

**NEENAH-MENASHA SEWERAGE COMMISSION RESOLUTION 96-2
PROMULGATING RULES REGULATING THE ACCEPTANCE OF PETROLEUM-
CONTAMINATED GROUND WATER (ADOPTED PURSUANT TO AUTHORITY GRANTED
UNDER WIS. STATS. SEC. 66.30, AND THE JOINTLY ENACTED 9/28/82
ENABLING ORDINANCE/CONTRACT, AS AMENDED, OF SEVERAL WINNEBAGO
COUNTY MUNICIPALITIES WHICH RECREATED SAID COMMISSION)**

RECITAL

WHEREAS, the Neenah-Menasha Sewerage Commission (NMSC) has determined that it is necessary and expedient to adopt and promulgate written rules concerning the acceptance by NMSC of petroleum-contaminated ground water;

RESOLUTION

NOW, THEREFORE, the NMSC does hereby duly adopt the following rules and regulations concerning acceptance by the NMSC of petroleum-contaminated ground water:

1. Effective Date of Rules. These rules regulating the acceptance by NMSC of petroleum-contaminated ground water shall become effective the date on which this resolution is posted and published.

2. Limitation of Geographical Area for Which Petroleum-Contaminated Ground Water May be Accepted. On and after June 25, 1996, the NMSC shall not accept petroleum-contaminated ground water from any sites located outside of the NMSC service area, defined to be the sewer service area for the NMSC delineated by the East Central Wisconsin Regional Planning Commission from time to time.

3. Contaminated Water From Service Area Sites. At the NMSC's sole discretion, it may accept petroleum-contaminated ground water from sites located within its service area. Discharge approval for such water may be granted by the NMSC only after its

prior determination that the discharge will not result in sewage treatment process inhibition, pass-through, or cause an adverse impact on sludge disposal options of the NMSC.

4. Discharge Request Form. Any entity seeking authority to discharge petroleum-contaminated ground water to the NMSC shall fully complete and sign a form prepared by the NMSC for that purpose and submit the completed, signed form to the NMSC and to the municipality to whose system the discharge will be made. The form shall include or have attached to it a copy of these rules and regulations.

5. Discharge to Collection System. No discharge of petroleum-contaminated ground water shall be made to any part of the NMSC waste water treatment system without the prior written approval of both the NMSC and of the municipality to whose system the discharge is proposed to be made.

6. Conditions of Approval of Discharge. If an application to discharge petroleum-contaminated ground water is approved by the NMSC, it may condition its approval upon such pretreatment of the contaminated ground water as the NMSC may specify. Discharge authority also may be conditioned by the NMSC upon whatever flow monitoring and testing requirements the NMSC shall deem necessary or expedient, as well as upon any other conditions which the NMSC may deem necessary or expedient.

7. Hauling to and Discharge Directly to the NMSC Treatment Facility. No discharger of petroleum-contaminated ground water may discharge such waste directly to the NMSC sewage treatment facility without the prior written approval of the NMSC, which shall be

given only after a sample of the waste proposed to be discharged is taken and analyzed by a certified laboratory approved by the NMSC, at the sole expense of the proposed discharger, and a written report of the analysis delivered to the NMSC by the laboratory. The NMSC may condition its approval of discharge directly to its treatment facility upon any further conditions which it deems necessary or expedient.

8. Rescinding Authority to Discharge. The NMSC may rescind at any time authority issued by it to discharge petroleum-contaminated ground water to its collection system or directly to its treatment facility.

IN WITNESS WHEREOF, the NMSC has caused these rules and regulations to be signed and attested by its duly authorized officers. These rules and regulations shall become effective on the date of their posting and publication.

Passed and adopted by the NMSC, in the City of Menasha, in the County of Winnebago, State of Wisconsin, on the 25th day of June, 1996, at a regular meeting of said body, and hereby ordered to be posted and published immediately.

