

TOWN OF HADLEY

In the year two thousand and eight (2008)

SEWER USE RULES AND REGULATIONS

Be it ordained by the Board of Sewer Commissioners of the Town of Hadley, as follows:

ARTICLE 1

DEFINITIONS

- Sec. 1 "Act" or "The Act" shall mean the Federal Water Pollution Control Act, also known as the Clean Water Act as amended, 33 U.S.C. 1251, et seq.
- Sec. 2 "Applicant shall mean any person requesting approval to discharge wastewaters into the municipal facilities or a new connection to the wastewater works.
- Sec. 3 "Approval Authority" shall mean the Administrator of the EPA.
- Sec. 4 "Authorized Representative of Industrial User " shall mean:
- (a) A principal executive officer of at least the level of Vice President, if the Industrial user is a corporation;
 - (b) A general partner or proprietor if the Industrial user is a partnership or proprietorship, respectively or ;
 - (c) A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the wastewater discharge originates.
- Sec. 5 "Best Management Practices" shall mean practices such as preventative maintenance, scheduling of activities or process alterations which enable the user to comply with the provisions of this Document or any applicable State and/or Federal Guidelines.
- Sec. 6 "Board of Sewer Commissioners" shall mean the administrative body for the sewer Department in the Town of Hadley.
- Sec. 7 "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five (5) days at 20degrees C expressed in milligrams per liter.
- Sec. 8 "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer beginning ten (10) feet outside the inner face of the building wall.

- Sec. 9 "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.
- Sec. 10 "Categorical Pretreatment Standards" shall mean any regulation containing pollutant discharge limits promulgated by EPA in accordance with Section 307(b) and (c) of the Clean Water Act (33 U.S.C. 1317) which apply to a specific category of users which appear in 40 CFR Chapter 1 subchapter N, Parts 405-471.
- Sec. 11 "Chief Operator" shall mean the person under the direction of the Sewer Commission responsible for the operation, control and staffing of the wastewater treatment plant, pumping stations, and sewer collection system, including laboratory and quality control operations in compliance with all state and federal mandates and operating permits.
- Sec. 12 "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.
- Sec. 13 "Commission" shall be another name that is used in referring to the Board of Sewer Commissioners.
- Sec. 14 "Compatible Sewer" shall mean wastewater constituents for which the POTW was designed or is operated to adequately treat.
- Sec. 15 "Cooling water" shall mean water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.
- Sec. 16 "Control Authority" shall mean the office of the Sewer Commissioners.
- Sec. 17 "Department" shall refer to the Town of Hadley sewer department.
- Sec. 18 "Discharge Document" shall mean either the previously negotiated agreements or a wastewater discharge permit and shall include the criteria for discharge to the POTW.
- Sec. 19 "Domestic Wastes" shall mean either the liquid waste from
- (a) The non-commercial preparation, cooking and handling of food or
 - (b) Containing human excrement and similar matter from the sanitary conveniences of dwellings, commercial buildings, industrial facilities, and institutions.
- Sec. 20 "Excessive" shall mean amounts or concentrations of a constituent of wastewater which in the judgment of the Commission:
- (a) Will cause damage to the Town facility;
 - (b) Will be harmful to a wastewater treatment process;
 - (c) Cannot be removed in the Town treatment works to the degree required to meet the limiting stream classification standards of the Connecticut River and or EPA and State effluent standards;

- (d) Can otherwise endanger life, limb, or public property, or;
- (e) Can constitute a nuisance.

Sec. 21 “Facilities” shall mean pumps, pump stations, pipes, force mains, or other appurtenances for handling or conveying sanitary sewage.

Sec. 22 “Garbage” shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage and sale of produce.

Sec. 23 “Grab Sample” shall mean a sample which is taken from a waste stream on a one time basis with no regard to the flow in the waste stream and without consideration of time.

Sec. 24 “Holding Tank Waste shall mean any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump trucks.

Sec. 25 “Indirect Discharge” shall mean discharge or the introduction of nondomestic pollutants from any source regulated under Section 307(b),(c), or (d) of the Act into the POTW: (including holding tank waste discharged into the system.)

Sec. 26 “Industrial Discharge Permit” shall mean the permit required to be obtained from the Town by Significant Industrial Users to discharge to the Town’s POTW, as set forth in Section 22-45 of this Ordinance.

Sec. 27 “Industrial User” shall mean a source of Indirect Discharge which does not constitute a “discharge of Pollutants” under regulations issued pursuant to Section 402 of the Act (33 USC 1342).

Sec. 28 “Industrial Wastes” shall mean the liquid or solid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.

