sludge Press and Accessories | 1 | LSUM | \$375,000.00 | \$375,000.00 |
| 20 | Buildings (Includes Struct, Arch, HVAC and Electrical) | 5700 | Sq | \$250.00 | \$1,425,000.00 |
| 21 | Rd/FAS Screen | 1 | LSUM | \$391,000.00 | \$391,000.00 |
| 22 | 100,000 gal Sludge Storage Tank | 2 | Ea | \$192,000.00 | \$384,000.00 |
| 23 | Sludge Storage Valve Room | 1 | LSUM | \$188,000.00 | \$188,000.00 |
| 24 | Tank Mixers | 2 | Ea | \$65,000.00 | \$130,000.00 |
| 25 | Odor Control Piping | 137.50 | Ft | \$90.00 | \$12,375.00 |
| 26 | Pump Station and Grit Collector | 1 | LSUM | \$132,000.00 | \$132,000.00 |
| 27 | Odor Control System | 1 | LSUM | \$207,000.00 | \$207,000.00 |
| 28 | Generator and ATS | 1 | Ea | \$65,000.00 | \$65,000.00 |
| Sub Total | | | | | \$5,638,000.00 |
| Design Engineering (6%) | | | | | \$281,990.00 |
| Permitting (Wetlands, Part 41, Dewatering, Air QC) (0.5%) | | | | | \$28,200.00 |
| Construction Engineering (6%) | | | | | \$338,300.00 |
| Contingency (10%) | | | | | \$563,800.00 |
| GRAND TOTAL | | | | | \$6,548,290.00 |

\$6,850,000
COUNTY OF LIVINGSTON
STATE OF MICHIGAN
SEWAGE DISPOSAL BONDS (SEPTAGE RECEIVING STATION), SERIES 2019

ESTIMATE OF COST

| | Amount |
|---|----------------------------|
| CONSTRUCTION, ENGINEERING, AND CONTINGENCIES | \$ 8,493,700 |
| PROJECT CAPACITY CHARGE | \$ 211,176 |
| COST OF ISSUANCE | |
| Bond Counsel | \$ 30,000 |
| Registered Municipal Advisor | 23,600 |
| Official Statement | 4,000 |
| Rating Fees | 15,000 |
| MAC Fee | 400 |
| Bond Discount (1.0%) | 68,500 |
| Printing and Publishing | 2,500 |
| Michigan Treasury Fee (.02% of par \$1,000 max) | 1,000 |
| Rounding Amount | 124 |
| TOTAL COST OF ISSUANCE | \$ 145,124 |
| TOTAL PROJECT COST | \$ 8,850,000 |
| LESS: | |
| Funds on Hand | \$ (2,000,000) |
| AMOUNT OF BOND ISSUE | <u><u>\$ 6,850,000</u></u> |

17000 Kercheval Ave. Suite 230, Grosse Pointe, Michigan 48230
PHONE: (313) 961-8222 FAX: (313) 961-8220

The information contained herein was derived from sources generally recognized as reliable and does not make any representations as to correctness or completeness and has in no way been altered except to the extent that some information may be summarized, and is in no way intended to be a solicitation for orders.

