

**LAKEHAVEN UTILITY DISTRICT**  
**King County, Washington**

**Resolution No. 2009-1124**

A **RESOLUTION** of the Board of Commissioners of the Lakehaven Utility District, King County, Washington, regulating the discharge of water or liquid waste which has been removed and transported from any pit, sump, vault, holding tank, septic tank, wastewater treatment facility, or industrial facility to the facilities of the Lakehaven Utility District and superseding Resolution No. 2001-953.

**WHEREAS**, in furtherance of its comprehensive plan and pursuant to authority granted under state law, the District operates a system of sanitary sewers, and

**WHEREAS**, as part of the sanitary sewer system, the District operates the Lakota and Redondo Wastewater Treatment Plants, and

**WHEREAS**, in addition to treating sewage transported to the facilities through the sanitary collection system, the treatment plants are capable of treating wastes delivered from domestic septic tank systems, and

**WHEREAS**, the District desires to provide for the treatment of such septic tank waste, and other waste approved by the District, at the Lakota Wastewater Treatment Plant and believing the terms and conditions for such as set forth herein to be in the best interests of the operation of the sanitary sewer system,

**NOW THEREFORE BE IT RESOLVED** as follows:

**1. Section A – Discharge of Hauled Waste**

(i) Subject to the conditions and limitations described herein, the District may, at its sole discretion, accept waste removed from domestic septic tanks or other sources at the Lakota Wastewater Treatment Plant.

(ii) No person shall discharge or cause to be discharged to any public sewer or to any public sewer facility or to any private sewer tributary to any public sewer any water and/or waste which has been removed and transported from any pit, sump, vault, holding tank, septic tank, wastewater treatment facility, or industrial facility except as authorized by this resolution. Such water and/or waste is hereinafter referred to in this resolution as hauled waste. Except in cases where industrial or commercial waste is accepted pursuant to special approval described below, only waste removed from domestic septic tanks will be allowed for disposal.

(iii) Under no circumstance may hauled waste which is hazardous waste, as defined in 40 CFR 261 or 10 CFR 25-4.261, be discharged to District facilities.

(iv) Hauled waste of commercial or industrial origin or hauled waste of unusually high strength may be discharged only if the original source of the waste has received written approval as a source by the District. An Application for Special Discharge for any such original source shall be submitted to the District's General Manager on a form provided by the District, along with such supplementary information as the District may require. The District will review the application and will determine acceptability for discharge of the waste based on the Application and Acceptance Criteria for Special Discharges developed by the District.

## **2. Section B – Waste Transporter Authorization**

(i) Only waste transporters approved by the District may discharge hauled waste at the Lakota Wastewater Treatment Plant.

(ii) Any person wishing to obtain authorization to discharge hauled waste at the Lakota Wastewater Treatment Plant shall submit a Waste Transporter Identification application on a form provided by the District. The application will be completed with all supplementary information as specified on the application form and in this section. If approved, the applicant will be assigned a Waste Transporter Identification Number. The following supplementary information shall be included with the application:

- a. Proof of comprehensive general liability and auto liability insurance which includes the District as an additional insured and includes provisions for informing the District ten (10) days prior to the time of policy cancellation or renewals. Applicants shall maintain general liability insurance and automobile liability insurance in such amounts as the District may, from time to time, deem appropriate.
- b. A list of vehicles applicant has in service for transportation of liquid waste. The list shall include the make and model, state of registration, state vehicle license number, and the tank volume (in gallons) for each vehicle operated.
- c. Proof that the waste transporter vehicles which are to discharge at the Lakota Wastewater Treatment Plant are in compliance with all applicable State of Washington and/or King or Pierce County laws and regulations applicable to waste transporters within the jurisdictions within which applicant operates. Waste transporters operating within King or Pierce Counties shall provide Department of Health Permit Numbers for each vehicle to be operated in King or Pierce Counties.
- d. Volumes and types of waste transported each year for the last three years. A new business shall submit an estimate of volumes for the first year.

(iii) Any person who has been granted authorization to discharge hauled waste at the Lakota Wastewater Treatment Plant shall annually provide proof to the General Manager, or designee, of continued liability and proof of continued compliance with State of Washington, Counties of King and Pierce, and other applicable laws and regulations.

(iv) The District may rescind a transporter's authorization to discharge hauled waste if the transporter is found to be in violation of the provisions of this or other District resolutions.

**3. Section C – Waste Discharge Location**

(i) Hauled waste acceptable to the District may be discharged only at the District's Hauled Waste Receiving Station located at:

Lakota Wastewater Treatment Plant  
3203 SW Dash Point Road  
Federal Way, WA 98023

Hauled waste may be discharged at times as determined appropriate by the General Manager or designee.

(ii) Under emergency conditions, as determined by the General Manager or designee, hauled waste may be discharged at such alternative locations and under conditions as the General Manager or designee determines appropriate.

**4. Section D – Hauled Waste Receipts and Samples**

(i) No person shall discharge or cause to be discharged hauled waste without presenting a completed Hauled Waste Receipt form to the District operator on duty at the time of discharge. The Hauled Waste Receipt shall be on a form provided by the District and shall identify, to the satisfaction of the District, the source and nature of the waste.

(ii) Hauled waste subject to the prior approval provision of Section One herein may be discharged only upon verification by the operator that such prior approval has been granted.

