

SIGNED AND SEALED the 19th day of February, 2019.



Secretary, Board of Directors



ORDER ADOPTING AMENDED CONSOLIDATED RATE ORDER AND AMENDED RULES AND REGULATIONS; ADOPTING DROUGHT CONTINGENCY PLAN; ESTABLISHING CERTAIN OTHER POLICIES; AND PROVIDING PENALTIES FOR VIOLATION THEREOF

Adopted February 19, 2019

THE STATE OF TEXAS §
COUNTY OF HARRIS §
BRIDGESTONE MUNICIPAL UTILITY DISTRICT §

WHEREAS, the Board of Directors (the "Board") of Bridgestone Municipal Utility District (the "District") has from time to time adopted certain orders ("Rate Order") and Rules and Regulations establishing the rates and conditions under which water and sanitary sewer service would be provided; and

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

IT IS, THEREFORE, ORDERED BY THE BOARD OF DIRECTORS OF BRIDGESTONE MUNICIPAL UTILITY DISTRICT THAT:

**ARTICLE I.
DEFINITIONS**

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

A. "Commercial Unit" - shall mean any structure designed for business purposes including office buildings, retail stores, warehouses, service stations, schools subject to property taxation, recreational centers and all other establishments not generally considered as residential structures or defined herein as a Multi-Family Unit or Single-Family Unit.

B. "Customer" - shall mean any person, partnership, corporation, non-profit corporation, trust or other legal entity responsible for paying for water and/or sewer services provided through the District's System to any Connection owned or occupied by such person, partnership, corporation, non-profit corporation, trust or legal entity.

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

D. "Esplanade Connection" - shall mean a water system connection serving public right-of-way or other public common areas.

E. "Governmental Entities" – shall mean all local, municipal, county, state or federal governmental entities, or political subdivisions thereof.

F. "Multi-Family Development" - shall mean the property shown on a development plat as containing or possibly containing Multi-Family Units.

G. "Multi-Family Unit" - shall mean an individual dwelling unit within a single structure containing more than one (1) dwelling unit, including without limitation, Multi-Family condominiums, townhomes, apartments, duplexes, hotels, motels, and other structures of a similar kind or character.

H. "Non-taxable" - shall mean any entity not subject to property taxation pursuant to the provisions of the Texas Property Tax Code including churches and property tax-exempt schools.

I. "Operator" - shall mean the person, company or corporation which is employed by or under contract with the District to operate the District's water and sewer system, collect amounts owed to the District for such services, report monthly to the District on the operations of the District's System and perform any additional services set out in its contract with the District.

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

K. "Separate Connection" - shall mean each Multi-Family Unit, Single-Family Unit, or Commercial Unit designed for use by a separate family or business (including separate establishments within a single building), as appropriate.

L. "Single-Family Unit" - shall mean each single-family structure designed for occupation as a residence whether by the owner or by a renter or lessee, generally considered to be and used for residential purposes, and which is not included within the definition of Multi-Family Unit.

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

ARTICLE II.
TAP FEES AND CONNECTION POLICY

SECTION 2.01 Initiation of Water and Sanitary Sewer Connections. Each person desiring a water and sanitary sewer service connection to the District's System shall be required to pay such fees as set forth in this Rate Order. No service shall be established or re-established until such fees are paid. All service connections are subject to the provisions of the District's Rules and Regulations and all other rules, regulations, and policies of the District.

SECTION 2.02 Policies Governing. Initial Connections.

A. Certification of System. Connections shall not be made to the District's System or portions of the System until the District's engineer has certified that the System or applicable portion thereof is operable.

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

C. Separate Connections Required. Each Single-Family Unit, Multi-Family Development, Commercial Unit and any other type of connection receiving water service from the District's System shall be separately metered and separately billed to the Customer. For Single-Family Units and Commercial Units, the Customer may be either the property owner or a tenant thereof. For Multi-Family Developments, the Customer shall be the owner or manager of the Multi-Family Development.

SECTION 2.03 Connections by District Operator. All connections to the District's sanitary sewer system shall be made in accordance with the District's Rules and Regulations. No person except the District's Operator or authorized agent shall be permitted to tap or make any connection to the mains or distribution piping of the District's water system, except for emergency firefighting purposes, or make any repairs or additions to or alterations in any meter, box, tap, pipe, cock or other fixture connected with the water service or any manhole, main, trunk or appurtenance of the District's sanitary sewer system, unless otherwise specified by the Board of Directors of the District. A copy of the Standard Operating Procedures for connection to the District's system and inspection of such connection is attached to this Rate Order as **Appendix "B"** and incorporated herein for all purposes.

SECTION 2.04 Inspections and Fees.

A. Sewer Inspection and Fees. Sewer connections and house service lines shall be inspected by the District's Operator for compliance with the Rules and Regulations. An inspection fee of \$50.00 shall be charged for each connection. Installations which fail to conform at any time to the Rules and Regulations shall be disconnected. Any Customer whose connection is disconnected for such failure shall be

notified as to the basis for such disconnection. After noted deficiencies have been corrected, a reinspection shall be made upon payment to the District of a reinspection fee of \$50.00. If subsequent reinspections are required before the sewer connection and service lines are in compliance with the Rules and Regulations, a reinspection fee of \$50.00 shall be charged for each such reinspection.

B. Customer Service Inspection Fees. The District's Operator shall perform the inspection and complete the Customer Service Inspection Certification required by Article III of the Rules and Regulation. A fee of \$75.00 shall be charged for such inspection and certification.

C. Final Builder Inspection and Fees. Prior to initiation of construction by a builder a pre-building inspection shall be made by the District's Operator. A fee of \$50.00 shall be charged by the District for such pre-building inspection. Upon receipt of instruction from a builder to transfer an account to an initial Customer, the District's Operator shall make a post-building inspection of the property and make note of the condition of all District facilities. The District's Operator will repair any damaged District facilities, and the builder will be held responsible for all costs incurred. A fee of \$75.00 shall be charged by the District to cover the cost of such inspection. The pre-building and post-building inspection fees will be collected at the time the tap fee is paid.

D. Backflow Prevention Assembly Certification and Inspection Fee. The Operator shall be responsible for conducting an annual inspection of any backflow prevention assemblies that will require annual Test Reports as required by Section 3.06 of the District's Rules and Regulations. A fee of \$125.00 shall be charged by the District to cover the cost of such inspection. Inspection of backflow prevention assemblies installed prior to the initial Customer Service Inspection shall be included as part of the Customer Service Inspection. The operator shall have the discretion to determine if a backflow prevention assembly requires more than one (1) inspection per year. An additional Customer Service Inspection will be required for a Material Change to the Plumbing System.

SECTION 2.05 Builder's Deposit. Each builder of a residence, commercial building or other structure shall, at the time a request for a water tap is made, pay a deposit of \$2,000. The deposit shall be refunded within ninety (90) days after the builder certifies the sale of its last residence, commercial building or other structure within the District, less any amounts forfeited as provided herein. The District shall deduct from the deposit the cost to repair any damage caused to the District's property by the builder or the builder's employees, contractors, subcontractors or agents and shall deduct any delinquent water and sewer service bills of the builder. In the event any amounts are so deducted from the builder's deposit, it will be incumbent on the builder to reinstate the original amount of the deposit, and failure to do so will result in the suspension of any additional water taps for the builder.

SECTION 2.06 Temporary Water Service.

A. Temporary Connections. The District's Operator shall be authorized to make a temporary connection to any fire hydrant or flushing valve upon request for

temporary water service. All temporary service shall be metered and billed to the temporary Customer as provided herein. All unauthorized withdrawal of water from flushing valves, fire hydrants, or other appurtenances of the District's System without prior approval of the District, except for emergency fire-fighting purposes, is prohibited.

B. Application and Deposit. Each temporary Customer desiring temporary water service shall be required to execute an application for such temporary service and shall provide a minimum security deposit of \$750.00, but not more than \$1,000, with such determination to be made by the District's Operator depending on the length of time temporary service is required and estimated amount of water to be used. The deposit shall be made by cashier's check or money order payable to the District. The deposit shall be used by the District to secure the payment for temporary water supplied by the District, the installation fee, and the cost of repair of any damages caused by the temporary Customer. The balance of the security deposit, if any, shall be refunded after disconnection from the District's System.

C. Fees and Rates. A fee of \$50.00 for costs of installation, plus the cost of the metered water, shall be charged for temporary water service. The following rate for the sale of water for each temporary water service connection shall be in effect from the effective date hereof until such time as the Board amends said rate:

<u>Gallons Used</u>	<u>Rate</u>
Any amount	\$2.00 per each 1,000 gallons

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

SECTION 2.08 Water Taps. The following charges for the tap of water lines shall be in effect within the District from and after the effective date hereof until amended by the Board of the District:

- | | | |
|----|---|--|
| a. | Single-Family Units: 3/4" X
5/8" | \$ 1,050.00 |
| | 1" | \$ 2,175.00 |
| b. | Commercial Units and
Multi-Family Units: | three (3) times the District's actual and
reasonable costs |
| c. | Non-taxable: | the actual cost to the District, including the
costs of all facilities necessary to provide
District services to such non-taxable entity
where such facilities are financed or to be
financed by tax-supported bonds of the District |

d. Governmental Entities: the actual cost to the District

SECTION 2.09 Sewer Taps. The charge for all taps of sewer lines within the District shall be equal to the cost to the District for making such connections, including the inspection fee charged the District by its Operator.

SECTION 2.10 Title to Facilities. Title to all water meters, water and sewer taps, and all other appurtenances, including meter boxes, shall lie in the District.

ARTICLE III.
SERVICE RATES

SECTION 3.01 Water Service Rates. The following monthly rates for the sale of water shall be in effect for each Separate Connection within the District from the effective date hereof until such time as the Board of Directors amends said rates:

<u>TYPE OF CONNECTION</u>	<u>GALLONS USED</u>	<u>RATE</u>
Single-Family Units and Single-Family Irrigation	Up to 3,000 gallons	\$8.00 per month (minimum bill)
	Next 7,000 gallons	\$1.30 per 1,000 gallons
	Next 10,000 gallons	\$1.70 per 1,000 gallons
	Next 10,000 gallons	\$1.75 per 1,000 gallons
	30,000 gallons and over	\$2.00 per 1,000 gallons
Out of District – Single-Family Units	Up to 3,000 gallons	\$16.00 per month (minimum bill)
	Next 7,000 gallons	\$2.60 per 1,000 gallons
	Next 10,000 gallons	\$3.40 per 1,000 gallons
	Next 10,000 gallons	\$3.50 per 1,000 gallons
	30,000 gallons and over	\$4.00 per 1,000 gallons
Multi-Family Developments	Up to 3,000	\$8.00 per month x number of Multi-Family Units in the Multi-Family Development (minimum bill)
	3,000 gallons and over	\$2.00 per 1,000 gallons
Commercial Units and Commercial Irrigation	Up to 10,000 gallons	\$35.00 per month (minimum bill)
	Next 16,000 gallons	\$2.00 per 1,000 gallons
	Next 15,000 gallons	\$2.25 per 1,000 gallons
	41,000 gallons and over	\$2.50 per 1,000 gallons

<u>TYPE OF CONNECTION</u>	<u>GALLONS USED</u>	<u>RATE</u>
Out of District – Commercial Units and All Non-Taxable Entities	Up to 10,000 gallons	\$70.00 per month (minimum bill)
	Next 30,000 gallons	\$3.50 per 1,000 gallons
	41,000 gallons and over	\$4.50 per 1,000 gallons
Governmental Entities (In or Out of District)	Up to 3,000 gallons	\$8.00 per month (minimum bill)
	Next 7,000 gallons	\$1.30 per 1,000 gallons
	Next 10,000 gallons	\$1.70 per 1,000 gallons
	Next 10,000 gallons	\$1.75 per 1,000 gallons
	30,000 gallons and over	\$2.00 per 1,000 gallons
Homeowner Associations/ Non-Profit Organizations Irrigation	Up to 50,000 gallons	\$25. 00 per month (minimum bill)
	50,001 gallons and over	\$1.00 per 1,000 gallons

SECTION 3.02 Sewer Service Rates. The following monthly rates for the collection and disposal of sewage shall be in effect for each Separate Connection within the District from the effective date thereof until such time as the Board amends said rates:

