

Sump Pump Violators = Hydraulic Overloads

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It's the time of year to start planning for inflow into the collection system next spring. During the spring of 2008, most, if not all of South Dakota received some much needed moisture. This was a tremendous blessing except that the rains came in such large quantities in a very short period of time. This caused flooding that may have created some problems for wastewater systems.

The Environmental Protection Agency (EPA) has instructed South Dakota Department of Environment and Natural Resources (DENR) to adopt a "get tough" policy on Sanitary Sewer Overflows (SSO). This order is to protect our environment from sanitary sewer overflows and emergency discharges and to protect human health when sewage backs up into homes. This issue has even been elevated to the U.S. Congress. Congress is currently considering legislation that would place additional reporting and record-keeping requirements on systems.

What does this mean for the average system? DENR has the ability to fine any utility for flagrant violations of the Surface Water Discharge Permit. According to the permit, systems can be fined up to \$10,000 per day for each violation of the permit requirements and recordkeeping. This means if you exceed the BOD, Suspended Solids and Ammonia limits, the fines could be as high as \$30,000 dollars per day. While DENR only uses fines and enforcement actions as a last resort, the monetary penalties should be enough motivation to properly operate and maintain your wastewater utility.

One of the largest causes of sewer overflows is SUMP PUMPS. There is currently no state law that regulates sumps, but some utilities have developed municipal ordinances to prohibit



these pumps from discharging into the sanitary sewer. The ordinance needs to be tough enough to force system residents to put the sump pump drain line outside. This ordinance has become a political sore spot with some systems. Many residents don't want the discharge hoses going across their lawns. Let's put a little different spin on this problem.

The resident who puts their sump pump water into the collection system increases hydraulic flow conditions at the treatment facility. Those who comply with ordinances end up paying for these illegal connections. If the rates have to be increased to pay for upgrades, again the legal residents pay for the illegal problems. Does this seem fair to you?

During our travels with rural water, we have come across several systems that are under order to fix or stop backups from storm water into residents' homes. In each case, these systems may be paying sewer rates in excess of \$30 per month for sewer improvements.

If your utility does not have an ordinance prohibiting sump pumps, one should be enacted. This ordinance should have a large enough fine to make the violators comply or pay the price.

This is a task that should be undertaken by system decision makers and should provide direction for employees who will be required to enforce the ordinance or policy. Several utilities are already utilizing this procedure and have implemented fines of \$100 per day until compliance is attained. Another utility enforces a \$50 per month penalty for the first month, \$250 the second month and \$500 per month afterwards with the stipulation that the system will hire a plumber to install the sump pump properly.

Do some of these penalties sound drastic? They should! This is a utility problem and the system could be responsible for any damages in the homes due to backups. Most utilities have insurance coverage and, like most policies, there are options to deny claims for violating ordinances.

Making sure your board/council is aware of this problem is the responsibility of management. If you have an ordinance that works and would like to share it with other utilities let us know. With proper permission, we will pass along your information to interested parties. Could the time be right to introduce legislation to address this problem?