\$6,850,000
COUNTY OF LIVINGSTON
STATE OF MICHIGAN
SEWAGE DISPOSAL BONDS (SEPTAGE RECEIVING STATION), SERIES 2019

SCHEDULE OF DEBT SERVICE REQUIREMENTS

**On a Calendar Year Basis
20 Years**

| Year | Principal Due May 1 | Interest Rate | Interest Due May 1 | Interest Due November 1 | Total Principal & Interest Requirements |
|------|---------------------------|------------------|--------------------------|-------------------------------|--|
| 2020 | \$ - | 3.500% | \$ 139,854 | \$ 119,875 * | \$ 259,729 |
| 2021 | 260,000 | 3.500% | 119,875 | 115,325 | 495,200 |
| 2022 | 270,000 | 3.500% | 115,325 | 110,600 | 495,925 |
| 2023 | 280,000 | 3.500% | 110,600 | 105,700 | 496,300 |
| 2024 | 290,000 | 3.500% | 105,700 | 100,625 | 496,325 |
| 2025 | 300,000 | 3.500% | 100,625 | 95,375 | 496,000 |
| 2026 | 310,000 | 3.500% | 95,375 | 89,950 | 495,325 |
| 2027 | 320,000 | 3.500% | 89,950 | 84,350 | 494,300 |
| 2028 | 330,000 | 3.500% | 84,350 | 78,575 | 492,925 |
| 2029 | 340,000 | 3.500% | 78,575 | 72,625 | 491,200 |
| 2030 | 355,000 | 3.500% | 72,625 | 66,413 | 494,038 |
| 2031 | 365,000 | 3.500% | 66,413 | 60,025 | 491,438 |
| 2032 | 380,000 | 3.500% | 60,025 | 53,375 | 493,400 |
| 2033 | 390,000 | 3.500% | 53,375 | 46,550 | 489,925 |
| 2034 | 405,000 | 3.500% | 46,550 | 39,463 | 491,013 |
| 2035 | 420,000 | 3.500% | 39,463 | 32,113 | 491,575 |
| 2036 | 435,000 | 3.500% | 32,113 | 24,500 | 491,613 |
| 2037 | 450,000 | 3.500% | 24,500 | 16,625 | 491,125 |
| 2038 | 465,000 | 3.500% | 16,625 | 8,488 | 490,113 |
| 2039 | 485,000 | 3.500% | 8,488 | - | 493,488 |
| | <u>\$ 6,850,000</u> | | <u>\$ 1,460,404</u> | <u>\$ 1,320,550</u> | <u>\$ 9,630,954</u> |

Assumptions:

Bonds Dated: 10/01/2019
First Interest Payment: 05/01/2020
Number of Days: 210 *
Subsequent Interest Payment: 11/01/2020
Number of Days: 180
First Principal Payment: 05/01/2021
Projected Interest Rate 3.50%

**17000 Kercheval Ave. Suite 230, Grosse Pointe, Michigan 48230
PHONE: (313) 961-8222 FAX: (313) 961-8220**

The information contained herein was derived from sources generally recognized as reliable and does not make any representations as to correctness or completeness and has in no way been altered except to the extent that some information may be summarized, and is in no way intended to be a solicitation for orders.

