

## Chapter 1 Definitions

- 1.001 “Blowdown” means a discharge that is from a cooling tower, boiler, air pollution control device, or other system containing circulating water and is a volume necessary to prevent concentrations of contaminants within the system from exceeding best engineering practice.
- 1.002 “BOD” means 5-day biochemical oxygen demand.
- 1.003 “Bulkhead” means any method or device that prevents a discharge to the sewerage system.
- 1.004 “Building sewer” has the meaning established by sec. COMM 81.01(44), Wis. Adm Code.
- 1.005 “Bypass” has the meaning established by sec. NR 110.03(7), Wis. Adm. Code.
- 1.006 “Categorical pretreatment standard” means a regulation promulgated under 33 U.S.C. secs. 1311 or 1317 by the U.S. Environmental Protection Agency and set forth in 40 CFR parts 405 to 471 or promulgated under sec. 283.13, Wis. Stats., by the Wisconsin Department of Natural Resources and set forth in Chapters NR 221 to 297, Wisconsin Administrative Code.
- 1.007 “Centralized waste treater” means a user that:
- (1) treats wastes generated by activities located at sites other than where the treatment occurs.
  - (2) is owned by a person different from the owner of the site where the wastes were generated, and
  - (3) treats wastes from more than one location.
- 1.008 “CFR” means Code of Federal Regulations.
- 1.009 “Combined sewer” means a pipe, conduit, or other structure designed to convey domestic wastewater, process wastewater, storm water, and incidental amounts of infiltration.
- 1.010 “Commencement of construction” means either:
- (1) the beginning, as part of a continuous on-site construction program, of:
    - (a) the placement, assembly, or installation of facilities or equipment; or
    - (b) significant site preparation work, such as clearing, excavation, or the removal of existing buildings, structures, or facilities when their removal is necessary

for the placement, assembly, or installation of new source facilities or equipment; or

- (2) the entrance into a binding contractual obligation for the purchase of facilities or equipment that the purchaser intends to use as a new source within a reasonable time. Entrance into the following contracts does not constitute a commencement of construction: options to purchase, contracts that may be terminated without substantial loss, or contracts for feasibility, engineering, or design studies.

1.011 “Commercial user” means any user that is neither a residential nor an industrial user.

1.012 “Commission” means the governmental body established by secs. 200.23, Wis. Stats.

1.013 “Compliance schedule” means a schedule of remedial measures that includes an enforceable sequence of events for the commencement or completion of actions leading to compliance with a pretreatment standard or requirement.

1.014 “Connection” means the location where one sewer joins another, including where a building sewer joins a local sewer, where a private interceptor main sewer joins a local or District sewer, and where a local sewer joins a District sewer.

1.015 “Cost Recovery Procedures Manual” means a manual prepared by the District according to sec. 17.213.

1.016 “Critical time” means the period starting at the time of peak rainfall intensity with a duration equal to the time of concentration of the watershed.

1.017 “Department” means the Wisconsin Department of Natural Resources.

1.018 “Development” means the construction of buildings, roads, parking lots, and paved or unpaved storage areas.

1.019 “Discharge” means to release a pollutant from or through:

- (1) pipes;
- (2) conduits;
- (3) pumping stations;
- (4) ditches;
- (5) tank trucks;
- (6) the ground through defective pipes, pipe joints, or walls;

- (7) roof leaders;
- (8) cellar, yard, or area drains;
- (9) foundation drains;
- (10) drains from springs and wetlands;
- (11) manhole covers;
- (12) cross-over pipes from storm sewers and combined sewers;
- (13) catch basins;
- (14) storm sewers;
- (15) surface run-off;
- (16) street wash waters; or
- (17) other drainage.

1.020 “Discharge factor certified commercial user” means a commercial user that has reported its discharge factors to the District.

1.021 “Discharge factor certified industrial user” means an industrial user that has reported its discharge factors to the District.

1.022 “District” means the Milwaukee Metropolitan Sewerage District.

1.023 “District datum” means a system for measuring elevation with a zero elevation 580.6 feet above the National Geodetic Vertical Datum 1929, as promulgated by a benchmark at the Milwaukee City Hall and supplementary benchmarks throughout the City of Milwaukee.