Sec. 29 “Interference” shall mean a discharge by an industrial user which, alone or in conjunction with discharge by other sources, inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal and which is a cause of a violation of any requirements of the POTW’s NPDES permit (including an increase in the magnitude or duration of a violation) or the prevention of sewage sludge use or disposal by the POTW in accordance with the following statutory provisions and regulations or permits issued there under(or more stringent state or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act(SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act(RCRA) and including state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Water Act, the Toxic Substances Control Act, and the Marine Protection Research and Sanctuaries Act.

Sec.30 “National Pretreatment Standards” shall mean any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) of the Act, which applies to

Industrial users. This term includes prohibitive discharge limits established pursuant to 403.5.

Sec. 31 “National Prohibitive Discharge Standard” or “Prohibitive Discharge Standard” shall mean any regulation developed under the authority of 307(b) of the Act and 40 CFR, section 403.5

Sec. 32 “Natural Outlet” shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface ground water.

Sec. 33 “New Source” shall mean any building structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment Standards under Section 307(c) of the Act which will be applicable to such source if such Standards are thereafter promulgated in accordance with that section provided that:

- a) The building, structure, facility, or installation is constructed at a site at which no other source is located; or
- b) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
- c) The production of wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site; substantially independent” to be determined by factors cited in 40 CFR 403.3(k).

Sec.34 “Normal Operating Day” shall mean a 24-hour day in which the standard and routine operations and work of the facility is conducted. It would include, but is not limited to: daily cleaning, routine maintenance, and production. It would include: work stoppages, scheduled and unscheduled shutdowns, holiday schedules, major cleanups and the like.

Sec. 35 “National Pollution Discharge Elimination System” or “NPDES” shall mean a permit issued pursuant to Section 402 of the Act (33USC.1324).

Sec. 36 “Oil and Grease” shall mean any material (animal, vegetable, or hydrocarbon) which is extractable from an acidified sample of waste by Freon or other designated solvent and as determined by the appropriate standard procedure.

Sec. 37 “Pass-Through shall mean the discharge of pollutants through the POTW into navigable waters in quantities or concentrations which alone or in conjunction with discharges from other sources, are a cause of a violation of any requirement of the POTW’s NPDES permit (including an increase in the magnitude or duration of a violation).

Sec.38 “Person” shall mean any individual, firm, company, association, society, corporation, group, government agencies or their representatives.

Sec. 39 “ph” shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Sec.40 “Pollution” shall mean the man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.

Sec. 41 “Pollutant” shall mean any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, or industrial, municipal, or agricultural waste discharged in water.

Sec. 42 “Pretreatment” or “Treatment” shall mean the reduction of the amounts of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants to the POTW. The reduction or alteration can be obtained by physical or biological processes, or process changes other than the above means, except as prohibited by CFR Section 403.6(d).

Sec.43 “Pretreatment Requirements” shall mean any substantive or procedural requirements related to pretreatment, other than a National Pretreatment Standard, imposed on an industrial user.

Sec.44 “Properly Shredded Garbage” shall mean the wastes from the preparation, cooking, and dispensing of foods that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally present in public sewers, with no particle greater than one-half inch (1.27 centimeters) in any direction.

Sec.45 “Publically Owned Treatment Work” or “POTW” shall mean the Town owned treatment works as defined in Section 212 of the Act (33u.S.C. 1292). This definition includes any sewers that convey wastewater to the POTW treatment plant, but does not include pipes, sewers, or other conveyances not connected to a facility providing treatment. For the purpose of the ordinance “POTW” shall also include any sewers that convey wastewater to the POTW from persons outside the Town who are, by agreement with the Town, users of the Town’s POTW.

Sec.46 “Public Sewer” shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by a public authority.

Sec. 47 “POTW” shall mean that portion of the POTW designed to provide treatment to wastewater.

Sec. 48” “Receiving Waters” shall mean any watercourse, river, pond, ditch, lake, aquifer, or other body of surface or groundwater receiving discharge of wastewaters.

Sec.49” “Sanitary Sewer” shall mean a sewer which carries sewage and to which storm, surface, and groundwaters are not intentionally admitted.

Sec.50 “Septage” shall mean the sludge produced in individual domestic on-site wastewater disposal systems, such as septic tanks and cesspools

Sec.51" Sewage" shall mean a combination of the water carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and stormwaters as may be present.

Sec.52" Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.

Sec.53" Sewage Works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage.

Sec.54" Sewer" shall mean a pipe or conduit for carrying sewage.

Sec.55" Sewer Connection" shall mean a sewer pipeline running laterally from a street sewer, an offset sewer or a trunk sewer to an individual tract, lot, or parcel of land to serve one or more houses or other buildings, whether or not connected to any house or building.

Sec.56" Shall" is mandatory, "May" is permissive.