\$6,850,000
COUNTY OF LIVINGSTON
STATE OF MICHIGAN
SEWAGE DISPOSAL BONDS (SEPTAGE RECEIVING STATION), SERIES 2019

SCHEDULE OF DEBT SERVICE REQUIREMENTS

**On a Calendar Year Basis
25 Years**

| Year | Principal Due May 1 | Interest Rate | Interest Due May 1 | Interest Due November 1 | Total Principal & Interest Requirements |
|------|---------------------------|------------------|--------------------------|-------------------------------|--|
| 2020 | \$ - | 3.500% | \$ 139,854 | \$ 119,875 * | \$ 259,729 |
| 2021 | 185,000 | 3.500% | 119,875 | 116,638 | 421,513 |
| 2022 | 195,000 | 3.500% | 116,638 | 113,225 | 424,863 |
| 2023 | 200,000 | 3.500% | 113,225 | 109,725 | 422,950 |
| 2024 | 205,000 | 3.500% | 109,725 | 106,138 | 420,863 |
| 2025 | 215,000 | 3.500% | 106,138 | 102,375 | 423,513 |
| 2026 | 220,000 | 3.500% | 102,375 | 98,525 | 420,900 |
| 2027 | 230,000 | 3.500% | 98,525 | 94,500 | 423,025 |
| 2028 | 240,000 | 3.500% | 94,500 | 90,300 | 424,800 |
| 2029 | 245,000 | 3.500% | 90,300 | 86,013 | 421,313 |
| 2030 | 255,000 | 3.500% | 86,013 | 81,550 | 422,563 |
| 2031 | 265,000 | 3.500% | 81,550 | 76,913 | 423,463 |
| 2032 | 275,000 | 3.500% | 76,913 | 72,100 | 424,013 |
| 2033 | 280,000 | 3.500% | 72,100 | 67,200 | 419,300 |
| 2034 | 290,000 | 3.500% | 67,200 | 62,125 | 419,325 |
| 2035 | 305,000 | 3.500% | 62,125 | 56,788 | 423,913 |
| 2036 | 315,000 | 3.500% | 56,788 | 51,275 | 423,063 |
| 2037 | 325,000 | 3.500% | 51,275 | 45,588 | 421,863 |
| 2038 | 335,000 | 3.500% | 45,588 | 39,725 | 420,313 |
| 2039 | 345,000 | 3.500% | 39,725 | 33,688 | 418,413 |
| 2040 | 360,000 | 3.500% | 33,688 | 27,388 | 421,075 |
| 2041 | 370,000 | 3.500% | 27,388 | 20,913 | 418,300 |
| 2042 | 385,000 | 3.500% | 20,913 | 14,175 | 420,088 |
| 2043 | 400,000 | 3.500% | 14,175 | 7,175 | 421,350 |
| 2044 | 410,000 | 3.500% | 7,175 | - | 417,175 |
| | <u>\$ 6,850,000</u> | | <u>\$ 1,833,767</u> | <u>\$ 1,693,913</u> | <u>\$ 10,377,679</u> |

Assumptions:

Bonds Dated: 10/01/2019
First Interest Payment: 05/01/2020
Number of Days: 210 *
Subsequent Interest Payment: 11/01/2020
Number of Days: 180
First Principal Payment: 05/01/2021
Projected Interest Rate 3.50%

17000 Kercheval Ave. Suite 230, Grosse Pointe, Michigan 48230

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Memorandum

To: Livingston County Board of Commissioners

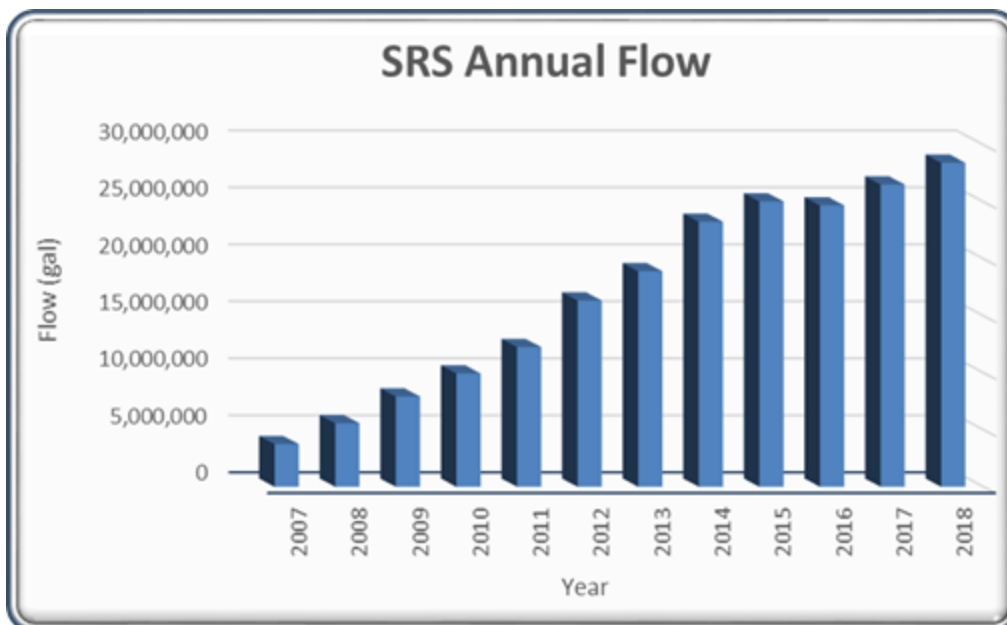
From: Brian Jonckheere, Drain Commissioner
Michelle LaRose, Deputy Drain Commissioner
Robert A. Spaulding, DPW Coordinator