Ayes 5 Nays 0

NEENAH-MENASHA SEWERAGE COMMISSION

By:

William J. Zelinski
William J. Zelinski, President

John Jurgenson
John Jurgenson, Secretary

Attested:

ABSENT

Dale Siebers

[Signature]

Robert Gross

[Signature]

Bill Helein

[Signature]

George Cowling

[Signature]

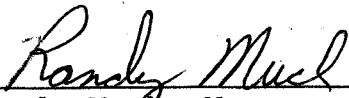
Ray Zielinski

NOTICE OF PUBLIC HEARING TO BE CONDUCTED BY THE NEENAH-MENASHA
SEWERAGE COMMISSION REGARDING PROPOSED RULES AND REGULATIONS
GOVERNING THE DISCHARGE OF PETROLEUM-CONTAMINATED GROUND WATER
AND OF A REGULAR MEETING OF THE NMSC TO FOLLOW IMMEDIATELY
THE CLOSE OF THE PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be conducted by the Neenah-Menasha Sewerage Commission (NMSC) on June 25, 1996, at 4:00 p.m., at the Commission offices located at 101 Garfield Avenue, City of Menasha, Winnebago County, Wisconsin, for the purpose of considering passage of rules and regulations governing the discharge of petroleum-contaminated ground water to NMSC. A copy of the proposed rules and regulations is available for inspection at the above office of the NMSC and at the public libraries located in the cities of Neenah and Menasha, Winnebago County, Wisconsin.

PLEASE TAKE FURTHER NOTICE that a regular meeting of the NMSC shall follow immediately the close of the aforesaid public hearing, at which meeting the Commission will consider adoption of the proposed petroleum-contaminated ground water rules and regulations and such other business as shall appear on the agenda for such meeting.

Dated this 10 day of June, 1996.



Randy Mugh, Manager
Neenah-Menasha Sewerage Commission

Published: June 13, 1996

NOTICE OF PUBLIC HEARING
TO BE CONDUCTED BY THE NEENAH-MENASHA SEWERAGE COMMISSION REGARDING PROPOSED RULES AND REGULATIONS GOVERNING THE DISCHARGE OF PETROLEUM-CONTAMINATED GROUND WATER AND OF A REGULAR MEETING OF THE NMSC TO FOLLOW IMMEDIATELY THE CLOSE OF THE PUBLIC HEARING.

PLEASE TAKE NOTICE that a public hearing will be conducted by the Neenah-Menasha Sewerage Commission (NMSC) on June 25, 1996, at 4:00 p.m., at the Commission offices located at 101 Garfield Avenue, City of Menasha, Winnebago County, Wisconsin, for the purpose of considering passage of rules and regulations governing the discharge of petroleum-contaminated ground water to NMSC. A copy of the proposed rules and regulations is available for inspection at the above office of the NMSC and at the public libraries located in the cities of Neenah and Menasha, Winnebago County, Wisconsin.

PLEASE TAKE FURTHER NOTICE that a regular meeting of the NMSC shall follow immediately the close of the aforesaid public hearing, at which meeting the Commission will consider adoption of the proposed petroleum-contaminated ground water rules and regulations and such other business as shall appear on the agenda for such meeting.

Dated this 10th day of June, 1996.
s/Randy Much, Manager
Neenah-Menasha Sewerage Commission
Run: June 13, 1996

Marion F. Van Zeeland being duly sworn on her oath, says that she is an employee of The Post-Crescent, a newspaper published by The Post-Crescent, Division of Thomson Newspapers (Wisconsin) Inc., a corporation organized under and by virtue of the laws of Wisconsin, whose principal place of business is at Appleton, Wisconsin, and that as such employee she makes this affidavit in its behalf and is authorized so to do;

That the said corporation is the publisher and printer of The Post-Crescent, a newspaper published and printed in the city of Appleton, Outagamie County, State of Wisconsin, and that the notice of which the annexed is a copy, taken from the paper in which it was published, was published in the said newspaper on the following day or days:

June 13, 1996

Marion F. Van Zeeland

Subscribed and sworn to before me this

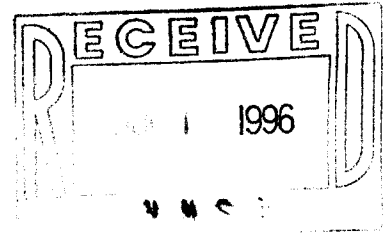
13 day of June 1996

Mary Kay Meulemans

Notary Public, Outagamie County, Wis.

My Commission Expires Sept. 29, 1996.

STATE OF WISCONSIN }
OUTAGAMIE COUNTY } SS.



NEENAH-MENASHA SEWERAGE
COMMISSION
RESOLUTION 96-2

PROMULGATING RULES REGULATING THE ACCEPTANCE OF PETROLEUM-CONTAMINATED GROUND WATER (ADOPTED PURSUANT TO AUTHORITY GRANTED UNDER WIS. STATS. SEC. 66.30, AND THE JOINTLY ENACTED 9/28/82 ENABLING ORDINANCE/CONTRACT, AS AMENDED, OF SEVERAL WINNEBAGO COUNTY MUNICIPALITIES WHICH RECREATED SAID COMMISSION) RECITAL

WHEREAS, The Neenah-Menasha Sewerage Commission (NMSC) has determined that it is necessary and expedient to adopt and promulgate written rules concerning the acceptance by NMSC of petroleum-contaminated ground water;

RESOLUTION
NOW, THEREFORE, the NMSC does hereby duly adopt the following rules and regulations concerning acceptance by the NMSC of petroleum-contaminated ground water:

1. **Effective Date of Rules.** These rules regulating the acceptance by NMSC of petroleum-contaminated ground water shall become effective the date on which this resolution is posted and published.