<u>TYPE OF CONNECTION</u>	<u>GALLONS OF WATER USED</u>	<u>RATE</u>
Single-Family Units	Any quantity	\$13.31 per month (minimum bill)
Commercial Units and Multi-Family Developments	Any quantity	100% of the monthly amount billed for water service
Out of District Single-Family Units	Any quantity	\$26.62 per month
Out of District Commercial Units and All Non-Taxable Entities	Any quantity	200% of the monthly amount billed for water service per sewer usage
Out of District Customers not furnished water	Any quantity	200% of the monthly amount billed for water service per sewer usage

<u>TYPE OF CONNECTION</u>	<u>GALLONS OF WATER USED</u>	<u>RATE</u>
Irrigation	Any quantity	No Bill
Governmental Entities (In or Out of District)	Any quantity	100% of the monthly amount billed for water service

SECTION 3.03 Grease Traps. The District shall require the owner of any establishment that discharges certain types of waste into the District's sanitary sewer system to install a trap to prevent the entry of the discharge into the system and a sampling well to allow for periodic sampling of the discharge from the establishment. Discharges requiring a trap and sampling well include, but are not limited to, grease, oil, sand, or flammable waste. Other discharges requiring a trap and sampling well shall be determined by the Engineer or Operator on a case-by-case basis based on the Engineer's or Operator's conclusion that the discharge in question will harm the District's facilities if allowed to enter the District's system. Any person responsible for a discharge requiring a trap and sampling well shall provide equipment and facilities of a type and capacity approved by the District, locate the trap in a manner that provides ready and easy access for cleaning and inspection, and maintain the trap in effective operating condition. For restaurants and similar developments, the District will require as a minimum one trap and one sampling well per restaurant. Each trap and sampling well required to be installed hereunder shall be subject to initial inspection and approval by a District representative. The fee for this initial inspection shall be \$50.00. It shall be the responsibility of the owner of the property to maintain and service the trap(s). All traps shall be cleaned a minimum of once a month. The Operator may inspect the traps and may take samples and flow measurements from the sampling wells with no limit as to the frequency of the tests. A surcharge of \$40.00 per month will be added to the District's commercial sanitary sewer rates for each grease trap installed. This surcharge will cover the cost of routine inspection, sampling, and testing. If a grease trap is found in violation of this Rate Order during a routine inspection, re-inspection, sampling, and testing, the District may, at its sole discretion as to time and frequency bill to the owner of the property charges as follows:

Re-inspection	\$50.00 each trip
Sampling	\$25.00 each time
Lab analysis	Cost + 15%

The District has the right, in its sole discretion, to require the owner to pretreat the discharge at the owner's expense.

SECTION 3.04 Regulatory Assessment. Pursuant to Section .235, Texas Water Code and 30 TAC 291.76, the District shall pay a regulatory assessment to the Texas Commission on Environmental Quality (the "TCEQ") annually in the amount required by law on the total charges for retail water and sewer service billed to its customers annually.

At the end of each year, the Operator shall prepare a written statement indicating (i) the total charges for retail water and sewer service for the year and (ii) the regulatory assessment due and payable to the TCEQ.

SECTION 3.05 North Harris County Regional Water Authority Fees. The District lies within and is subject to rules and regulations established by the North Harris County Regional Water Authority (the "NHCRWA"), a governmental agency and body politic and corporate of the State of Texas created pursuant to Chapter 1029 (H.B. 2965), Acts of the 76th Texas Legislature 1999, as amended, to accomplish the purposes provided by Section 59, Article XVI, Texas Constitution. Pursuant to orders adopted by the NHCRWA from time to time, the NHCRWA establishes fees to be assessed on all non-exempt well owners located within the NHCRWA boundaries and on all entities receiving surface water from the NHCRWA.

The District is both a non-exempt well owner and receives surface water from the NHCRWA. As a result, each Customer's billing statement will include a line item reflected as "NHCRWA fee" or other similar language, which will be determined by the Board from time to time, and adopted in an amount necessary to fully fund the District's payment obligations to the Authority. Such fee will be a rate per 1,000 gallons of water consumed by the customer and calculated based upon the customer's water usage reflected on the current billing statement multiplied by the then current NHCRWA fee charged by the District.

SECTION 3.06 No Reduced Rates or Free Service. All Customers receiving water and/or sewer service from the District shall be subject to the provisions of this Rate Order and shall be charged the rates established in this Rate Order, and no reduced rate or free service shall be furnished to any Customer; provided, however, this provision shall not prohibit the District from establishing reasonable classifications of customers for which rates differing from the rates stated herein may be adopted.

SECTION 3.07 Water Theft Policy. Pursuant to the Water Theft Policy adopted by the Board on December 7, 2004, the following schedule of penalties for the theft of water shall be assessed:

First Offense:	\$1,500 plus the cost of the water taken
Second Offense:	\$2,500 plus the cost of the water taken
Third Offense:	\$5,000 plus the cost of the water taken

Any damages to the District's facilities will be charged to the person responsible based on the cost of the necessary repairs, plus a damage fee of \$50.00.

ARTICLE IV.
SERVICE POLICY

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

A. Residential Deposits.

1. Single-Family Units. Each Customer establishing a new account for service to a Single-Family Unit shall be required to pay, prior to the District providing

service, a security deposit of \$100.00 where the Customer is the owner of the property to be served and a security deposit of \$150.00 where the Customer is renting or leasing the property to be served. No interest shall be paid on security deposits. Each Customer re-establishing an account for single-family residential service that has been terminated for non-payment shall be required to pay an additional security deposit of \$50.00.

2. Multi-Family Developments. Each owner or manager of a Multi-Family Development establishing a new account for service shall be required to pay, prior to the District providing service to the Multi-Family Development or any Multi-Family Unit within such development, a security deposit equal to three (3) months of the total monthly billings from the District for water and sewer service for all connections within the Multi-Family Development, as estimated in the District's sole discretion. At any time after the first (1st) anniversary of initiating service to the Multi-Family Development, the District may adjust the amount of the security deposit from time-to-time to the amount equal to highest total billings from the District to the Multi-Family Development during any three (3) consecutive month period.

B. Commercial Unit Deposits. Each Customer establishing a commercial account, and each Customer re-establishing a commercial account that has been terminated for non-payment, shall be required to make a security deposit equal to two (2) times the estimated average monthly bill for such connection, as determined by the District based on typical requirements for similar uses. At any time after the first (1st) anniversary of initiating service to the Commercial Unit, the District may adjust the amount of the security deposit from time-to-time to the amount equal to highest total billings from the District to the Commercial Unit during any two (2) consecutive month period.

C. Full Payment Required. Service shall be initiated upon payment of the security deposit and all other fees and charges.

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

E. Non-Payment of Taxes. In addition, the District may discontinue any or all facilities or services to prevent an abuse or to enforce payment of an unpaid charge, fee, or rental due the District (including taxes that have been delinquent for not less than six (6) months) upon observance of the procedure appropriate to the circumstances.

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

A. Due Date and Delinquency. Payment shall be due on or before the twentieth (20th) day after the date of the bill. After such date, a late charge of ten percent (10%) will be assessed on the unpaid balance on the water and sewer bill. All accounts

not paid by the due date shall be deemed delinquent and failure to make payment thereafter may result in the termination of water and sewer service.

B. Notice and Appeal. Prior to termination of service, a Customer who is delinquent in payment shall be sent a notice that service will be discontinued on the fifteenth (15th) day after the date of such notice unless payment in full is received by such day. Notice shall be sent by first class United States mail and will provide the Customer with an opportunity to appear in person or by written correspondence at a scheduled meeting of the Board of the District to contest, explain, or correct the charges, services, or disconnection. The notice shall inform the Customer of the amount of the delinquent bill, the date service will be disconnected if payment is not made, and of the right to contest, explain, or correct the charges, services, or disconnection. Service shall not be disconnected where a Customer has informed the District or the District's Operator of his or her desire to contest or explain his bill. If the Customer appears before the Board, in person or by written correspondence, the Board shall hear and consider the matter and inform the Customer of the Board's determination by sending written notice to the Customer by first class United States mail stating whether service will be continued or disconnected.

C. Disconnection. If a Customer's service is discontinued, it shall be reinstated only upon receipt in full of all amounts due by certified funds, including: any late charges; the security deposit set out in Section 4.01 A, if not previously paid, or an additional security deposit of \$50.00, whichever is greater; and a termination charge of \$50.00. No cash will be accepted.

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

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

SECTION 4.04 Unauthorized and Extraordinary Waste. The rates established herein are applicable for Domestic Waste as defined herein. Customers proposing to generate other types of waste will be assessed additional charges as established by the District.

SECTION 4.05 Damage to District Facilities.

A. Damage to Meter and Appurtenances. No person other than a duly authorized agent of the District shall open a meter box, tamper with or in any way interfere with a meter, meter box, service line or other water and/or sewer system appurtenance. The District reserves the right, immediately and without notice, to remove

the meter or disconnect water service to any Customer whose meter has been tampered with and to assess repair charges to the Customer, plus a damage fee of \$50.00.

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

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

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

ARTICLE VI.
INDUSTRIAL WASTE ORDER

The Board of the District hereby adopts the Industrial Waste Order attached hereto as **Appendix "C"** and incorporated herein for all purposes.

ARTICLE VII.
DROUGHT CONTINGENCY PLAN

The Board of the District hereby adopts the Drought Contingency Plan attached hereto as **Appendix "D"** and incorporated herein for all purposes.

ARTICLE VIII.
ENFORCEMENT/CIVIL PENALTIES

SECTION 8.01 Enforcement.

A. Civil Penalties. The Board hereby imposes the following civil penalties for breach of any rule of the District: The violator shall pay the District twice the costs the District has sustained due to the violation up to and not exceeding \$10,000 as set forth in the Texas Government Code Section 27.031, as amended. A penalty under this Section is in addition to any other penalty provided by the laws of this State and may be enforced by complaints filed in the appropriate court of jurisdiction in the county in which the District's principal office or meeting place is located. If the District prevails in any suit to enforce its rules, it may, in the same action, recover any reasonable fees for attorneys, expert witnesses, and other costs incurred by the District before the court. The amount of the attorneys' fees shall be fixed by the court.

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

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

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

ARTICLE IX. SOLID WASTE

The District may contract with an independent contractor to provide for solid waste and trash collection within the District. If the Board of the District determines that it is in the best interest of the District to contract for solid waste and trash collection, the fee for such service, as established by contract, shall be included on the water and sewer service bill, including applicable sales tax. Failure to pay the solid waste and trash collection service on or before the due date indicated on the water and sewer service bill shall result in the assessment of a 10% penalty on the unpaid balance of the bill for solid waste and trash collection as well as termination of service under the provisions of Article IV this Rate Order.

ARTICLE X. MISCELLANEOUS

SECTION 10.01 Amendments. The Board of the District has and specifically reserves the right to change, alter or amend any rate or provision of this Rate Order at any time.

SECTION 10.02 Severability. The provisions of this Rate Order are severable, and if any provision or part of this Rate Order or the application thereof to any person or circumstance shall ever be held by any court of competent jurisdiction to be invalid or unconstitutional for any reason, the remainder of this Rate Order and application of such provision or part of this Order shall not be affected thereby.

SECTION 10.03 Headings. The section and paragraph headings used herein are for reference only and are not to be construed as part of the text of the section or paragraph.


ARTICLE XI.
REPEAL OF PREVIOUS ORDERS

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

ARTICLE XII.
EFFECTIVE DATE

This Order shall be effective immediately.

PASSED, ADOPTED, ORDERED and APPROVED as of the 19th day of February, 2019.


President, Board of Directors

ATTEST:


Secretary, Board of Directors

(DISTRICT SEAL)



LIST OF APPENDICES AND EXHIBITS

APPENDIX "A"	-	Amended and Restated Rules and Regulations Governing Water and Sanitary Sewer Facilities, Service Lines, and Connections
Exhibit 1	-	Plumber's Certificate
Exhibit 2	-	Service Inspection Certification
Exhibit 3	-	Backflow Prevention Assembly Test and Maintenance Report
Exhibit 4	-	Customer Service Agreement
Exhibit 5	-	Application for Service
Exhibit 6	-	Sanitary Sewer Inspection Form
APPENDIX "B"		Standard Operating Procedures
APPENDIX "C"		Industrial Waste Order1
APPENDIX "D"		Drought Contingency Plan

APPENDIX "A"

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

THE STATE OF TEXAS §
COUNTY OF HARRIS §
BRIDGESTONE MUNICIPAL UTILITY DISTRICT §

ARTICLE I.
PURPOSE

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

ARTICLE II.
GENERAL

SECTION 2.01 Definitions.