Sec.57" Significant Industrial User" or "Significant User" shall mean any industrial User of the Town's POTW who:

- (a) Discharges 25,000 gallons per day or more of process wastewater (excluding sanitary, noncontact cooling, and boiler blowdown) to the POTW, or
- (b) Contributes a process waste stream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW, or
- (c) Is found by the Town to have a reasonable potential for adversely affecting the POTW's operation for violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(f)(6), or
- (d) Is an industrial user subject to categorical pretreatment standards?

Sec. 58 "Slug" shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

Sec.59 "Standard Industrial Classifications (SIC) shall mean a classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, office of Management and Budget, 1972.

Sec. 60 "Standard Laboratory Procedures" Shall mean those methods outlined in the most recent edition of the EPA manual Methods for Chemical Analysis of Water and Wastes, and/or the APHA, AWWA, WPCP, publication Standard Methods for The Examination of Water and Wastewater, or in 40 CFR 136.

Sec.61 "State" shall mean the Massachusetts Division of Water Pollution Control.

Sec. 62 "Storm Drain" (sometimes termed Stormed Sewer) shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

Sec.63 "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and are removable by laboratory filtering, and are referred to as non-filterable residue in the laboratory test procedures prescribed by the EPA.

Sec.64 "Town" shall mean the Town of Hadley acting through the Board of Sewer Commissioners

Sec. 65 "Toxic Substances" shall mean any substance or mixture, whether gaseous, liquid, or solid, which, when discharged into the sewer system, may tend to interfere with any wastewater treatment process, constitute a hazard to human beings or animals, inhibit aquatic life, or create a hazard to recreation in the receiving waters of the effluent from POTW.

Sec.66 "Unpolluted Water" shall mean water whose discharge will not cause any violation of receiving water standards of the commonwealth of Massachusetts.

Sec.67 "Upset" shall mean an incident in which there is unintentional and temporary non-compliance with Categorical Pretreatment Standards or the provisions of this Ordinance because of factors beyond the control of the industrial User. An upset does not include non-compliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

Sec.68 "USER" shall mean any person who contributes causes or permits the contribution of wastewater into the Town's POTW.

Sec.69 "Wastes" Shall mean substances in liquid, solid, or gaseous forms that can be carried in water.

Sec.70 "Wastewater" shall mean the spent water of a community which may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and storm water that may be present.

Sec.71 "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

ARTICLE II

BUILDING SEWERS AND CONNECTIONS

Sec. 1 No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Board of Sewer Commissioners. No person shall break into or connect to a public sewer except under

the Supervision of the Commissioners.

Any person proposing a new discharge into the system shall notify the Board of Sewer Commissioners at least forty-five (45) days prior to the proposed change or connection.

Sec.2 The Board of Sewer Commissioners shall establish a Schedule of Entrance Fees. The owner or his agent shall make application on a special form furnished by the Town. The permit applications shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Board of Sewer Commissioners.

Such plans and specifications shall be prepared and/or reviewed by the Board's consulting engineer and shall include the engineer's recommendations. All permit applications requiring an application under 314CMR 7.00 Massachusetts Sewer System Extension and Connection Permit Program shall be prepared and/or reviewed by the Board's consulting engineer. All costs incurred by the Board's consulting engineer shall be borne by the applicant.

The Board of Sewer Commissioners shall impose a Project Review Fee on those applicants which require in the judgment of the Board review by outside consultants due to the size, scale, or complexity of the proposed project, the projects potential impacts, or because the Town lacks the necessary expertise to perform the review work related to the permit or approval. The Board of Sewer Commissioners may engage engineers, planners, lawyers, designers, or other appropriate professionals able to assist the Board and to ensure compliance with all relevant laws, bylaws and regulations. Such assistance may include, but shall not be limited to, analyzing an application, monitoring or inspecting a project or site for compliance with the Board decisions or regulations, or inspecting a project during construction or implementation. Upon receipt of an application for approval by the Board of Sewer Commissioners, the Board shall submit plans and/or other pertinent information to the consultant chosen by the Board in order to obtain an estimate of the cost of consulting or review services. On receiving notification of the estimate, the applicant shall submit the amount indicated to the Board. No review work shall commence until the estimated fee has been paid in full. Failure to submit the fee within five (5) business days following the notification shall be reason for denial of the plan for failure to comply with these regulations.

In the event that the cost of the consulting or review services exceeds the estimate, the applicant shall be responsible for any such additional cost and shall pay same to the Board. If the cost of the review services is less than the estimate, any excess review fee should be returned to the applicant.

Sec. 3 Entrance fees shall not include installation and connection costs. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Town from loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. No sewer permit will be issued unless the person applying for the permit has

deposited a certified check, cashier's check, or money order, payable to the Town in the amount determined by the Board in accordance with the approved "Schedule of Entrance Fees."