Date: July 15, 2019

Subject: Resolution Authorizing Issuance of Sewage Disposal Bonds (Septage Receiving Station), Series 2019

Background

The Livingston County Septage Receiving Station's (SRS) construction began in 2006 and was operational in May of 2007. The SRS is located on Runyan Lake Rd. in Hartland Township and is a County owned and operated facility that accepts domestic septage waste. Livingston County banned septage land application effective May 29, 2007 thereby providing a more environmentally sound disposal method of septage for residents. Initial estimates projected flows to be in the 9 to 12 million range for yearly flow. In the 12 years that our office has been operating the SRS, we have seen flows rise and we are on track to exceed 30 million gallons for 2019.



Current Situation-Corrective Action Plan (CAP)

The Livingston County Regional Sewer System (LCRSS) was formed out of an intergovernmental agreement between Genesee and Livingston County to provide much-needed sanitary sewers to Hartland and Tyrone Township around 2005 and is currently operated by Livingston County under the direction of the Livingston County Department of Public Works (LCDPW). Since the SRS operates as a customer of Hartland Township in the LCRSS, we must obtain and abide by our Industrial Pretreatment Permit (IPP) from Genesee County. With the increased flows and the higher waste strength of septage, we have seen an increase in violations with our discharge permit as the septage waste has increasingly consumed capacity of the Genesee County District 3 Wastewater Plant in Linden. Consequently, the LCDPW was compelled to enter into a Corrective Action Plan (CAP) with Genesee County in March of 2019 to address these violations. The CAP allows Livingston County to operate the facility while improvements are made to the existing facility to address these violations.

Expansion/Dewatering Project

Since 2017, our office has been evaluating the waste strength issue with Genesee County and looked at several options including:

1. Limiting flows at the existing facility
2. Partnering with another municipality's wastewater treatment facility in Livingston County to divert some of the flows-City of Howell
3. Implementing some sort of treatment to the septage prior to sending it to Genesee County for final treatment

The LCDPW conducted a major feasibility project in 2017/2018 looking at the above three options and ultimately decided that the most favorable option was pretreatment of the septage prior to sending it to Genesee County. The chosen process is a combination fan/screw press that essentially dewateres the septage thereby reducing its waste strength to levels below even typical sewage. This will bring us back into compliance with our IPP permit and certainly meet our obligation under the CAP and allow us to continue our flows at the current level or even higher.

The project will consist of the construction of a new building housing the screening and pressing equipment and two 100,000-gallon processing tanks as well as a much-needed additional bay giving us a total of three to better serve the ever-growing number of haulers utilizing our facility. A smaller accessory structure will also be built to house our supplies and equipment.

Funding Mechanism

The current SRS is funded with a general tax obligation bond issuance that will be paid off in 2029. The original bond was in the amount of \$3,165,000 and has a balance owed of approximately \$1,900,000. The total cost of the proposed project is estimated to cost \$8,493,700. In anticipation of this endeavor, we have built up a surplus of \$2 million dollars of funds on hand to “seed” this expansion. The attached resolution authorizes the issuance of capital improvement bonds, payable over 25 years, to finance the project in an amount not to exceed \$7,250,000 and instructs the Board of Public Works to solicit and receive bids for the project. The bond amount allows a financial cushion of approximately \$750,000 since our construction costs are based on our Engineer’s most recent estimate and could change slightly in the bidding out process. Our financial analyst, Stantec, has performed a revenue sufficiency analysis and we anticipate the necessity of enacting a slight rate increase in the years 2020 and 2021 of 5.5% each year to the current pricing of \$.07.75 per gallon. We feel very confident that this rate increase is appropriate and should not have much of an impact on our current flow rates. We have not needed to enact a rate increase for over a decade and have been conservative on our financial analysis to account for any unforeseen expenses or unknown market conditions.

We are recommending that the Board adopt the attached bond authorizing resolution in order to finance the construction of this expansion to the Livingston County Septage Receiving Station.