1. Customer is any person, partnership, corporation, non-profit corporation, trust or other legal entity responsible for paying for water and/or sewer services provided through the District's System to a any Connection owned or occupied by such person, partnership, corporation, non-profit corporation, trust or legal entity.
2. District is Bridgestone Municipal Utility District of Harris County, Texas, a political subdivision of the State of Texas.
3. Engineer is the person, company or corporation which is under contract with the District to design the District's Water Supply System and Sanitary Sewer Collection System and performs any additional services as set forth in the contract with the District.
4. High Health Hazard is a cross-connection, potential cross-connection, or any other situation involving any substance that can cause death, illness, spread of disease, or that has a high possibility of causing such effects if introduced into the District's Water Supply System and the health hazards reflected on Tables 4-1 and 4-2 of the American Water Works Association ("AWWA") Manual M14.

5. Operator is the person, company or corporation which is under contract with the District to operate the District's Water Supply System and Sanitary Sewer Collection System, collect amounts owed to the District for such services, report monthly to the District on the operations of the District's Water Supply System and Sanitary Sewer Collection System and perform any additional services as set forth in the contract with the District.

6. Rate Order shall mean the District's Order Adopting Amended Consolidated Rate Order and Rules and Regulations; Establishing Policy Regulating Water Use During Emergencies; Establishing a Wastewater Control Order; and Providing Penalties for Violation Thereof which may be amended from time to time.

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

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

9. Sewer Tap is the physical connection between the Sanitary Sewer Service Line and the District's Sanitary Sewer Collection System.

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

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

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

12. Tap Fee is the fee paid to the District to obtain a water meter and sewer inspection for any dwelling. The amount of the Tap Fee shall be established in the District's Rate Order and may be modified or changed at any time.

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

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

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

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

17. Water Tap is the physical connection of any Water Service Line to the District's Water Supply System. Such connection will be made only by the District's Operator.

SECTION 2.02 Adoption of Plumbing Code. The District hereby adopts as the District's Plumbing Code Chapter 6 of the Uniform Plumbing Code entitled "Water Supply and Distribution" and the six (6) plumbing restrictions set forth in Section 3.04D hereof.

SECTION 2.03 Platting Requirement. No connection shall be made to the District's Water Supply System or Sanitary Sewer Collection System unless the tract, parcel, or lot of land to be served by such connection:

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

SECTION 2.04 Approval of Plans and Specifications. Prior to any non-residential connection to the District's Water Supply System or the Sanitary Sewer Collection System, the plans and specifications for the Sanitary Sewer Service Line and the Water Service Line must be submitted the District's Engineer for review and approval. Upon the Engineer's review and approval, the plans and specifications shall then be submitted to the District's Operator for

review and approval. The cost of the review and approval of the plans and specification by the District's Engineer and Operator shall be paid by the Customer.

ARTICLE III.
WATER CONNECTIONS

SECTION 3.01 Water Tap Materials. Only the following types of pipe and fitting materials shall be approved for the installation of Water Taps, including residential Water Taps and commercial Water Taps:

1. Any meter approved by the City of Houston;
2. Brass curb stops, corporation stops, and related fittings manufactured by Ford, Hays or Muller;
3. Polyethylene water service pipe, 3/4" to 2";
4. Ductile iron or polyvinylchloride (PVC) (C900) water service pipe, larger than 2";
5. Water main pipe of the type originally installed;
6. Plastic meter box up to 2" meter;
7. Concrete meter box, where traffic use is specified; and
8. Concrete meter vault per City of Houston specifications for 3" and larger meter.

SECTION 3.02 Plumbing Material Prohibitions.

A. Prohibited Materials. The use of the following materials is prohibited for the installation and repair of the District's Water Supply System and for the installation and repair of any private plumbing facilities:

1. any pipe or pipe fitting which contains more than 0.25% lead; and
2. any solder or flux which contains more than 0.2% lead.

This prohibition may be waived by the District's Operator for lead joints that are necessary for repairs to cast iron pipe.

B. Certificate of Compliance. No new connections to the District's Water Supply System shall be made unless a state licensed plumber first submits in writing to the District a Certificate of Compliance, as set forth in Exhibit "1" attached hereto, specifying that the new connection complies with the plumbing material prohibitions contained in Section 3.02A hereof. The Certificate of Compliance shall be signed by the licensed plumber and must be submitted to the District's Operator prior to continuous

service being supplied. The District shall not accept any Tap Fee that is not accompanied by a Certificate of Compliance.

SECTION 3.03 Installation.

1. An Application for Service, a copy of which is attached hereto as Exhibit "5," must be filed with the District's Operator. The Customer must pay to the District's Operator all Tap Fees, inspection fees and deposits, as described in the District's Rate Order.
2. All Water Taps to the District's Water Supply System shall be installed only by the District's Operator.
3. The District's Operator shall install Water Taps and set meters at a location on adjoining property lines, whenever possible, with the meter box being located in the easement adjacent to the property line and with two (2) meters per box, where appropriate.
4. The District's Operator shall be responsible for all repairs to the Water Taps.
5. After installation of the Water Tap, connection of the Water Service Line shall be made at the expense of the Customer. (Note: This line shall be tested for leaks since all water recorded through the meter will be charged to the Customer).
6. After connection to the District's Water Supply System, the Water Service Line should be thoroughly flushed as to prevent foreign matter from entering the household system.

SECTION 3.04 Customer Service Inspection Certifications.

A. A Customer Service Inspection Certification, as described in Exhibit "2" attached hereto, shall be completed prior to providing continuous water service to any new construction, on any existing service where the District has reason to believe that cross-connections or other unacceptable plumbing practices exist, and after any material improvement, correction, or addition to private plumbing facilities. Prior to the District initiating continuous service, a Customer shall provide a Customer Service Inspection Certification to the District. The Customer Service Inspection Certification may only be performed by those individuals described in Subsection B of this Section 3.04. For Customer Service Inspection Certifications of a Commercial connection performed by the District's Operator, the Customer must pay the District the Customer Service Inspection Fee prior to the Operator performing the inspection and certification. Copies of properly completed Customer Service Inspection Certifications shall be kept on file by the District's Operator and made available, upon request, for Texas Natural Resource Conservation Commission ("TCEQ") review. Inspection certifications shall be retained for a minimum of ten (10) years. Failure to provide a Customer Service Inspection

Certification in accordance with this Section 3.04 shall constitute a violation of these Rules and Regulations and such violation shall be subject to the enforcement provisions set forth in Article X hereof.

B. Individuals with the following credentials shall be recognized as capable of conducting a Customer Service Inspection Certification:

1. Plumbing Inspectors and Water Supply Protection Specialists licensed by the Texas State Board of Plumbing Examiners; and
2. Certified Waterworks Operators and members of other water related professional groups who have completed a training course, passed an examination administered by the TCEQ or its designated agent, and hold an endorsement granted by the TCEQ or its designated agent.

C. Private plumbing facilities in violation of Article III hereof shall constitute an unacceptable plumbing practice and violation of these Rules and Regulations. If an unacceptable plumbing practice is discovered, the Customer shall eliminate the unacceptable plumbing practice within thirty (30) days from the date of discovery to prevent possible contamination of the District's Water Supply System. The existence of a serious threat to the integrity of the District's Water Supply System shall be considered sufficient grounds for immediate termination of water service. Service can be restored only when the source of potential contamination no longer exists, or when sufficient additional safeguards have been taken, and a Customer Service Inspection Certification confirming correction of unacceptable plumbing practices has been submitted to the District.

D. The Customer Service Inspection Certification shall certify that:

1. No direct connection between the District's Water Supply System and a potential source of contamination exists. Potential sources of contamination are isolated from the District's Water Supply System by an air gap or an appropriate backflow prevention assembly in accordance with state plumbing regulations. Additionally, all pressure relief valves and thermal expansion devices are in compliance with state plumbing regulations.
2. No cross-connection between the District's Water Supply System and a private water source exists. Where an actual air gap is not maintained between the District's Water Supply System and a private water supply, an approved reduced pressure-zone backflow prevention assembly is properly installed and a service agreement exists for annual inspection and testing by a recognized backflow prevention assembly tester.
3. No connection exists which would allow the return of water used for condensing, cooling or industrial processes back to the District's Water Supply System.

4. No pipe or pipe fitting which contains more than 0.25% lead exists in private plumbing facilities installed on or after January 31, 2014.
5. No solder or flux which contains more than 0.2% lead exists in private plumbing facilities installed on or after July 1, 1988.
6. No new or replacement plumbing fixture is installed which is not in compliance with a State Approved Plumbing Code.

SECTION 3.05 Prohibited Connections.

A. No water connection from the District's Water Supply System shall be made to any establishment where an actual or potential contamination or system hazard exists without an air gap separation between the drinking water supply and the source of potential contamination. Where a containment air gap is impractical, individual "internal" air gaps or mechanical backflow prevention devices shall be required at the meter in the form of a backflow prevention device (in accordance with AWWA Standards C510 and C511 and AWWA Manual M14) on those establishments handling substances deleterious or hazardous to the public health.

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

C. Overhead bulk water dispensing stations must be provided with an air gap between the filling outlet hose and the receiving tank to protect against back siphonage and cross-contamination.

SECTION 3.06 Backflow Prevention Assemblies.

A. Backflow prevention assemblies shall be installed on any connection which poses a High Health Hazard and any other connection which the District or the District's Operator reasonably believes poses a threat to the District's Water Supply System. Water service provided for lawn sprinklers, swimming pool supply, reflection pool supply or other such applications must incorporate a back flow prevention device in accordance with a State Approved Plumbing Code for the particular designated use. No permanent water service will be provided to any new connection in the District which requires a backflow prevention assembly, unless the Customer provides the District with a Backflow Prevention Assembly Test and Maintenance Report (the "Test Report"), as described in Exhibit "3" attached hereto. At the request of the Customer, the District's Operator may, on behalf of the District, install the backflow prevention assembly and complete the Test Report at the Customer's cost.

B. Effective January 1, 1996, all backflow prevention assemblies shall be tested upon installation by a Recognized Backflow Prevention Assembly Tester and

certified to be operating within specifications. The Test Report, as described in Exhibit "3" attached hereto, shall be retained for a minimum of three (3) years. The District shall provide these records to the TCEQ for inspection upon request. Backflow prevention assemblies which are installed to provide protection against High Health Hazards must also be tested and certified to be operating within specifications at least annually by a Recognized Backflow Prevention Device Tester.

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

1. The "General Tester" is qualified to test and repair backflow prevention assemblies on any domestic, commercial, industrial or irrigation service.
2. The "Fireline Tester" is qualified to test and repair backflow prevention assemblies on firelines only. The State Fire Marshall's office requires that a person performing maintenance on firelines must be employed by an Approved Fireline Contractor.

D. Individuals who can show proof of completion of a course and passage of an exam based on the ABPA or ASSE National Exam, prior to the effective date of these regulations, may be recognized as accredited for the term of their current certification (not to exceed three (3) years).

E. Gauges used in the testing of backflow prevention assemblies shall be tested for accuracy annually in accordance with the University of Southern California's Foundation of Cross- Connection Control and Hydraulic Research and/or the AWWA Manual M14. Test gauge serial numbers must be included on the Test Report and Recognized Backflow Prevention Device Testers shall have gauges tested for accuracy.

F. A Test Report must be completed by the Recognized Backflow Prevention Assembly Tester for each assembly tested. The signed and dated original must be submitted to the District's Operator for record keeping purposes.

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

H. The use of a backflow prevention device at the service connection shall be considered as additional backflow protection and shall not negate the use of backflow protection on internal hazards as outlined and enforced by a State Approved Plumbing Code.

SECTION 3.07 Customer Service Agreements.

A. The District is responsible for protecting its Water Supply System from contamination or pollution which can result from unacceptable plumbing practices. To this end, the District has adopted plumbing restrictions to provide protection to the District's Water Supply System. To notify Customers of the plumbing restrictions which are in place, each Customer shall be required to sign a Customer Service Agreement, as described in Exhibit "6" attached hereto, before the District will begin service. In addition, when service to an existing connection has been suspended or terminated, the District will not re-establish service unless it has a signed copy of a Customer Service Agreement.

The District will maintain a copy of the Customer Service Agreement as long as the Customer and/or the premises are connected to the District.

B. The Customer shall allow his/her property to be inspected for possible cross-connections and other unacceptable plumbing practices. These inspections shall be conducted by the District or its designated agent prior to initiating new water service, when there is reason to believe that cross-connections or other unacceptable plumbing practices exist, or after any major changes to the private plumbing facilities. Inspections shall be conducted during the District's normal business hours.