2. **Limitation of Geographical Area for Which Petroleum-Contaminated Ground Water May be Accepted.** On and after June 25, 1996, the NMSC shall not accept petroleum-contaminated ground water from any sites located outside of the NMSC service area, defined to be the sewer service area for the NMSC delineated by the East Central Wisconsin Regional Planning Commission from time to time.

3. **Contaminated Water From Service Area Sites.** At the NMSC's sole discretion, it may accept petroleum-contaminated ground water from sites located within its service area. Discharge approval for such water may be granted by the NMSC only after its prior determination that the discharge will not result in sewage treatment process inhibition, pass-through, or cause an adverse impact on sludge disposal options of the NMSC.

4. **Discharge Request Form.** Any entity seeking authority to discharge petroleum-contaminated ground water to the NMSC shall fully complete and sign a form prepared by the NMSC for that purpose and submit the completed, signed form to the NMSC and to the municipality to whose system the discharge will be made. The form shall include or have attached to it a copy of these rules and regulations.

5. **Discharge to Collection System.** No discharge of petroleum-contaminated ground water shall be made to any part of the NMSC waste water treatment system without the prior written approval of both the NMSC and of the municipality to whose system the discharge is proposed to be made.

6. **Conditions of Approval of Discharge.** If an application to discharge petroleum-contaminated ground water is approved by the NMSC, it may condition its approval upon such pretreatment of the contaminated ground water as the NMSC may specify. Discharge authority also may be conditioned by the NMSC upon whatever flow monitoring and testing requirements the NMSC shall deem necessary or expedient, as well as upon any other conditions which the NMSC may deem necessary or expedient.

7. **Hauling to and Discharge Directly to the NMSC Treatment Facility.** No discharger of petroleum-contaminated ground water may discharge such waste directly to the NMSC sewage treatment facility without the prior written approval of the NMSC, which shall be given only after a sample of the waste proposed to be discharged is taken and analyzed by a certified laboratory approved by the NMSC, at the sole expense of the proposed discharger, and a written report of the analysis delivered to the NMSC by the laboratory. The NMSC may condition its approval of discharge directly to its treatment facility upon any further conditions which it deems necessary or expedient.

8. **Reclaiming Authority to Discharge.** The NMSC may reclaim at any time authority issued by it to discharge petroleum-contaminated ground water to its collection system or directly to its treatment facility.

IN WITNESS WHEREOF, the NMSC has caused these rules and regulations to be signed and attested by its duly authorized officers. These rules and regulations shall become effective on the date of their posting and publication.

Passed and adopted by the NMSC, in the City of Menasha, in the County of Winnebago, State of Wisconsin, on the 25th day of June, 1996, at a regular meeting of said body, and hereby ordered to be posted and published immediately.

Ayes: 5 Nays: 0

NEENAH-MENASHA SEWERAGE
COMMISSION
By: s/William J. Zelinski
President
s/John Jurgenson
Secretary

Attested:
Dale Siebers (Absent)
s/Robert Gross
s/Bill Helein
s/George Cowling
s/Ray Zielinski
Run: June 30, 1996

Marion F. Van Zeeland being duly sworn on her oath, says that she is an employee of The Post-Crescent, a newspaper published by The Post-Crescent, Division of Thomson Newspapers (Wisconsin) Inc., a corporation organized under and by virtue of the laws of Wisconsin, whose principal place of business is at Appleton, Wisconsin, and that as such employee she makes this affidavit in its behalf and is authorized so to do;

That the said corporation is the publisher and printer of The Post-Crescent, a newspaper published and printed in the city of Appleton, Outagamie County, State of Wisconsin, and that the notice of which the annexed is a copy, taken from the paper in which it was published, was published in the said newspaper on the following day or days:

June 30, 1996

Marion F. Van Zeeland

Subscribed and sworn to before me this

1 day of July 1996

Mary Kay Meulmans

Notary Public, Outagamie County, Wis.

My Commission Expires Sept. 29, 1996.