§ 143-215.1C. Report to wastewater system customers on system performance; report
discharge of untreated wastewater to the Department; publication of notice of
discharge of untreated wastewater and waste.

(a) Report to Wastewater System Customers. – The owner or operator of any
wastewater collection or treatment works, the operation of which is primarily to collect or treat
municipal or domestic wastewater and for which a permit is issued under this Part and having
an average annual flow greater than 200,000 gallons per day, shall provide to the users or
customers of the collection system or treatment works and to the Department an annual report
that summarizes the performance of the collection system or treatment works and the extent to
which the collection system or treatment works has violated the permit or federal or State laws,
regulations, or rules related to the protection of water quality. The report shall be prepared on
either a calendar or fiscal year basis and shall be provided no later than 60 days after the end of
the calendar or fiscal year.

(a1) Report Discharge of Untreated Wastewater to the Department. – The owner or
operator of any wastewater collection or treatment works for which a permit is issued under
this Part shall report a discharge of 1,000 gallons or more of untreated wastewater to the
surface waters of the State to the Department as soon as practicable, but no later than 24 hours
after the owner or operator has determined that the discharge has reached the surface waters of
the State. This reporting requirement shall be in addition to any other reporting requirements
applicable to the owner or operator of the wastewater collection or treatment works.

(b) Publication of Notice of Discharge of Untreated Wastewater. – The owner or
operator of any wastewater collection or treatment works, the operation of which is primarily to
collect or treat municipal or domestic wastewater and for which a permit is issued under this
Part shall:

(1) In the event of a discharge of 1,000 gallons or more of untreated wastewater
to the surface waters of the State, issue a press release to all print and
electronic news media that provide general coverage in the county where the
discharge occurred setting out the details of the discharge. The owner or
operator shall issue the press release within 24 hours after the owner or
operator has determined that the discharge has reached the surface waters of
the State. The owner or operator shall retain a copy of the press release and a
list of the news media to which it was distributed for at least one year after
the discharge and shall provide a copy of the press release and the list of the
news media to which it was distributed to any person upon request.

(2) In the event of a discharge of 15,000 gallons or more of untreated
wastewater to the surface waters of the State, publish a notice of the
discharge in a newspaper having general circulation in the county in which
the discharge occurs and in each county downstream from the point of
discharge that is significantly affected by the discharge. The Secretary shall
determine, at the Secretary’s sole discretion, which counties are significantly
affected by the discharge and shall approve the form and content of the
notice and the newspapers in which the notice is to be published. The notice
shall be captioned "NOTICE OF DISCHARGE OF UNTREATED
SEWAGE". The owner or operator shall publish the notice within 10 days
after the Secretary has determined the counties that are significantly affected
by the discharge and approved the form and content of the notice and the
newspapers in which the notice is to be published. The owner or operator
shall file a copy of the notice and proof of publication with the Department
within 30 days after the notice is published. Publication of a notice of
discharge under this subdivision is in addition to the requirement to issue a press release under subdivision (1) of this subsection.

(c) Publication of Notice of Discharge of Untreated Waste. – The owner or operator of any wastewater collection or treatment works, other than a wastewater collection or treatment works the operation of which is primarily to collect or treat municipal or domestic wastewater, for which a permit is issued under this Part shall:

(1) In the event of a discharge of 1,000 gallons or more of untreated waste to the surface waters of the State, issue a press release to all print and electronic news media that provide general coverage in the county where the discharge occurred setting out the details of the discharge. The owner or operator shall issue the press release within 24 hours after the owner or operator has determined that the discharge has reached the surface waters of the State. The owner or operator shall retain a copy of the press release and a list of the news media to which it was distributed for at least one year after the discharge and shall provide a copy of the press release and the list of the news media to which it was distributed to any person upon request.

(2) In the event of a discharge of 15,000 gallons or more of untreated waste to the surface waters of the State, publish a notice of the discharge in a newspaper having general circulation in the county in which the discharge occurs and in each county downstream from the point of discharge that is significantly affected by the discharge. The Secretary shall determine, at the Secretary's sole discretion, which counties are significantly affected by the discharge and shall approve the form and content of the notice and the newspapers in which the notice is to be published. The notice shall be captioned "NOTICE OF DISCHARGE OF UNTREATED WASTE". The owner or operator shall publish the notice within 10 days after the Secretary has determined the counties that are significantly affected by the discharge and approved the form and content of the notice and the newspapers in which the notice is to be published. The owner or operator shall file a copy of the notice and proof of publication with the Department within 30 days after the notice is published. Publication of a notice of discharge under this subdivision is in addition to the requirement to issue a press release under subdivision (1) of this subsection. (1999-329, s. 8.1; 1999-456, s. 68; 2010-180, s. 5; 2014-122, s. 6(a).)