C. The District shall notify the Customer in writing of any cross-connection or other unacceptable plumbing practices which have been identified during the initial inspection or the periodic re-inspection.

D. The Customer shall correct any undesirable plumbing practice on his/her premises within ten (10) working days of receiving notification from the District.

E. The Customer shall, at his expense, properly install, test, and maintain any backflow prevention device required by the District. Copies of all testing and maintenance records shall be provided to the District.

F. If a Customer fails to comply with the terms of the Customer Service Agreement, the District shall, at its option, either terminate service or properly install, test, and maintain an appropriate backflow prevention assembly at the service connection. Any expenses associated with the enforcement of the Customer Service Agreement shall be billed to the Customer.

ARTICLE IV.

SANITARY SEWER CONNECTIONS

SECTION 4.01 Sanitary Sewer Service Line Installation.

A. Only one Sanitary Sewer Service Line connection to the District's Sanitary Sewer Collection System is permitted for each residence or commercial building. The

Sanitary Sewer Service Line shall remain fully within the boundaries of the Customer's property until the line reaches a utility easement or street right-of-way.

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

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

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

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

1. Vitrified clay pipe conforming to ASTM Specification C700 with joint coupling conforming to ASTM Specifications C425 or C594 and installed according to ASTM C12.

2. Cast iron soil pipe, standard weight, conforming to ASTM Specification A74 with rubber gasket joint coupling conforming to ASTM Specification C564.

3. Poly vinyl chloride PSM (PVC) pipe conforming to ASTM Specification D3034 or ASTM specification F789 (with UL listing) and installed according to ASTM D2321.

4. Ductile Iron Pipe conforming to ANSI A21.51 with rubber gasket joints ANSI A21.11 and installed according to manufacturer's recommendations.

5. Acrylonitrile butadiene styrene (ABS) pipe material conforming to ASTM Specification D2751.

SECTION 4.03 Size and Grade of Sanitary Sewer Service Lines.

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

1. Residential - - - 4 inches in diameter; and

2. Commercial - - - 6 inches in diameter.

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

1. 4 inch pipe 14 inch drop per hundred feet (1.2%);

A-10

2. 6 inch pipe 8 inch drop per hundred feet (0.7%); and
3. 8 inch pipe 5 inch drop per hundred feet (0.4%).

C. The maximum grades for Sewer Service Lines shall be as follows:

1. 4 inch pipe - - - two and one-half feet drop per hundred feet (2.5%);
2. 6 inch pipe - - - one and one-half feet drop per hundred feet (1.5%);
and
3. 8 inch pipe - - - one foot drop per hundred feet (1%).

SECTION 4.04 Connection of Building Sewer Outlet.

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

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

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

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

SECTION 4.05 Fittings and Cleanouts.

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

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

C. Each cleanout will be installed so that it opens in a direction opposite to the flow of the waste and, except in the case of wye branch and end of the-line cleanouts, cleanouts will be installed vertically above the flow line of the pipe.

D. Cleanouts will be made with airtight mechanical plug.

SECTION 4.06 Installation of Sewer Taps and Issuance of Permits.

A. Sanitary Sewer Service Lines must be at least 24 inches below (vertically) and at least 9 feet from (horizontally) any Water Service Line (far side or near side connection). If this is not possible, a cast iron casing over the Water Service Line or some other method approved by District's Engineer and complying with the rules of the TCEQ must be installed by the Customer and shall be inspected by the District's Operator.

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

C. An Application for Service (a copy of which is attached as Exhibit "5") must be filed with the District's Operator prior to construction of any Sanitary Sewer Service Line, and the Tap Fee and/or Sewer Tap Inspection fee as established in the District's most current Rate Order should accompany the application. (Application forms are available from the District's Operator.) Construction of any Sanitary Sewer Service Line must not begin until the design of the Sanitary Sewer Service Line is approved by the District's Engineer and construction is authorized by the District's Operator.

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

E. The Sewer Tap shall be made only under the supervision of the District's Operator by use of an adapter of a type compatible with materials being joined. The Sewer Tap shall be watertight. No cement grout materials are permitted. The area around the tap shall be embedded and backfilled with cement stabilizing sand.

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

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

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

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

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

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

ARTICLE V.
FEES AND CHARGES

The District's fees and charges shall be as established by its Rate Order.

ARTICLE VI.
EXCLUDED FLOW AND WASTE

A. No waste material which is not biologically degradable will be permitted to discharge into the District's Sanitary Sewer Collection System, including mud and debris accumulated during service line installation. The Customer should refer to the District's Rate Order and Wastewater Control Order for specific information concerning acceptable discharges into the District's Sanitary Sewer Collection System. The Customer is to be fully responsible for cleaning and jetting lines of any dirt or debris permitted to enter during service construction.

B. No surface runoff water will be permitted to be discharged into the District's Sanitary Sewer Collection System, including but not limited to, downspouts and yard or area drains.

C. Swimming pool and/or spa connections will not be made to the District's Sanitary Sewer Collection System unless specifically approved by the District in writing.

ARTICLE VII.
PRIVATE WELLS/TANKS

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

ARTICLE VIII.
AVAILABILITY OF ACCESS/OBSTRUCTIONS

By application for connection to the District's Sanitary Sewer Collection System and/or Water Supply System, the Customer shall be deemed to be granting to the District and its

representatives a right of ingress and egress to and from the meter or point of service for such installation, maintenance and repair as the District, in its judgment, may deem reasonably necessary. The Customer shall also be deemed to be granting to the District and its representatives a right of ingress and egress to the Customer's property, including the exterior of the Customer's premises, for the purpose of performing the inspections and completing the Customer Service Inspection Certifications required by these Rules and Regulations. Taps and connections will not be made when, in the opinion of the District's Engineer or Operator, the work area is obstructed by building materials or other debris or the work area is not completed or finished to grade. When sidewalks, driveways or other improvements have been constructed prior to application for service, such application shall be construed and accepted as the Customer's waiver of a claim for any damages to such improvements resulting from the reasonable actions of the District's Operator in installation of the connection.

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

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

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

C. It shall be unlawful for any person, unless authorized in writing by the District's Operator, to tamper or interfere with, obstruct access to, or as a result of willful action injure, deface, or destroy any facilities that are a part of the District's Water Supply System or Sanitary Sewer Collection System, including, with respect to the waterworks system, water plants, flushing valves, valve boxes, and water lines up to the meter box and including meters; provided, however, that duly authorized members of the local fire department shall have the right to use such flushing valves for fire protection purposes.

D. It shall be unlawful for any person to connect any building to the District's Water Supply System without a meter or to have a straight line connection to a building

without being metered. It shall also be unlawful for any person, other than the District's Operator or Engineer, to draw water from the District's Water Supply System (except for the use of water for firefighting purposes) without being metered, including the unauthorized use of a flushing valve or unmetered water taps.

E. It shall be unlawful for any person to deposit, throw, drain, discharge, or otherwise cause to be injected into any sewer, manhole, catch basin, flush tank, or other facility that is a part of the District's Water Supply System or Sanitary Sewer Collection System any debris or foreign substance that would interfere with the proper and routine functioning thereof.

ARTICLE X.
ENFORCEMENT OF RULES AND REGULATIONS

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

1. Discontinuance of water service.
2. Disconnection and sealing of sanitary sewer connection.
3. The Board hereby imposes the following civil penalties for breach of any rule or regulation of the District: The violator shall pay the District twice the costs the District has sustained due to the violation up to and not exceeding \$10,000 as set forth in the Texas Government Code Section 27.031, as amended. A penalty under this Section is in addition to any other penalty provided by the laws of this State and may be enforced by complaints filed in the appropriate court of jurisdiction in the county in which the District's principal office or meeting place is located. If the District prevails in any suit to enforce its rules, it may, in the same action, recover any reasonable fees for attorneys, expert witnesses, and other costs incurred by the District before the court. The amount of the attorneys' fees shall be fixed by the court.
4. A Customer found in violation of these Rules and Regulations shall be liable to the District for all expenses borne by the District including laboratory fees, legal fees, engineering fees and other costs incurred by the District in establishing the violation and resolving the cause of the violation.
5. A Customer found in violation of these Rules and Regulations who causes or contributes to a violation by the District's Sanitary Sewer Collection System of effluent parameters shall be liable to the District for all expenses borne by the District, including legal and engineering fees related to any lawsuit filed by federal, state, or local authorities regarding violations by the District of effluent parameters applicable to the District's Sanitary Sewer Collection System.

ARTICLE XI.
EFFECTIVE DATE

These Rules and Regulations shall become effective upon publication of notice of adoption of these Rules and Regulations.

EXHIBIT "1"
TO APPENDIX "A"

CERTIFICATE OF COMPLIANCE
WITH
PROHIBITION ON USE OF SPECIFIED MATERIALS IN CONNECTIONS TO
MUNICIPAL UTILITY DISTRICT WATER SYSTEM

I, _____, a duly licensed plumber in the State of Texas, hereby certify that the connection at _____ (the "Connection") complies in full with the "Prohibition of Use of Specified Materials" provision contained in the Amended and Restated Rules and Regulations for BRIDGESTONE MUNICIPAL UTILITY DISTRICT (the "District"). I further certify that:

1. No direct connection between the District's Water Supply System and a potential source of contamination exists. Potential sources of contamination are isolated from the District Water Supply System by an air gap or an appropriate backflow prevention assembly in accordance with state plumbing regulations. Additionally, all pressure relief valves and thermal expansion devices are in compliance with state plumbing codes.
2. No cross connection between the District's Water Supply System and a private water system exists. Where an actual air gap is not maintained between the District's Water Supply System and a private water supply system, an approved reduced pressure-zone backflow prevention assembly is properly installed and a service agreement exists for annual inspection and testing by a certified backflow prevention device tester.
3. No connection exists which would allow the return of water used for condensing, cooling or industrial processes back to the District's Water Supply System.
4. No pipe or pipe fitting which contains more than 0.25% lead exists in private plumbing facilities installed on or after January 31, 2014.
5. No solder or flux which contains more than 0.2% lead exists in private plumbing facilities installed on or after July 1, 1988.
6. No plumbing fixture is installed which is not in compliance with a State Approved Plumbing Code.

These determinations have been made under my direction and supervision. I am aware that there are significant penalties for false certification, including the possibility of fine.

Signature

Printed Name

Company Name

Texas License No.: _____

Date: _____

EXHIBIT "2"
TO APPENDIX "A"

SERVICE INSPECTION CERTIFICATION

Name of District: Bridgestone Municipal Utility District
 District I.D. #: _____
 Location of Service: _____

I, _____ (*name of inspector*), upon inspection of the private plumbing facilities connected to the Water Supply System of Bridgestone Municipal Utility District, do hereby certify that, to the best of my knowledge:

	<u>Compliance</u>	<u>Non-Compliance</u>	<u>Certificate of Compliance on File</u>
(1) No direct connection between the District's Water Supply System and a potential source of contamination exists. Potential sources of contamination are isolated from the District's Water Supply System by an air gap or an appropriate backflow prevention assembly in accordance with state plumbing regulations. Additionally, all pressure relief valves and thermal expansion devices are in compliance with state plumbing codes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) No cross-connection between the District's Water Supply System and a private water system exists. Where an actual air gap is not maintained between the District's Water Supply System and a private water supply, an approved reduced pressure-zone backflow prevention assembly is properly installed and a service agreement exists for annual inspection and testing by a certified backflow prevention device tester.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) No connection exists which would allow the return of water used for condensing, cooling or industrial processes back to the District's Water Supply System.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) No pipe or pipe fitting which contains more than 0.25% lead exists in private plumbing facilities installed on or after January 31, 2014.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(5) No solder or flux which contains more than 0.2% lead exists in private plumbing facilities installed on or after July 1, 1988.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(6) No plumbing fixture is installed which is not in compliance with a State Approved Plumbing Code.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Water service shall not be provided or restored to the private plumbing facilities until the above conditions are determined to be in compliance.

I further certify that the following materials were used in the installation of the plumbing facilities:

Service Lines	Lead	<input type="checkbox"/>	Copper	<input type="checkbox"/>	PVC	<input type="checkbox"/>	Other	<input type="checkbox"/>
Solder	Lead	<input type="checkbox"/>	Lead Free	<input type="checkbox"/>	Solvent Weld	<input type="checkbox"/>	Other	<input type="checkbox"/>

I recognize that this document shall become a permanent record of the aforementioned Water Supply System of Bridgestone Municipal Utility District and that I am legally responsible for the validity of the information I have provided.

