

## ATTACHMENT B

### METROPOLITAN AIRPORTS COMMISSION POLICY FOR SANITARY SEWER AND WATER INSTALLATION AT THE RELIEVER AIRPORTS

The Metropolitan Airports Commission (MAC) has adopted on the 19<sup>th</sup> day of October, 1998, the following policy relative to the installation of sanitary sewer and water facilities at its reliever airports:

1. All septic systems or other sanitary facilities, except as provided in Paragraph 4 below, must be discontinued and properly closed out or abandoned either (a) within 24 months after the original adoption date of this policy, or (b) or within the timelines specified by the Minnesota Pollution Control Agency or the applicable city ordinance where the airport is located if less than 24 months. All wells, except as provided in Paragraph 4 below, must be discontinued and properly closed out either (a) within 24 months after the original date of this policy if at the St. Paul Downtown Airport, (b) within 31 months after the original adoption date of this policy if at the Anoka County – Blaine or Crystal Airports, (c) within 48 months after the original adoption date of this policy if at the Airlake, Flying Cloud, or Lake Elmo Airports, or (d) within the timeline specified by the Minnesota Department of Health or the applicable city ordinance where the airport is located if less than 24, 31 or 48 months, respectively. Tenants will be responsible for discontinuing and properly closing out or abandoning their private systems.
2. MAC will install trunk and lateral water and sanitary sewer mains to service areas for tenant use at the reliever airports. The lateral lines will be extended to a tenant's lease line for hookup by the tenant.
3. Any tenant intending to provide sanitary services or water in their lease space must do so by connecting to the available sanitary sewer and water. At no time will tenants be allowed to connect to only sanitary sewer or water and provide the other by installing or maintaining a private system. No new well or septic installations will be allowed after the adoption of this policy. Any tenant upgrading existing well or septic systems to become compliant after the adoption of this policy is still obligated to connect to sewer and water (pursuant to Paragraph 1 above) and will not be eligible for reimbursement for costs associated with properly closing out or abandoning systems as outlined in Paragraph 11 below.
4. Any tenant who currently has, within their lease space, a system which includes a well or septic system or both and the entire system is in compliance with all state and local laws at the time this policy is adopted, will be allowed to continue operation of the system for a maximum of 24 months from the date that sewer and water service becomes "available" to that leasehold, unless the local jurisdiction requires otherwise. When the sanitary sewer and/or water lines about a tenant's

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leasehold, then sanitary sewer and/or water shall be considered "available" to that leasehold. Installation of a "trunk" line does not constitute "availability" in and of itself. Tenants are obligated to maintain a complying system from the date this policy is adopted, including throughout the 24-month period. If the tenant's existing system currently includes a non-complying well or septic system or either the well or septic system become non-complying after the date this policy is adopted, including during the 24-month period described above, the system may be upgraded to a compliant system if: a) the existing system can be made compliant without the installation of a new deep well; b) if the tenant is willing to pay for the upgrades; and c) the upgrades do not cause any other leaseholder's private system to become non-compliant. If either the well or septic system cannot be brought into compliance, then the entire system must be discontinued as described in Paragraph 1 above.

5. All tenants required by MAC Ordinance 78 - Minimum Standards, or as amended, to provide a restroom facility must connect to and utilize the sewer and water system at the airport within the timeline specified in Paragraph 1 above. The exception provided in Paragraph 4 above will not apply to these tenants.
6. MAC will determine the service and non-service areas at the airport. Any tenant located within a service area and not required to connect to the sanitary sewer and water system as described in Paragraph 5 above may, at their discretion, connect to the sewer and water system at the airport only if the tenant agrees to pay the applicable fees as determined by the MAC.
7. A tenant in a non-service area may only connect to the sewer and water system if:
  - A. Tenant petitions MAC to provide service that would allow tenant to connect to the sewer and water systems; and
  - B. MAC agrees to provide a lateral line at a time determined by MAC; and
  - C. Tenant pays applicable fees.
8. MAC may, in response to a tenant request or at MAC's discretion, change a non-service area or a portion thereof, to a service area.
9. All new building areas constructed by MAC will have sanitary sewer and water trunk and lateral pipes installed at the time of construction. No private well or sewage disposal system installation will be allowed in new building areas.
10. The cost of the sanitary sewer and water trunk and lateral installation will be borne by MAC, less an Airport Utility Charge (AUC) in the amount of \$4,500 per connection to be paid by the tenant. This fee will be paid to MAC at the time of connection. The AUC will be inflated annually, beginning January 2001, at a 3% interest rate to account for inflation. This increase will occur regardless of when services are provided to any area of an airport.

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11. Tenants will receive reimbursement from MAC for costs associated with properly abandoning existing well and septic systems. The reimbursement will be in the form of a credit applied on the tenant's AUC or cash in the event that the tenant chooses not to connect to the MAC system. The amount reimbursed will be the actual cost of abandonment as documented by receipts, up to a maximum of \$2,500 per leasehold. The maximum reimbursement amount will be reviewed annually on the anniversary of adoption and adjusted accordingly by staff to reflect the cost of inflation. Any new holding tanks installed or upgrades to existing systems completed after the adoption of this policy will not be eligible for reimbursement.
12. Individual tenants will be responsible for making and maintaining the necessary plumbing connections to the lateral or trunk line services at their own expense. In addition, each tenant shall be responsible for Sewer and Water Access Charges (SAC & WAC) as levied by the Metropolitan Council Environmental Services (MCES) and the City at the time of connection. Tenants will be responsible for all City and other charges, including but not limited to meter charges, taxes, permit or inspection fees. Tenants will pay monthly or quarterly charges as invoiced by the City for the amount of usage.
13. Non-conformance with this policy or unauthorized connections to the available sanitary sewer and water is a violation of this policy. MAC, or other applicable regulatory authority, may take any action authorized by law.