(iii) A sample of each load of hauled waste to be discharged shall be collected by the operator on duty and appropriate screening analyses shall be performed prior to discharge being allowed. The sample will be retained and submitted to the District's laboratory for such further analyses as deemed necessary to determine compliance with the requirements of the District's sewer use ordinance and applicable local, state, and federal regulations. In the event this hauled waste is found to be in violation of said ordinance or regulations, approval to discharge this water or waste to District facilities may be revoked and any damages incurred by the District will be charged to the person discharging said water or waste. In addition, the responsible water or waste transporter may be required to remove said water or waste from the District's water or waste holding tank and provide for its disposal at an appropriate disposal site.

**5. Section E – Conditions of Discharge**

(i) Any waste hauler granted authorization under Section Two to discharge hauled waste at the point designated herein and in possession of proper Hauled Waste Receipts assents to the conditions hereinafter stated and agrees to be bound by his conditional obligations and duties, to wit:

- a. The transporter will comply with all District regulations and follow the directions of District employees while on District premises.
- b. The transporter agrees to indemnify and to save the District harmless for any and all damages and expenses which may suffered by it by reason or all of his acts done on the premises, including but not as a limitation, the discharge of the aforesaid hauled waste which violates any standard or standards of the District's sewer use ordinance.
- c. The transporter will, in the event of spills or leakage of hauled waste on the District's premises, as a result of his acts of faulty equipment, appropriately clean, to the satisfaction of the operator on duty, the area involved.

**6. Section F – District Refusal of Waste**

(i) The District has the right to refuse to accept the discharge of any hauled waste brought to the Hauled Waste Receiving Station if, in the opinion of the operator on duty, based on a review of the Hauled Waste Receipt form, District records and the screening analyses:

- a. The waste does not meet the conditions under which prior approval was granted, or
- b. The waste could cause operational and maintenance problems, be detrimental to the health of District employees, or cause violations to the Treatment Plant's NPDES Permit, Biosolids Permit, or any other City, State, or Federal environmental laws and regulations, or
- c. Any other reason which, at the discretion of the District, shall make such refusal in the best interests of the District.

**7. Section G – Discharge at Other Locations Unlawful**

The discharge of hauled waste into any District facility, manhole, or other location not approved for such discharge shall be considered an unlawful connection to the District's sanitary sewer system and the person responsible for such discharge shall be deemed guilty of a misdemeanor pursuant to RCW 57.08.180.

**8. Section H – Fees for Discharge of Hauled Waste**

(i) Waste Transporters shall pay a fee of ten cents per gallon (\$0.10) per Gallon unless such other amount shall be expressed in the District's current Fees and Charges Resolutions, in which case the amount expressed therein shall be the applicable fee, of hauled waste discharged pursuant to this resolution. The fee for each discharge will be calculated based on the full volume of the transport vehicle. Waste transporters will be billed by the District monthly.

(ii) The original source of a hauled waste of unusually high strength, subject to the prior approval provisions of Section One of this resolution shall pay an additional fee, as agreed upon, between the original source of the waste and the District. This additional fee shall be billed by the District to the original source following receipt of the waste.

**9. Section I – Charge for Late Payment**

If any charges billed are not paid by the due date indicated on the bill rendered, then an additional late payment charge, based on the percentage established by ordinance for late payments of wastewater user charges, is hereby imposed for each month or portion thereof the bill remains unpaid beyond the due date.

**10. Section J – Termination of Services for Nonpayment**

(i) When any waste transporter monthly charge has not been paid and has been delinquent for more than fifteen days after the due date, then the District may refuse to accept any further waste discharges from the transporter.

(ii) When any bill rendered to a source of hauled waste subject to high strength waste charges in Section Eight of this ordinance has not been paid and has been delinquent for more than fifteen days after the due date, then the District may refuse to accept any further discharges from that source.

**11. Section K – Severability**

The invalidity of any section, clause, sentence, or provision of this resolution shall not affect the validity of any other part of this resolution, which can be given effect without such invalid part of parts.

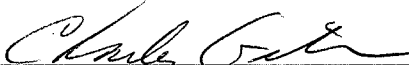

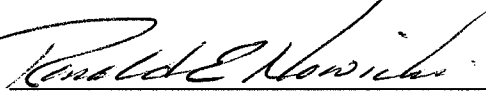
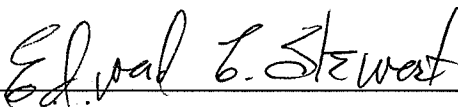
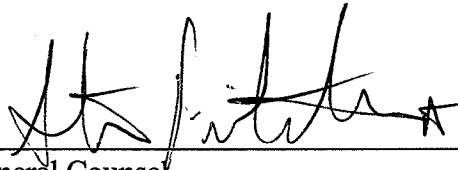
**12. Section L – Effective Date**

(i) Resolution No. 2001-953 shall be superseded on the effective date of this Resolution.

(ii) This Resolution shall become effective on the date of adoption below.

**ADOPTED** by the Board of Commissioners of Lakehaven Utility District, King County, Washington, at an open public meeting this \_\_\_\_\_ day of March, 2009.

ATTEST:

<u></u> President and Commissioner	<u>✓</u> Yea	<u>      </u> Nay	<u>      </u> Abstain
<u>      </u> Vice President and Commissioner	<u>      </u> Yea	<u>      </u> Nay	<u>      </u> Abstain
<u></u> Secretary and Commissioner	<u>✓</u> Yea	<u>      </u> Nay	<u>      </u> Abstain
<u></u> Commissioner	<u>✓</u> Yea	<u>      </u> Nay	<u>      </u> Abstain
<u></u> Commissioner	<u>✓</u> Yea	<u>      </u> Nay	<u>      </u> Abstain
Approved as to form: <u></u> General Counsel			