CONSENT ORDER

DIVISION OF WATER AND WASTEWATER SERVICES

[NAME OF MUNICIPALITY]

IN THE MATTER OF	*	
	*	
[NAME OF INDUSTRY]	*	**[DIRECTOR OF SEWER**
[ADDRESS]	*	**SERVICES ADDRESS]**
	*	
	*	

CONSENT ORDER

WHEREAS, the Municipality of _____ Division of Sewer Services pursuant to the powers, duties and responsibilities vested in and imposed upon the by provisions of the Municipality's Sewer Use Ordinance, have conducted an ongoing investigation of **(Industry)**, and have determined that:

1. The Municipality owns and operates a wastewater treatment plant which is adversely impacted by discharges from industrial users, including **(Industry)**, and has a pretreatment program to control such discharges.

2. **(Industry)** has consistently violated the pollutant limits in its wastewater discharge permit as set forth in Exhibit I, attached hereto.

3. Therefore, to ensure that **(Industry)** is brought into compliance with its permit limits at the earliest possible date, **IT IS HEREBY AGREED AND ORDERED, BETWEEN (Industry) AND THE DIRECTOR OF SEWER SERVICES FOR THE MUNICIPALITY, THAT [INDUSTRY] SHALL:**

   a. By _____, obtain the services of a licensed professional engineer specializing in wastewater treatment for the purpose of designing a pretreatment system which will bring **(Industry)** into compliance with its wastewater discharge permit.

   b. By _____, submit plans and specifications for the proposed pretreatment system to the Municipality for review.

   c. By _____, install the pretreatment system in accordance with the plans and specifications submitted in item b above.

   d. By _____, achieve compliance with the limits set forth in Exhibit I.

   e. **(Industry)** shall pay $1,000 per day for each and every day it fails to comply with the schedule set out in items a-d above. The $1,000 per day penalty shall be paid to the

cashier of the Division of Sewer Services within 5 days of being demanded by the Municipality.

4. In the event **(Industry)** fails to comply with any of the deadlines set forth, **(Industry)** shall, within one (1) working day after expiration of the deadline, notify the Municipality in writing. This notice shall describe the reasons for **(Industry)**'s failure to comply, the additional amount of time needed to complete the remaining work, and the steps to be taken to avoid future delays. This notification in no way excuses **(Industry)** from its responsibility to meet any later milestones required by this Consent Order.

5. Compliance with the terms and conditions of this Consent Order shall not be construed to relieve **(Industry)** of its obligation to comply with its wastewater discharge permit which remains in full force and effect. The Municipality reserves the right to seek any and all remedies available to it under Section _____ Of the Municipality's Sewer Use Ordinance for any violation cited by this order.

6. Violation of the Consent Order shall constitute a further violation of the Municipality's Sewer Use Ordinance and subjects **(Industry)** to all penalties described by Section _____ of the Sewer Use Ordinance.

7. Nothing in this Consent Order shall be construed to limit any authority of the Municipality to issue any other orders or take any other action which it deems necessary to protect the wastewater treatment plant, the environment or the public health and safety.

SIGNATORIES

FOR (INDUSTRY)

_____

Date Name (Industry)

FOR (MUNICIPALITY)

_____

Date Name
Director of Sewer Services
Address