1.024 “District sewer” means any sewer owned, operated, and maintained by the District.

1.025 “Domestic discharge factor” means the ratio of domestic wastewater discharged to total water consumed.

1.026 “Domestic waste” means human waste and other wastes related to personal or residential sanitation.

1.027 “Domestic wastewater” means wastewater that contains only domestic waste.

1.028 “Equivalent residential unit” and “ERU” mean the typical average daily discharge of BOD, TSS, or flow per person from a residential unit.

- 1.029 “Executive Director” means the chief executive officer of the District.
- 1.030 “Existing source” means any building, structure, facility, or installation that is discharging or that may discharge pollutants to the sewerage system and that is not a new source.
- 1.031 “Facilities plan” means a plan prepared according to sec. NR 110.09, Wis. Adm. Code.
- 1.032 “FEMA” means the Federal Emergency Management Agency.
- 1.033 “Flow” means the volume that moves past a certain point per unit time.
- 1.034 “Flow proportioned composite sample” means a combination of individual samples of equal volume taken at equal intervals of flow without consideration of the time between individual samples.
- 1.035 “Governmental unit” means any general purpose or special purpose municipal corporation, including any city, village, town, county, or district.
- 1.036 “Grab sample” means a sample taken on a one-time basis without consideration for flow or time.
- 1.037 “Hauled waste” means waste that is collected from sources not located at the point of discharge and that is discharged to the sewerage system from a tank truck or other conveyance.
- 1.038 “Industrial user” means any user that discharges process wastewater.
- 1.039 “Interference” means a condition prohibited by sec. 11.201(2).
- 1.040 “Impervious surface” means any pavement or structural element that prevents rain, surface water runoff, or melting snow from infiltrating into the ground below, including, but not limited to, roofs, paved roads, driveways, and parking lots.
- 1.041 “Infiltration” has the meaning established by sec. NR 110.03(17), Wis. Adm. Code.
- 1.042 “Inflow” has the meaning established by sec. NR 110.03(16), Wis. Adm. Code.
- 1.043 “Interceptor sewer” has the meaning established by sec. NR 110.03(18), Wis. Adm. Code.
- 1.044 “Laboratory method detection limit” means the method detection limit determined by a specific laboratory for a specific sample matrix according to the procedure provided in 40 CFR 136, Appendix B.
- 1.045 “Local sewer” means a sewer owned and operated by a governmental unit other than the District.

1.046 “Local sewer system plans” means plans prepared according sec. 2.302, MMSD Rules.

1.047 “Maintenance” means any preventive, correctional, or replacement activity that preserves functional integrity and efficiency of equipment and structures.

1.048 “New source” means any building, structure, facility, or installation:

(1) that is discharging or that may discharge pollutants to the sewerage system; and

(2) for which the commencement of construction occurred after the publication of proposed categorical pretreatment standards that would be applicable to the source if promulgated; and

(3) (a) that is constructed at a site at which no other source is located,

(b) that totally replaces the process or production equipment that causes the discharge of pollutants at an existing source, or

(c) that has process or production equipment substantially independent from the equipment of an existing source at the same site, based upon factors such as the extent to which the new facility is integrated with the existing source or is engaged in the same type of activity as the existing source.

1.049 “Non-certified commercial user” means a commercial user that has not certified its discharge factors to the District.

1.050 “Non-certified industrial user” means an industrial user that has not reported its discharge factors to the District.

1.051 “Non-contact cooling water” means water used for cooling that does not directly contact any raw material, intermediate product, waste product, or finished product.

1.052 “Non-contact cooling water to combined sewer discharge factor” means the ratio of non-contact cooling water discharged to a combined sewer to total water consumed.

1.053 “Operation” means the control of unit processes and equipment, including financial and personnel management, records, laboratory control, process control, safety, and emergency planning.

1.054 “Pass-through” means a condition prohibited by sec. 11.201(3).

1.055 “Person” means any individual, corporation, company, partnership, company, firm, association, society, organization, municipality, or agency of the state or federal government.