NOTE: THIS SERVICE INSPECTION CERTIFICATION IS FURNISHED FOR THE SOLE PURPOSE OF INSPECTING THE PLUMBING FACILITIES AT THE AFORESAID LOCATION OF SERVICE FOR UNACCEPTABLE PLUMBING PRACTICES IN ACCORDANCE WITH SAID DISTRICT'S RULES AND REGULATIONS GOVERNING WATER AND SANITARY SEWER FACILITIES, SERVICE LINES, AND CONNECTIONS. NO REPRESENTATION OR WARRANTY IS INTENDED OR MADE AS TO THE ADEQUACY, QUALITY OR FITNESS OF THE PRIVATE PLUMBING FACILITIES.

Signature of Inspector

Registration Number

Title

Type of Registration

Date

**EXHIBIT "3"
TO APPENDIX "A"**

BACKFLOW PREVENTION ASSEMBLY TEST AND MAINTENANCE REPORT

The following form must be completed for each assembly tested. A signed and dated original must be submitted to the District for record keeping purposes:

Name of District: Bridgestone Municipal Utility District
 PWS I.D. #: _____
 Location of Service: _____

The backflow prevention assembly detailed below has been tested and maintained as required by TCEQ regulations and is certified to be operating within acceptable parameters.

TYPE OF ASSEMBLY

- | | |
|---|--|
| <input type="checkbox"/> Reduced Pressure Principle
<input type="checkbox"/> Double Check Valve
<input type="checkbox"/> Not needed at this address | <input type="checkbox"/> Pressure Vacuum Breaker
<input type="checkbox"/> Atmosphere Vacuum Breaker |
|---|--|

Manufacturer _____ Size _____
 Model Number _____ Located at _____
 Serial Number _____

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

The above is certified to be true.

Firm Name: _____ Certified Tester: _____
 Firm Address: _____

 Cert. Tester No.: _____
 Date: _____
 Test Gauge Serial No.: _____

EXHIBIT "4"
TO APPENDIX "A"

CUSTOMER SERVICE AGREEMENT

SECTION I. PURPOSE. Bridgestone Municipal Utility District (the "District") is responsible for protecting its Water Supply System from contamination or pollution which could result from unacceptable plumbing practices. The purpose of this Service Agreement is to notify each customer of the plumbing restrictions which are in place to provide this protection. The District enforces these restrictions to ensure the public health and welfare. Each customer must sign this Customer Service Agreement before the District will begin service. In addition, when service to an existing connection has been suspended or terminated, the District will not re-establish service unless it has a signed copy of this Customer Service Agreement.

SECTION II. PLUMBING RESTRICTIONS. The following unacceptable plumbing practices are prohibited by State regulations:

- A. No direct connection between the District's Water Supply System and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the public water system by an air gap or an appropriate backflow prevention device or assembly.
- B. No cross-connection between the District's Water Supply System and a private water system is permitted. These potential threats to the District's Water Supply System shall be eliminated at the service connection by the installation of an air gap or a reduced pressure-zone backflow prevention device or assembly.
- C. No connection which allows water to be returned to the District's Water Supply System is permitted.
- D. No pipe or pipe fitting which contains more than 8.0% lead may be used for the installation or repair of plumbing at any connection which provides water for human use.
- E. No solder or flux which contains more than 0.2% lead can be used for the installation or repair of plumbing at any connection which provides water for human use.

SECTION III. SERVICE AGREEMENT. The following are the terms of this Customer Service Agreement between Bridgestone Municipal Utility District (the "District") and _____ (the "Customer"):

- A. The District will maintain a copy of this Customer Service Agreement as long as the Customer and/or the premises is connected to the District.
- B. The Customer shall allow his/her property to be inspected for possible cross-connections and other unacceptable plumbing practices. These inspections shall

be conducted by the District or its designated agent prior to initiating new water service; when there is reason to believe that cross-connections or other unacceptable plumbing practices exist; or after any major changes to the private plumbing facilities. Inspections shall be conducted during the District's normal business hours.

- C. The District shall notify the Customer in writing of any cross-connection or other unacceptable plumbing practices which have been identified during the initial inspection or the periodic reinspection.
- D. The Customer shall immediately correct any unacceptable plumbing practice on his/her premises.
- E. The Customer shall, at his expense, properly install, test, and maintain any backflow prevention device or assembly required by the District. Copies of all testing and maintenance records shall be provided to the District.

SECTION IV. ENFORCEMENT. If the Customer fails to comply with the terms of this Service Agreement, the District shall, at its option, either terminate service or properly install, test, and maintain an appropriate backflow prevention device or assembly at the service connection. Any expenses associated with the enforcement of this Service Agreement shall be billed to the Customer.

NOTE: THE PURPOSE OF THE CUSTOMER SERVICE AGREEMENT IS TO NOTIFY CUSTOMERS OF THE PLUMBING RESTRICTIONS OF THE DISTRICT ADOPTED TO PROTECT THE DISTRICT'S WATER SUPPLY SYSTEM. INSPECTIONS CONDUCTED BY THE DISTRICT'S OPERATOR IN ACCORDANCE WITH THIS SERVICE AGREEMENT ARE FOR THE SOLE PURPOSE OF DISCOVERING AND ELIMINATING UNACCEPTABLE PLUMBING PRACTICES. THE DISTRICT OR THE DISTRICT'S OPERATOR MAKES NO REPRESENTATION AS TO THE ADEQUACY, QUALITY, OR FITNESS OF THE CUSTOMER'S PRIVATE PLUMBING FACILITIES.

Customer's
Signature _____

Date: _____

Address: _____

EXHIBIT "5"
TO APPENDIX "A"

APPLICATION FOR SERVICE
(Please print or type)

Duplicate to: (address)

(Name of Applicant) (Lot) (Block) (Section)

(Water Service Address) (City) (State) (Zip) (Phone)

Installation to be performed by: _____
(Plumber or Subcontractor)
(Phone)

Type of pipe material to be used: PVC____, ABS____, VC____, CI____

Date: _____ Requested by: _____
(Signature)

Applicant to draw sketch of house layout and proposed location of sewer service line.

FOR DISTRICT USE ONLY

Date Application Received: _____

Date Construction Authorized: _____

Connection Information:

WYE Location _____

Stack Location _____

Manhole Location _____

Date of Inspection: 1st _____ 2nd _____ 3rd _____

Date Permit Granted: _____

Approved by: _____ District Representative

EXHIBIT "6"
TO APPENDIX "A"

INSPECTION FORM
SANITARY SEWER SERVICE

Lot _____ Block _____ Section _____

Street Address _____

Inspection Requested By: _____ Date _____

Date Tap to be Made _____

Results of Inspection Made on _____ at _____ AM _____ PM

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

Tap to: Wye _____ Stack _____

Cleanout: House _____ and _____

INSTALLATION

Satisfactory

Unsatisfactory

Directness to Wye _____

Slope _____

Full Contact w/bedding _____

Connection w/Main _____

Condition of Other District _____

Facilities on Lot _____

Connection Permit is approved (not approved).

Water service to Lot is approved (not approved).

This service reinspected on _____. (See Attached new report).

Comments: _____

Copy to:
Applicant _____

By: _____
District Inspector

Manager _____

By: _____
Authorized Representative
of Applicant

APPENDIX "B"

COMMERCIAL INSPECTION STANDARD OPERATING PROCEDURES

The following are those steps necessary to initiate commercial water and/or sewer service in Bridgestone Municipal Utility District:

1. When the Operator receives a call about establishing commercial service, that person is instructed to contact Jones & Carter, Inc., for capacity commitment information, plan review and approval.
2. When the Operator receives approved plans back from Jones & Carter, Inc.(by this point the Board should be aware of the commercial request), the Operator generates a fee worksheet pursuant to the District's rate order. This worksheet will include the tap fee, required deposit amount, and all required inspection fees. At the District's discretion, engineering fees (plan review and approval) can be added to this worksheet.
3. The fee worksheet is reviewed and approved by the Operator. A fee letter is sent to the customer. An application for service is sent.
4. When the Operator receives the completed application for service and payment, the tap and meter installation is scheduled. Required inspections are performed when requested by the customer.
5. When all required inspections are complete, the account is set up in the name of the Customer.

APPENDIX "C"

INDUSTRIAL WASTE ORDER
FOR
BRIDGESTONE MUNICIPAL UTILITY DISTRICT

Section A. Purpose and Authority

- (1) This Order sets forth uniform requirements for the Users' discharge of Industrial Waste into the Wastewater Facilities of Bridgestone MUD and enables the District to comply with all applicable State and Federal laws required by the Clean Water Act of 1977 as amended, and the General Pretreatment Regulations (40 CFR, '403).
- (2) The objectives of this Order are:
 - (a) To prevent the introduction of Pollutants into the District's Wastewater Facilities that will interfere with the operation of the facilities or contaminate the resulting sludge;
 - (b) To prevent the introduction of Pollutants into the District's Wastewater Facilities which will pass through the facilities, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the facilities; and
 - (c) To provide for equitable distribution of the cost of the District's Wastewater Facilities.
- (3) This Order provides for the regulation of Indirect Contributors to the District's Wastewater Facilities by the Users, authorizes monitoring and enforcement activities, requires reporting from Users discharging wastes other than domestic wastewater, and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

Section B. Definitions

Unless the context specifically indicates otherwise, the following terms and phrases, as used in this Order, shall have the meanings hereinafter designated:

- (1) **Act or "the Act."** The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended by the Clean Water Act, 33 U.S.C. 1251, et. seq.
- (2) **Amenable to Treatment.** Susceptible to reduction in concentration by treatment routinely provided in the District's Wastewater Treatment Plant, to a level that is in compliance with Federal and State effluent limitations for discharge into Waters of the State.

- (3) **Ammonia.** The form of nitrogen found in wastewaters resulting from the degradation of proteins, peptides, urea and other organic nitrogen compounds. Ammonia is the form of nitrogen that has the greatest oxygen demand in nature and wastewater treatment plants.
- (4) **Biochemical Oxygen Demand (BOD5).** The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five (5) days at twenty degrees Centigrade (20 C) expressed in terms of concentration (Milligrams Per Liter (mg/l)).
- (5) **Board.** The Board of Directors constituting the Bridgestone MUD Board.
- (6) **Building Sewer.** A sewer conveying Wastewater from the premises of a User to the Wastewater Facilities.
- (7) **CFR.** The Code of Federal Regulations, containing a codification of documents of general applicability and future effect, published by the office of the Federal Register, National Archives and Records Administration, as a Special Edition of the Federal Register.
- (8) **Chemical Oxygen Demand (COD).** A measure of the oxygen consuming capacity of inorganic and organic matter present in water or Wastewater as determined by oxygen consumed from a chemical oxidant in a specific test, but not differentiating between stable and unstable organic matter and thus not necessarily correlating with Biochemical Oxygen Demand.
- (9) **Chlorine Demand.** The difference, in mg/l, between the chlorine dosage and the remaining chlorine concentration (chlorine residual) after contact time in the chlorine contact chamber.
- (10) **Control Manhole or Control Point.** A manhole or other facility which provides access to a Building Sewer and is located at some point before the Building Sewer discharge mixes with other discharges in the public sewer.
- (11) **Cooling Water.** The water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only Pollutant added is heat.
- (12) **Daily Composite.** A sample prepared from a minimum of three (3) Grab Samples collected no closer together than one (1) hour per sample.
- (13) **District.** Bridgestone Municipal Utility District.
- (14) **District Operator.** Company or Person duly appointed by the District to operate and maintain the District's Facilities.
- (15) **Environmental Protection Agency (EPA).** The U.S. Environmental Protection Agency, or where appropriate, the term may also be used as a designation for the Administrator or other duly authorized official of said agency.