- 1.056 “Pollutant” means domestic waste, industrial waste, agricultural waste, solid waste, chemical waste, wrecked or discarded equipment, biological materials, heat, garbage, refuse, dredged spoil, incinerator residue, sewage, oil, sewage sludge, munitions, radioactive substances, rock, sand, and cellar dirt.
- 1.057 “Pollution prevention” means any equipment; technology; process or procedure modification; product reformulation or redesign; substitution of raw materials; improvements in housekeeping, maintenance, training, or inventory control; or any other practice that reduces the amount of a pollutant entering a waste stream or released to the environment, including fugitive emissions, before recycling, treatment or disposal and that reduces the hazards to public health and the environment associated with the release of the pollutant. Pollution prevention does not include any practice that alters the physical, chemical, or biological characteristics or the volume of a pollutant through a process or activity that is not integral to and necessary for the production of a product or the providing of a service.
- 1.058 “Planning area” has the meaning established by sec. NR 110.03(25), Wis. Adm. Code.
- 1.059 “Pretreatment” means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties before or instead of discharging the pollutants to the sewerage system.
- 1.060 “Pretreatment program” means the activities of the District that:
- (1) implement sec. 200.45, Wis Stats., including, but not limited to, the implementation and enforcement of ch. 11, MMSD Rules, and any other applicable local, state, or federal pretreatment standards or requirements; and
  - (2) ensure the accuracy of the information used to calculate user charges for commercial and industrial users.
- 1.061 “Pretreatment standard or requirement” means any substantive or procedural requirement of ch. 11, a categorical pretreatment standard, or a wastewater discharge permit.
- 1.062 “Private interceptor main sewer” has the meaning established by sec. COMM 81.01(193), Wis. Adm. Code.
- 1.063 “Process wastewater” means:
- (1) any water that, during manufacturing or processing, directly contacts or results from the production or use of any raw material, intermediate product, finished product, by-product, or waste product;
  - (2) wastewater from personal washing, if a categorical pretreatment standard explicitly applies or if the concentration of any pollutant exceeds half of a limit established in sec. 11.203(1);

(3) contaminated storm water, surface water, or groundwater, if this wastewater is not prohibited by sec. 11.202(10)(a); and

(4) wastewater that results from chemical, physical, or biological testing or analysis, except for non-contact cooling or other non-contact water.

1.064 “Process wastewater discharge factor” means the ratio of process wastewater discharged to total water consumed.

1.065 “Recreational trail” means a path that is:

(1) distinctly set apart from a roadway, street, or sidewalk;

(2) designed for activities such as jogging, walking, hiking, bird-watching, bicycle riding, roller skating, or other recreation not involving the use of motorized vehicles; and

(3) not a sidewalk according to sec. 340.01(58), Wis. Stats.

1.066 “Public right of way” means any alley, mall, parking lot, pathway, plaza, road, sidewalk, or street or owned by or dedicated to a governmental unit.

1.067 “Redevelopment” means new development that replaces older development.

1.068 “Regional flood” means the peak flow and peak elevation of water with a 1% probability of occurring during any one year, considering rainfall time and intensity patterns, rainfall duration, area distribution, antecedent moisture, and snow melt.

1.069 “Regional floodplain” means the area of land covered by water during the regional flood.

1.070 “Release” means to abandon, deposit, dispose, dump, inject, leak, place, pump, or spill.

1.071 “Replacement” means obtaining and installing any equipment and appurtenances that are necessary during the useful life of the sewerage system to maintain the capacity and the performance for which the sewerage system was designed and constructed.

1.072 “Residential occupancy factor” means the average number of people residing in each residential unit in a particular governmental unit.

1.073 “Residential structure” means any building exclusively accommodating residential units.

1.074 “Residential unit” means an individual residence, such as a house, an apartment, or any group of rooms or a single room either occupied as living quarters or intended for occupancy.

1.075 “Residential user” means a user who is an owner or occupant of a residential unit.