- (16) **Fixed Suspended Solids.** That portion of the Total Suspended Solids that remains after the solids are ignited at 550oC
- (17) **Floatable Grease.** Grease, oil, or fat in a physical state such that it will separate or stratify by gravity in water.
- (18) **Garbage.** Animal and vegetable wastes and residue from the preparation, cooking, and dispensing of food; and from the handling, processing, storage, and sale of food products and produce.
- (19) **Grab Sample.** A single sample collected in less than fifteen (15) minutes of time.
- (20) **Grease.** Fatty acids, soaps, fats, waxes, petroleum products, oil, and any material which is extractable by hexane or freon solvent from an acidified sample and which is not volatilized during evaporation of the solvent.
- (21) **Holding Tank Waste.** Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.
- (22) **Industrial Waste.** The water-borne solids, liquids, and/or gaseous wastes (including Cooling Water), resulting from any industrial, manufacturing, trade, business, commercial, or food processing operation or process, or from the development of any natural resource, or any mixture of such solids, liquids, or wastes with water or domestic sewage.
- (23) **Industrial Waste Charge.** The additional charge made on those Users that discharge into the Sanitary Sewer, Industrial Wastes which are Amenable to Treatment, but which exceed the concentration levels of Normal Domestic Sewage.
- (24) **Interference.** The inhibition or disruption of the Wastewater Facilities treatment processes or operations which causes, or contributes to causing, a violation of any requirement of the TPDES Permit, State Water Quality Standards, or Federal Water Quality Standards.
- (25) **May.** The term "may," when used herein, is permissible.
- (26) **MGD.** Million gallons per day.
- (27) **Milligrams Per Liter (mg/l).** A weight-to-volume ratio; the milligram-per-liter value multiplied by the factor 8.34 (pounds per gallon of water) is equivalent to dry pounds of constituent per million gallons of water. It is the same as parts per million (ppm) for normal Wastewater.
- (28) **Monthly Average.** At the option of the District, (a) the arithmetic average of all Grab Samples taken during a calendar month, or (b) the arithmetic average of all Daily Composite samples taken during a calendar month.

- (29) **National Categorical Pretreatment Standard or Pretreatment Standard or Federal Categorical Pretreatment Standard.** Any regulation containing Pollutant discharge limits promulgated by the EPA in accordance with Section 307 (b) and (c) of the Act (33 U.S.C. 1347) which applies to a specific category of Industrial Users.
- (30) **Normal Domestic Sewage.** A combination of the water-carried wastes, exclusive of ground, surface and Storm Waters, and Industrial Wastes, normally discharging from the sanitary conveniences of dwellings (including apartment houses and hotels), office buildings, factories, and institutions (including churches, schools and day care centers) in which the Monthly Average concentration of 5-day BOD and Total Suspended Solids (TSS) does not exceed 200 mg/l, and the Monthly Average concentration of ammonia does not exceed 25 mg/l.
- (31) **Pass through.** A discharge containing a pollutant which exits the wastewater facilities into the waters of the United States in quantities or concentrations which alone or in conjunction with a discharge or discharges from other sources is a cause of violation of any requirements of the wastewater facility's TPDES permit.
- (32) **Person.** Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or other legal entity, or their legal representatives, agents or assigns.
- (33) **pH.** The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.
- (34) **Pollutant.** Any dredged spoil, solid waste, incinerator residue, sewage, Garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged into water.
- (35) **Pretreatment or Treatment.** The reduction of the amount of Pollutants, the elimination of Pollutants, or the alteration of the nature of Pollutant properties in Wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such Pollutants into the Wastewater Facilities.
- (36) **Sanitary Sewer.** A public sewer which carries domestic Wastewater and/or Industrial Wastes, and to which storm, surface, and groundwaters are not intentionally admitted.
- (37) **Shall.** The term "shall," when used herein, is mandatory.
- (38) **Slug Discharge.** Any discharge of water, Wastewater, or Industrial Waste which, in concentration of any given constituent or in rate of flow, exceeds for any continuous fifteen (15) minute period more than five (5) times the average twenty-four (24) hour concentration or flow rate for that particular discharger during normal operations.

- (39) **Standard Methods.** The laboratory procedures set forth in the latest edition, at the time of analysis, of "Standard Methods for the Examination of Water and Wastewater," as prepared, approved, and published jointly by the American Public Health Association, the American Water Works Association, and the Water Environment Federation.
- (40) **State.** State of Texas.
- (41) **Storm Sewer.** A public sewer that carries Stormwater, but excludes sewage and polluted Industrial Waste.
- (42) **Stormwater.** Runoff from rainfall or any other form of precipitation.
- (43) **Texas Natural Resource Conservation Commission or TPDES Permit.** A permit issued pursuant to Section 26.027 of the Texas Water Code, as amended.
- (44) **Total Dissolved Solids (TDS).** The total dissolved matter, measured in mg/l, that passes through a standard laboratory filter.
- (45) **Total Suspended Solids (TSS).** The solids found in water, wastewater or other liquids, measured in mg/l, which is removable by laboratory filtering.
- (46) **Trap.** A device designed to skim, settle, or otherwise remove Grease, oil, sand, flammable wastes, or other harmful substances.
- (47) **User.** Any Person who has a Building Sewer connected to a District's sewer, or contributes, causes, or permits the contribution of Wastewater into the District's Wastewater Facilities, including those who discharge Holding Tank Waste into the facilities.
- (48) **Wastewater.** The liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any groundwater, surface water, and Storm Water that may be present, whether treated or untreated, which is contributed or discharged into or permitted to enter the Wastewater Facilities.
- (49) **Wastewater Facilities.** All facilities for collecting, pumping, treating, and disposing of sewage, sludges, and residues.
- (50) **Wastewater Treatment Plant.** Any facilities, devices, and structures used for receiving, processing, and treating Wastewater, Industrial Waste, and sludges from the Sanitary Sewers.
- (51) **Waters of the State.** All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State or any portion thereof.

Section C. General Prohibitions

No User shall contribute or cause to be contributed, directly or indirectly, any Pollutant or Wastewater which will interfere with the operation or performance of the District's Wastewater Facilities. No User shall contribute any of the following substances to any Sanitary Sewer:

- (1) Any inflows or infiltration, including but not limited to, Stormwater, groundwater, roof runoff, sub-surface drainage, noncontact Cooling Water, or from sources such as downspouts, yard drains, yard fountains or ponds, or lawn sprinklers.
- (2) Any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances, likely to cause fire or explosion or be injurious in any other way to the Wastewater Facilities or to the operation of the Wastewater Facilities. At no time, shall two (2) successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system) be more than five percent (5%) nor any single reading over ten percent (10%) of the Lower Explosive Limit (LEL) of the meter.
- (3) Solid or viscous substances which may cause obstruction to the flow in a Sanitary Sewer or other Interference with the operation of the Wastewater Treatment Plant including, but not limited to, Garbage containing particles greater than one-half inch (2") in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud, glass grindings or polishing wastes.
- (4) Any Wastewater having a pH less than 5.0 or higher than 10.0 or Wastewater having any other corrosive property capable of causing damage or hazard to sewer lines, pumps, or other structures, equipment, and/or personnel of the Wastewater Facilities.
- (5) Any Wastewater containing toxic Pollutants in sufficient quantity, either singly or by interaction with other Pollutants, to injure or interfere with any Wastewater Treatment process, which constitute a health and safety hazard to humans or animals, which create a toxic effect in the plant effluent or receiving waters of the Wastewater Facilities, or which exceed the limitation set forth in a National Categorical Pretreatment Standard.
- (6) Any Wastewater having a temperature which will inhibit biological activity in the Wastewater Treatment Plant or result in the Interference with the operations of such facility, but in no case Wastewater with a temperature at the designated Control Manhole which exceeds 65 C (150 F) or which causes the temperature of waste at the entrance to the Wastewater Treatment Plant to exceed 40 C (104 F). In addition, no Wastewater with such a temperature that will cause the

temperature of Wastewater at the entrance to the Wastewater Treatment Plant to rise more than 10 F per hour.

- (7) Any Pollutants, including oxygen-demanding Pollutants (BOD5, etc.) released at a flow rate and/or Pollutant concentration that will cause Interference to the Wastewater Facilities or pass through. In no case shall a slug load contain concentration or quantities of Pollutants that exceed for any period longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or quantities rate for that particular discharger during normal operations.
- (8) A volume of flow which will inhibit biological activity at the Wastewater Treatment Plant, interfere with plant operations, or hydraulically overload any portion of the collection or Treatment system. In no case shall a slug load have a flow rate that exceeds for any period longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour flow rate for that particular discharger during normal operations.
- (9) Radioactive materials or isotopes of such half-life or concentrations which will permit a transient concentration higher than the maximum allowable as specified by the governing standards of all Local, State, and Federal regulatory agencies.
- (10) Any trucked or hauled pollutants, except at discharge points designated by the District.
- (11) Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance, hazard to life or the environment, or are sufficient to prevent entry into the sewers for maintenance and repair.
- (12) Any Wastewater with objectionable color not removed in the Treatment process and which may interfere with laboratory analysis. Prohibited pollutants include, but are not limited to, dye wastes, vegetable tanning solutions, and coffee processing wastes.
- (13) Any substance that might cause the Wastewater Facilities' effluent or any other product of the Wastewater Facilities such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or which might interfere with the reclamation process.
- (14) In no case shall a substance discharged to the Wastewater Facilities cause the Wastewater Facilities to be non-compliant with Federal or State sludge use or disposal criteria, guidelines or regulations.
- (15) Any substance which will cause the Wastewater Facilities to violate its NPDES and/or TCEQ permit or the receiving water quality standards.

Section D. Chemical Discharges

No discharge to the Sanitary Sewer may contain:

- (1) BOD5 or TSS in excess of 1,000 mg/l or ammonia in excess of 125 mg/l, unless a variance is first obtained from the District. BOD5 or TSS in concentrations between 200 and 1,000 mg/l, and ammonia in a concentration between 25 and 125 mg/l, shall be subject to payment of Industrial Waste Charges pursuant to Section E herein.
- (2) Total Dissolved Solids greater than 1,000 mg/l
- (3) Fixed Suspended Solids greater than 250 mg/l including, but not limited to Fuller's earth, lime slurries, and lime residues
- (4) Any Wastewater containing any fats, wax, Grease, or oils, whether emulsified or not, in excess of 200 mg/l or containing substances which may solidify or become viscous between 32 F and 150 F. These prohibitions include, but are not limited to floatable grease of any origin and free or emulsified Grease of petroleum or mineral origin, or both, including, but not limited to cooling or quenching oil, lubrication oil, cutting oil, or non-saponifiable oil.
- (5) Substances having a chlorine demand in excess of 10 mg/l.
- (6) Substances having a COD demand in excess of 1,000 mg/l.
- (7) Fluoride other than that contained in the public water supply, if any.
- (8) Cyanides or cyanogen compounds in excess of 0.5 mg/l.
- (9) Chlorides greater than 250 mg/l.
- (10) Dissolved sulfides greater than 30 mg/l.
- (11) Total Phenols greater than 7.5 mg/l.
- (12) Any of the following hazardous metals in concentrations (in terms of Milligrams Per Liter) greater than those listed below:

Metal	NOT TO EXCEED (mg/l)		
	Monthly Average	Daily Composite	Grab Sample
Arsenic	0.087	0.131	0.262
Cadmium	0.014	0.021	0.042
Chromium	1.595	2.39	4.79
Chromium, hex	0.128	0.192	0.384
Copper	0.088	0.132	0.264
Lead	0.288	0.432	0.864
Mercury	0.019	0.029	0.058
Molybdenum	0.072	0.108	0.216
Nickel	0.957	1.436	2.872
Selenium	0.16	0.24	0.48
Silver	0.006	0.009	0.018
Zinc	0.576	0.864	1.728

Section E. Excessive and Accidental Discharge

- (1) No User shall ever increase the use of water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with Federal, State, or District limits.
- (2) Each User shall provide protection from accidental discharge of prohibited materials or other substances regulated by this Order. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or User's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the District for review, and shall be approved by the District before construction of the facility. No User who commences contribution to the District's wastewater facilities after the effective date of this Order shall be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the District. Review and approval of such plans and operating procedures shall not relieve the User from the responsibility to modify its facility as necessary to meet the requirements of this Order.
- (3) In the case of any accidental discharge, it is the responsibility of the User to telephone and notify the Operator within one (1) hour of becoming aware of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions.
- (4) Within five (5) days following an accidental discharge the User shall submit to the District a detailed written report describing the cause of the discharge and the

measures to be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability which may be incurred as a result of damage to the wastewater facilities, fish kills, or any other damage to person or property; nor shall such notification relieve the User of any fines, civil penalties, or other liability which may be imposed by this Order or other applicable law.

Section F. Federal Categorical Pretreatment Standards

Upon the promulgation of Federal Categorical Pretreatment Standards for a particular industrial subcategory, such Federal Standards, if more stringent than limitations imposed under this Order for sources in that subcategory, shall immediately supersede the limitations imposed under this Order. The District shall notify all affected Users of the applicable reporting requirements under 40 CFR 403.12.