- 1.076 “Retail bill” means a bill from a governmental unit to a user.
- 1.077 “Runoff management system” means the complete combination of structural and non-structural means used to reduce the rate or volume of runoff from a particular area, including, but not limited to, facilities constructed for conveyance and storage, management practices, and the protection, creation, or restoration of natural areas or systems such as vegetated swales, prairies, and wetlands for storage, conveyance, or infiltration.
- 1.078 “Runoff release rate” means the volume of storm water flowing off of development per unit of time and area.
- 1.079 “Sanitary sewer” means a pipe, conduit, or other structure designed to convey domestic wastewater, process wastewater, and incidental amounts of infiltration, but to exclude storm water.
- 1.080 “Sanitary watershed” means the geographical area served by a system of building sewers, private interceptor main sewers, and public sanitary sewers that drain to a common monitoring point.
- 1.081 “Sanitary sewer shed” means the geographical area served by a system of building sewers, private interceptor main sewers, and public sanitary sewers that drain to a common outlet.
- 1.082 “Sewerage system” means:
- (1) the facilities of the District for collection, transportation, storage, pumping, treatment, and final disposition of sewage;
  - (2) the sewerage facilities of any municipality served by the District;
  - (3) all private interceptor main sewers and building sewers; and
  - (4) any temporary connection authorized by the District.
- 1.083 “Sewer service area” has the meaning established by sec. NR 110.03(31), Wis. Adm. Code.
- 1.084 “SEWRPC” means the Southeastern Wisconsin Regional Planning Commission.
- 1.085 “Significant industrial user” means a user designated as a significant industrial user, according to sec. 11.103.
- 1.086 “Slug” means any non-routine batch discharge, including but not limited to, discharges resulting from a spill.



- 1.087 “Technical Advisory Team” means a group organized by the District consisting of technical staff from governmental units within the District’s service area, the Department of Natural Resources, and the Southeastern Wisconsin Regional Planning Commission, and the District.
- 1.088 “Time composite sample” means a combination of individual samples of equal volume taken at equal intervals of time, without consideration of the volume or rate of flow.
- 1.089 “Time of concentration” means the time required for the point furthest from the outlet of a watershed to contribute to flow at the outlet of the watershed.
- 1.090 “TSS” means total suspended solids.
- 1.091 “Ultimate sewer service area” means the maximum geographic area that may receive sanitary sewer service from the District within the foreseeable future, as shown in most recent *Facilities Plan*.
- 1.092 “Unit cost of treatment” means the operation and maintenance cost per connection and per unit of flow, BOD, TSS, or other parameter.
- 1.093 “Unit process-parameter relationship” means the operation and maintenance cost of a sewerage system unit process attributable to connections, flow, BOD, TSS, or other parameter.
- 1.094 “Upset” means an incident at a user’s facility that:
- (1) is exceptional, unintentional, and temporary;
  - (2) is caused by factors beyond the reasonable control of the user; and
  - (3) causes non-routine discharges to the sewerage system.
- 1.095 “User” means any person who discharges or may discharge to the sewerage system.
- 1.096 “Volumetric rate” means the charge per 1,000 gallons of wastewater that has the characteristics of an equivalent residential unit.
- 1.097 “Waste minimization” means a reduction of the amount or toxicity of pollutants requiring disposal, including, but not limited to:
- (1) pollution prevention,
  - (2) using a waste from one process as an ingredient in the same or another process,
  - (3) processing a waste to recover resources, and

(4) treating the waste to reduce its mass, volume, or toxicity.

1.098 “Waste strength certified commercial user” means a commercial user that has reported its discharge factors and waste strengths to the District.

1.099 “Waste strength certified industrial user” means an industrial user that has reported its discharge factors and waste strengths to the District.

1.100 “Wastewater” means any water that contains pollutants.

1.101 “Wastewater discharge permit” means a permit issued according to subch. III of ch. 11.

1.102 “Wholesale bill” means a bill from the District to a governmental unit.

1.103 “WPDES” means the Wisconsin Pollutant Discharge Elimination System, as established by ch. 283, Wis. Stats.

1.104 “WPDES Permit” means a document that authorizes the discharge of pollutants to waters of the state, issued by the Wisconsin Department of Natural Resources according to the Wisconsin Pollutant Discharge Elimination System.