Section G. District Requirement

If discharges or proposed discharges to public sewers:

- (1) Cause damages to collection facilities, including any piping
- (2) Impair the processes
- (3) Incur treatment cost exceeding those of normal sewage
- (4) Render the water unfit for receiving waters or industrial use
- (5) Create a hazard to life or health, or
- (6) Create a public nuisance;

the District may require:

- (7) Pretreatment to an acceptable condition for discharge to public sewers and/or
- (8) Control of the quantities and rates of discharge of such waste and/or
- (9) Payment of surcharges for excessive cost for treatment provided such wastes are amendable to treatment by normal sewage plant facilities operated by the District.

The District is entitled to determine whether a discharge or proposed discharge is included under this Section.

Section H. Application for Permit

The District may require a permit for the discharge of industrial waste or an industrial waste mixture into the sewer or sewer works of the District, or any sewer connected therewith. Application for a permit shall be made on a form to be obtained from the District.

Section I. Conditions of Permits

- (1) The District may grant a permit to discharge to persons who:
 - (a) apply for and receive a permit;
 - (b) secure approval by the Approving Authority of plans and specifications for pretreatment facilities when required; and
 - (c) have complied with all requirements for agreements including, but not limited to, provisions for
 - (i) payment of charges;
 - (ii) installation, operation, and maintenance of pretreatment facilities;
 - (iii) sampling and analysis to determine quantity and strength; and
 - (iv) providing a control manhole or sampling point.
- (2) A person applying for a discharge permit shall meet all requirements of item 1 of this Section and secure a permit before discharging any waste.

Section J. Change of Ownership or Location of Discharge

Industrial waste permits may neither be assigned nor be transferred to a new discharge location. Whenever a person other than the permittee becomes the producer at a permitted establishment, or whenever there is a change in discharge location, a new application for a permit shall be made. A new application shall also be filed if significant process changes are planned that will affect characteristics of the discharge. A violation of this section shall be grounds for suspension or revocation for the subject permit.

Section K. Pretreatment

- (1) The owner of premises from which Industrial Waste is discharged shall provide Grease and sand Traps for the proper handling of liquid wastes containing Grease or sand. The Traps must be located so that they are easily accessible for cleaning, inspection, and monitoring.
- (2) When pretreatment of waste is required by the District as a condition for acceptance of the waste into the District's Sanitary Sewer or the Wastewater Facilities, the owner of the premises from which the waste is discharged shall plan, construct, operate, and maintain waste Treatment facilities in an efficient manner. Plans for such facilities must be submitted for, and receive District approval prior to beginning installation or construction. In the event that the installation of Pretreatment facilities is necessary for a User to meet applicable Federal Pretreatment Standards, the District shall establish and enforce deadlines for the installation of such facilities.

- (3) No owner or operator of premises from which Industrial Waste is discharged shall allow the use of extraneous water intermixed for the purposes of diluting the concentration of waste.

Section L. Inspection Chambers

- (1) Each Industrial User that discharges waste into the User's Sanitary Sewer or the District's Wastewater Facilities shall provide, at his sole cost and expense, an inspection manhole or chamber in an accessible location on the premises from which such waste is discharged.
- (2) The inspection manhole or chamber shall be:
 - (a) located reasonably near the outlet of each sewer, drain, pipe, or channel that connects with the Sanitary Sewer or Wastewater Facility; and
 - (b) designed and constructed to prevent infiltration by ground and surface water; and
 - (c) maintained so that a Person may easily and safely obtain samples.

Section M. Sampling of Waste

- (1) The District shall sample waste discharges from Users as often as necessary to adequately monitor and control the discharges to the plant. In the event the District finds a condition of non-compliance, then the District will communicate that to the User and any additional sampling costs to monitor or correct any problem will be borne by the User. The District shall retain records of sampling results for three (3) years from the date such samples were taken.
- (2) Each User subject to federal categorical Pretreatment standards shall submit self-monitoring reports as required by 40 CFR '403.12.
- (3) The District shall authorize that samples be taken manually or by use of mechanical equipment. The District may require a User to install, use, and maintain monitoring equipment. Standard Methods laboratory procedures shall be used for determining concentrations of Industrial Waste.

Section N. Industrial Waste Charge

- (1) If the District determines that the volume or the character of Industrial Waste to be treated by the District's Wastewater Facilities will not cause overloading of the Wastewater Facilities, the District may assess to the User responsible for the discharge of Industrial Waste an Industrial Waste Charge. In addition to the Wastewater service charges, the District may require Users who discharge wastewater with BOD5 or TSS in concentrations greater than 200 mg/l and ammonia greater than 25 mg/l into the District's Wastewater Facilities to pay Industrial Waste Charges.

- (2) The Industrial Waste Charge is assessed to cover:
- (a) amortization of all capital outlay for collecting and treating the waste,
 - (b) operation and maintenance costs including wages, power costs, costs of chemicals and supplies, proper allowances for maintenance, depreciation, overhead, and office expense.
- (3) The Industrial Waste Charge shall be calculated as follows:

$$C = aA + bB + nN + sS$$

Where C = charges to Users in dollars per month (\$/mo.)

a = unit cost of transportation and treatment chargeable to volume, \$/1000 gal.

b = unit cost of Treatment chargeable to BOD, \$/lb.

n = unit cost of Treatment chargeable to ammonia, \$/lb.

s = unit cost of Treatment (including sludge Treatment) chargeable to suspended solids, \$/lb.

A = volume of waste from industrial user over any limit in Order, in 100 gal/month.

B = amount of BOD from Users over 200 mg/l (Monthly Average), in lbs./month.

N = amount of ammonia from Users over 25 mg/l (Monthly Average), in lbs./month.

S = amount of suspended solids from Users over 200 mg/l (Monthly Average), in lbs./month.

Until revised or amended by the District, the initial coefficients of charge for use in the foregoing formula shall be: a = \$1.25/1000 gal.; b = \$0.40/lb.; n = \$1.60/lb.; and s = \$0.12/lb.

- (4) The District shall review and, if appropriate, adjust the Industrial Waste Charge at least annually to reflect changes in the characteristics of the Industrial Waste based upon the results of sampling and testing.
- (5) The District shall also review, at least annually, the basis for determining Industrial Waste Charges and shall adjust the unit Treatment costs in the above formula to reflect increases or decreases in the waste Treatment costs based upon the previous year's experience.
- (6) The District shall bill the User in a manner which will show Industrial Waste Charges as a separate item from Wastewater service charges.

Section O. Right of Entry

The District and other authorized representatives or employees of the District, bearing proper credentials and identification, shall be permitted to enter immediately upon any User's premises in which Wastewater is pumped to the Wastewater Treatment Plant, and may at reasonable times

conduct any inspection, observation, measurement, sampling, or testing necessary to enforce this Order. Reasonable times shall mean any time when waste is being discharged or any time during normal operating hours.

Section P. Fees

- (1) It is the purpose of this section to provide for the recovery of costs from Users of the District's Wastewater Facilities related to the implementation of the program(s) established herein. The applicable charges or fees shall be set forth by the District and may be revised from time to time.
- (2) The District may adopt any one or more of the following charges and fees:
 - (a) fees for special monitoring, inspections, and surveillance procedures for a particular User;
 - (b) fees for reviewing accidental discharge procedures and construction for a particular User;
 - (c) fees for removal (by the District) of Pollutants otherwise subject to National Categorical Pretreatment Standards;
 - (d) other fees as the District may deem necessary to carry out the requirements contained herein.
- (3) Fees and charges incurred by this order shall be billed to and paid by each User; however, each User may recover such fees and charges from their Users.

Section Q. Notification of Violation

Whenever the District finds that any User has violated or is violating this Order, the District shall serve notice, either personally or by certified mail, return receipt requested, upon the User, stating the nature of the violation. Within fifteen (15) days of service of such notice, a plan for satisfactory correction thereof shall be submitted by the User to the District. If such a plan is not submitted, or if such violation is not corrected within such fifteen (15) day period, unless the User has perfected his right to review pursuant to Section R below, the District shall proceed with enforcement pursuant to Section U, provided however, nothing contained in this section or any other section of this Order shall prevent the District or User from taking action in an emergency situation pursuant to Section S below.

Section R. Review

Any User objecting to a finding by the District of a violation of this Order shall have the right as set forth herein to a hearing before the Board. In the event such User disagrees with the District's finding of such violation(s), the User shall, within fifteen (15) days of service of such notice by the District, serve notice by certified mail, return receipt requested, on the District, that such User disagrees with the District's finding and, further, that such User requests a hearing before the Board. Such hearing shall be conducted at the next regular or special meeting of the Board

which is held not less than ten (10) days following the date of User's service of notice on the District. At such hearing, both sides will be allowed to present such testimony as is reasonably necessary to present a clear understanding of the contested issues. The Board President shall be the presiding officer and may at his discretion request other professional opinions prior to the District rendering a decision on the matter of review.

Section S. Authority to Disconnect Service

- (1) The District may terminate water and wastewater disposal service and disconnect an industrial customer from the system when:
 - (a) Acids or chemicals damaging to public sewer or treatment process are released to the sewer causing rapid deterioration of these structures or interfering with proper conveyance and treatment of wastewater;
 - (b) A governmental agency informs the District that the effluent from the wastewater plant is no longer of a quality permitted for discharge to a watercourse, and it is found that the customer is delivering wastewater to the District's system that cannot be sufficiently treated or requires treatment that is not provided by the District as normal domestic treatment;
 - (c) In the opinion of the District, suspension is necessary to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons, to the environment, or causes interference to the wastewater facilities; or
 - (d) The industrial customer:
 - (i) Discharges industrial waste or wastewater that is in violation of the Industrial User Ordinance or permit issued by the approving authority;
 - (ii) Discharges wastewater at an uncontrolled, variable rate in sufficient quantity to cause an imbalance in the wastewater treatment system;
 - (iii) Fails to pay industrial waste charge and fees when due; or
 - (iv) Repeats a discharge of prohibited wastes to public sewers.
- (2) If service is disconnected pursuant to Item 1 of this Section, the District shall:
 - (a) Disconnect the customer;
 - (b) Supply the customer with the governmental agency's report and provide the customer with all pertinent information;

- (c) Continue disconnection until such time as the industrial customer provides additional pretreatment or other facilities designed to remove the objectionable characteristics from his industrial wastes.

Section T. Penalty

- (1) Any person, firm or corporation violating any provisions of this Order or failing to observe any provisions hereof may be subject to a penalty up to One thousand dollars (\$1,000) for each violation, and each violation shall constitute a separate offense. Furthermore, each day that a breach of any provision hereof continues shall be considered a separate breach.
- (2) The District, in its discretion, may require any customers violating any provisions of this Order to pay all costs or damages resulting from such violations. Further, the customer shall pay for sludge disposal if waste discharged by that customer renders the sludge unsuitable for the District's normal disposal practice.
- (3) A user found in violation of the Order shall be liable to the District for all expenses borne by the District, including legal and engineering fees related to any lawsuit filed by federal, state, or local authorities regarding violations by the District of effluent parameters applicable to the District's sanitary sewer system.
- (4) A User found in violation of the Order shall be liable to the District including legal and engineering fees in establishing the violation and resolving the cause of the violation
- (5) Notice of the adoption of these rules and regulations and of the penalty therein provided shall be given by publication in a newspaper as provided by law.

Section U. Enforcement

Any one or more of the following remedies may be utilized by the District to abate or prevent any violation of this Order. The District may and is hereby authorized to:

- (1) Discontinue water service
- (2) Disconnect and seal sanitary sewer connection
- (3) File suit in a court of competent jurisdiction to secure appropriate judicial relief, including, but not limited to, injunctive relief and/or the penalty provided in Section P for the violation by such User of the provisions of this Order.
- (4) Seek a resolution of the District authorizing the filing of a lawsuit under the provision of Section 26.124 of the Texas Water Code.

Section V. Non-Waiver

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

Section W. Severability

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

Section X. Effective Date; Adoption By Users

This Order shall be effective upon adoption. When required by the provisions of this Order, each User shall adopt the appropriate ordinance, order, rule and/or regulation within 90 days of the adoption of this Order by the Board.

Passed and adopted this April 4, 2000.

/s/ Adrian E. Steffes

President, Board of Directors

Attest:

/s/ Terese Wahl

Secretary, Board of Directors

APPENDIX "D"

AMENDED DROUGHT CONTINGENCY PLAN BRIDGESTONE MUNICIPAL UTILITY DISTRICT

Adopted: September 17, 2013

ARTICLE I. DECLARATION OF POLICY, PURPOSE AND INTENT

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the District hereby adopts the following regulations and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under this Plan are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply condition are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in Section VI of this Plan.

ARTICLE II. DEFINITIONS

SECTION 2.1: DEFINITIONS

- A. The following terms shall have the meaning assigned to them below:
1. "Authority" means North Harris County Regional Water Authority.
 2. "Authority Plan" means the Drought Contingency Plan adopted by the Authority.
 3. "Conservation" means those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.
 4. "Customer" means any person, company, or organization using water supplied by the District.
 5. "District" means Bridgestone Municipal Utility District.
 6. "Domestic water use" means water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

7. "Landscape areas" means areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and rights-of-way and medians.
8. "Non-essential water use" means water uses that are not essential nor required for the protection of public, health, safety, and welfare, including:
 - a. irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;
 - b. use of water to wash any motor vehicle, motorbike, boat trailer, airplane or other vehicle;
 - c. use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
 - d. use of water to wash down buildings or structures for purposes other than immediate fire protection;
 - e. flushing gutters or permitting water to run or accumulate in any gutter or street;
 - f. use of water to fill, refill, or add to any indoor or outdoor swimming pools or jacuzzi-type pools;
 - g. use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
 - h. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
 - i. use of water from hydrants for construction purposes or any other purposes other than fire fighting.

ARTICLE III. IMPLEMENTATION

SECTION 3.1: PUBLIC INPUT

Opportunity for the public to provide input into the preparation of the Plan was provided by the District by means of scheduling and providing notice of a public meeting to accept input on the Plan.

The District shall make information available through its public participation program for plumbers and customers to utilize when purchasing and installing plumbing fixtures; lawn watering equipment or water using appliance. Information regarding retrofit devices, such as low flow shower heads or toilet dams, that reduce water used by replacing or modifying existing fixtures or appliances shall be provided.

SECTION 3.2: PUBLIC EDUCATION

The District will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by means of 1) direct mailing of brochures, water bill inserts or newsletters to water users

regarding the District's water conservation program; 2) public meetings and events; and 3) posters or public displays.

SECTION 3.3: COORDINATION WITH REGIONAL WATER PLANNING GROUPS

The service area of the District is located within Region H and the District has provided a copy of this Plan to Region H water planning group.

SECTION 3.4: AUTHORIZATION

The Board is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The Board shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

SECTION 3.5: APPLICATION

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by the District. The terms "person" and "customer" as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

**ARTICLE IV.
CRITERIA FOR INITIATION AND TERMINATION
OF DROUGHT RESPONSE STAGES**

The Board shall monitor water supply and/or demand conditions on a monthly basis and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is, when the specified "triggers" are reached.

The triggering criteria described below are based on system capacity limits, and the water levels in the District's well.

SECTION 4.1: STAGE 1 TRIGGERS - MODERATE WATER SHORTAGE CONDITIONS

A. Requirements for Initiation. Customers shall be requested to voluntarily conserve water and adhere to Stage 1 Response – Moderate Water Shortage Conditions on certain water uses defined in Section 5.3 of this plan when the Authority implements Stage 1 Water Shortage as described in the Authority Plan.

B. Requirements for Termination. Stage 1 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of seven (7) consecutive days.

C. Goal. Achieve a 5 percent reduction in daily water demand.

SECTION 4.2: STAGE 2 TRIGGERS - SEVERE WATER SHORTAGE CONDITIONS.

A. Requirements for Initiation. Customers shall be required to comply with the requirements and restrictions of Stage 2 Response – Severe Water Shortage Conditions described in Section 5.4 of this Plan when the Authority implements a Stage 2 Water Shortage as described in the Authority Plan.

B. Requirements for Termination. Stage 2 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of seven (7) consecutive days. Upon termination of Stage 2, Stage 1 becomes operative.

C. Goal. Achieve a 10 percent reduction in daily water demand.

SECTION 4.3: STAGE 3 TRIGGERS - CRITICAL/EMERGENCY WATER SHORTAGE CONDITIONS

A. Requirements for Initiation. Customers shall be required to comply with the requirements and restrictions of Stage 3 Response – Critical/Emergency Water Shortage Conditions described in Section 5.5 of this Plan when the Authority implements a Stage 3 Water Shortage, as described in the Authority Plan of this Plan, or when the average run time for the District's wells are at or above 18 hours for three (3) consecutive days or when any of the water plant facilities cannot meet the water supply demand.

B. Requirements for Termination. Stage 3 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of seven (7) consecutive days. Upon termination of Stage 3, Stage 2 becomes operative.

C. Goal. Achieve a 15 percent reduction in daily water demand.

SECTION 4.4: STAGE 4 TRIGGERS – WATER SUPPLY FAILURE

A. Requirements for Initiation. Customers shall be required to comply with the requirements of Stage 4 – Water Supply Failure (see Section 6.1 of this Plan) when the Authority implements a Stage 4 Water Shortage, as described in the Authority Plan, or when otherwise implemented by the Board or its designee.

B. Goal. Achieve a 20 percent reduction in daily water demand.

ARTICLE V. DROUGHT RESPONSE MEASURES

SECTION 5.1: IMPLEMENTATION

The Board shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section IV of this plan, shall determine that a moderate, severe, or critical/emergency condition exists and shall implement the following notification procedures.

SECTION 5.2: NOTIFICATION

A. Notification of the Public. The Board shall notify the public by means of any of the following:

1. publication in a newspaper of general circulation;
2. direct mail to each customer;
3. District's website;
4. public service announcements; or
5. signs posted in public places.

B. Additional Notification. The Board shall notify directly or cause to be notified directly the following individuals and entities as deemed necessary by the Board of Directors:

1. County Judge & Commissioner(s);
2. TCEQ (required when mandatory restrictions are imposed);
3. Authority;
4. Major water users;
5. Critical water users, i.e. hospitals; or
6. Parks/Street Superintendents & public facilities managers.

SECTION 5.3: STAGE 1 RESPONSE - MODERATE WATER SHORTAGE CONDITIONS

A. Supply Management Measures. The District shall reduce the system pressure at the water plant or plants to 55 psi.

B. Voluntary Water Use Restrictions. Under threat of penalty for violation (see Section 6.1 of this Plan), the following water use restrictions shall apply to all persons:

1. Customers should check for and repair all leaks, dripping faucets and running toilets, utilize water conservation measures, such as displacement bags, low-flow shower heads and leak detection tablet, and minimize or discontinue water use for non-essential purposes;

2. Customers should limit irrigation to the hours between 7:00 p.m. and 5:00 a.m. of the following day on no more than two days per week in conformity with the following schedule (no water on Mondays):

a. Sundays and Thursdays for customers with an even-numbered address;

address; and

- b. Saturdays and Wednesdays for customers with an odd-numbered address; and
- c. Tuesdays and Fridays for all other customers.

3. Advise customers that mandatory measures may be imposed if the water shortage period continues.

4. Irrigation of common areas including esplanades, greenbelts and sports fields shall be limited to Mondays and Fridays.

5. Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.

SECTION 5.4: STAGE 2 RESPONSE - SEVERE WATER SHORTAGE CONDITIONS

A. Voluntary Supply Management Measures. The District shall reduce the system pressure at the water plant or plants to 50 psi.

B. Water Use Restrictions. All requirements of Stage 1 shall remain in effect during Stage 2, under threat of penalty (see Section 6.1 of this Plan) except:

1. Customers must repair detectible water leaks within 72 hours of discovery; and

2. Outdoor irrigation is limited to the hours 7:00 p.m. and 5:00 a.m. of the following day on no more than two (2) days per week, but possibly one day per week as determined by the Authority, in conformity with the following schedule (no watering on Mondays):

- a. Sundays and/or Thursdays for single family residential customers with even-numbered street addresses;

- b. Saturdays and/or Wednesdays for single family residential customers with odd-numbered street addresses; and

- c. Tuesdays and/or Fridays for all other customers.

3. Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or jacuzzi-type pools is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight.

4. Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.

5. Use of water from hydrants shall be limited to fire fighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that

use of water from designated fire hydrants for construction purposes may be allowed under special permit from the District.

6. Use of water for the irrigation of golf course greens, tees, and fairways is prohibited except on designated watering days between the hours 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight. However, if the golf course utilizes a water source other than that provided by the District, the facility shall not be subject to these regulations.

7. All restaurants are prohibited from serving water to its patrons except when requested.

8. The following uses of water are defined as non-essential and are prohibited:

a. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;

b. use of water to wash down buildings or structures for purposes other than immediate fire protection;

c. use of water for dust control;

d. flushing gutters or permitting water to run or accumulate in any gutter or street; and

e. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

SECTION 5.5: STAGE 3 RESPONSE - CRITICAL/EMERGENCY WATER SHORTAGE CONDITIONS

A. Voluntary Supply Management Measures. The District shall reduce the system pressure at the water plant or plants to 45 psi.

B. Water Use Restrictions. All requirements of Stage 1 and 2 shall remain in effect during Stage 3, under threat of penalty (see Section 6.1 of this Plan) except:

1. The use of water for all outdoor purposes, including irrigation, ornamental, decorative, or scenic purposes such as fountains, reflecting pools, and water gardens, shall be prohibited.

2. The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.

SECTION 5.6: STAGE 4 RESPONSE – WATER SUPPLY FAILURE

A. Water Use Restrictions. All requirements of Stage 3 shall remain in effect during Stage 4, under threat of penalty (see Section 6.1 of this Plan). In addition, the District shall implement Section 11.039, Texas Water Code, by dividing its available water supply distributives

to its wholesale customers on a pro rata basis according to the amount of water to which each Customer is entitled.

SECTION 5.7: IMPLEMENTATION

Without limitation to specific actions stated in this Plan to be taken by the District's operator, the District's operator will administer and enforce this Plan, and will oversee and be responsible for the execution and implementation of all elements of this Plan. The operator shall keep adequate records for plan verification. The District's operator shall report to the Board, at meetings of the Board, regarding actions taken and which need to be taken under this Plan. Without limiting the foregoing, the District's operator shall advise the President of the Board (or if the President is unavailable to receive notification, another member of the Board) as soon as reasonably practical when conditions require implementation of particular stages of this Plan.

ARTICLE VI. ENFORCEMENT & PENALTIES

SECTION 6.1: PENALTIES

The following penalties shall apply to any customer violating the terms of this Plan:

A. First Violation. Any customer who violates this Plan shall receive written notification of such violation, which notice shall set forth (i) the date of the violation, (ii) the nature of the violation, (iii) the Drought Response Measures then in effect, and (iv) the penalties applicable for any further violations of this Plan; provided, however, that if such person or entity has ever previously violated this Plan, the penalties set forth in Subsection B below, may, in the discretion of the Board, be imposed.

B. Subsequent Violations.

1. **Monetary Penalties for Noncompliance.** If any person or entity violates any provision of this Plan more than one time (which violation shall constitute an unauthorized use of District services and/or facilities), then, the Board of the District may impose a penalty pursuant to the provisions of the District's Rate Order regarding penalties for violations. Each day that a breach of any provision of this Plan continues shall be considered a separate violation. This penalty shall be in addition to any other legal rights and remedies of the District as may be allowed by law.

2. **Disconnection for Noncompliance.** If any person or entity violates any provision of this Plan more than two (2) times (which violation shall constitute an unauthorized use of District services and/or facilities), then in addition to any other remedies, penalties, sanctions and enforcement procedures provided for herein, the District shall have the right to terminate water service to such person or entity after notice and any other procedural requirements in the District's Rate Order are satisfied.

3. Payment of Expenses. Any person or entity that violates any provision of this Plan shall reimburse the District for any and all expenses incurred by the District, including reasonable attorneys' fees, in enforcing the terms of this Plan.

SECTION 6.2: REMEDIES CUMULATIVE

All rights, remedies, sanctions, penalties and enforcement procedures provided for in this Plan are cumulative. In addition, the District shall have and may exercise and enforce any and all rights and remedies provided by law or in equity.

**ARTICLE VII.
VARIANCES**

If an entity or individual desires to obtain a variance to any provision of this Drought Contingency Plan, a written request must be submitted to the District's General Manager. Each variance will be reviewed and acted upon by the Board of the District on a case-by-case basis; however, the General Manager may take interim action on a variance request prior to the next scheduled meeting of the Board, as may be appropriate and necessary.