Sec.4 A separate an independent building sewer shall be provided for every residential building; except where an accessory building sharing the same building sewer on the same lot may be approved by the Commission. Commercial projects and sites are exempt from this regulation.

Sec.5 Old building sewers may be used in connection with new buildings only when they are found, on examination and tests by the Commission, to meet all requirements of these regulations.

Sec.6 The size, slope, alignment, materials of a construction of a building sewer, and the methods to be used in excavating, placing the pipe, jointing, testing and backfilling the trench shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town. In absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No.9 shall apply.

Sec.7 Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer. Said lifting means shall be installed, operated and maintained by the owner of the building and shall not be the responsibility of the Town.

Sec.8 No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or ground water to a building sewer or building drain which is in turn directly or indirectly to a public sanitary sewer.

Sec.9 The connection of the building sewer into the public sewer shall confirm to the requirements of the building and plumbing code or other applicable rules and regulations of the Town or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. of Practice No. 9. All such connections shall be made gas tight and water tight. Any deviation from the prescribed procedures and materials must be approved by the Board before installation.

Sec. 10 The applicant for the building permit shall notify the Commission when the building is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Board.

Sec.11 All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks. Parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Board.

ARTICLE III

USE OF THE PUBLIC SEWER

Sec.1 No person shall discharge or cause to be discharged any stormwaters, surface water, groundwater, roof runoff, sub-surface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

Sec.2 Stormwater and all other unpolluted drainage shall be discharges to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Commission. Industrial cooling water or unpolluted process waters may be discharged on approval of the Commission, to a storm sewer, or natural outlet.

Sec.3 No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

- (a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
- (b) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant
- (c) Solid or viscous substances in quantities or such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshing's, entrails, and paper dishes, cups, milk containers, etc. either whole or ground by garbage grinders.

Sec4. No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes, if it appears likely in the opinion of the Commission that such wastes can harm either the sewers, sewage treatment process, or equipment or have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming their opinion as to the acceptability of these wastes the Commission will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

- (a) Any liquid or vapor having a temperature higher than 40 degrees C (104F) at the POTW treatment plant.
- (b) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mgm/l or containing substances which may solidify or become viscous at temperatures between thirty two (32) and one hundred fifty (150) F(0 and 65 C)
- (c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76hp metric) or greater shall be subject to the review and approval of the Commission.

- (d) Any water or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- (e) Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Commission for such materials.
- (f) Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Commission as necessary, after treatment of the composite sewage to meet the requirements of the State, Federal, or other public agencies or jurisdiction for such discharge to the receiving waters.
- (g) Any radioactive wastes or isotopes of such half life or concentration as may exceed limits established by the Commission in compliance with applicable State or Federal regulations.
- (h) Any waters or wastes having a ph in excess of 9.5 or wastes having a ph lower than 5.5 having other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
- (i) Materials which exert or cause:
 - (1) unusual concentrations of inert suspended solids (such as, but not limited to , fullers earth, lime slurries, and line residues) or of dissolved solids(such as but not limited to, sodium chloride and sodium sulfate).
 - (2) Excessive discoloration (such as but not limited to, dye wastes and vegetable tanning solutions).
 - (3) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 - (4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
- (J) Waters or wastes containing substances which are not amenable to treatment or reduction by sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

Sec. 5 If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substance or posses the characteristics enumerated in Section 4 of this Article, and which in the judgment of the Commission may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Commissioners may:

- (a) Reject the wastes,
- (b) Require pretreatment to an acceptable condition for discharge to the public sewers,
- (c) Require control over the quantities and rates of discharge, and/or
- (d) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 10 of this Article.

If the Commission permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Commission and subject to the requirements of all applicable codes, ordinances, and laws.

Sec. 6 Grease, oil, and sand interceptors shall be provided when, in the opinion of the Commission, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Commission and shall be located as to be readily and easily accessible for cleaning and inspection.

- a. All exterior grease traps shall be a minimum of 1500 gallon capacity
- b. In areas subject to traffic type H-20 grease traps are required
- c. In areas where ground water is present and exceeds the inlet and or outlet ports a Monoethic/ Watertight tank is required.
- d. All grease traps shall be installed by a registered installer.
- e. A plan for exterior grease traps shall be submitted to the Commission for approval. Where establishments exceed the 1500 gallons per day design flow a Massachusetts certified engineered plan is required prior to approval.
- f. All installations shall be inspected prior to being backfilled by sewer department personnel
Outdoor in Ground Grease Trap/ Interceptor shall be installed on a separate building sewer line servicing kitchen flows and shall be connected to those fixtures or drains which would allow fats, oils, and grease to be discharged. This shall include:
 - (i) pot sinks;
 - (ii) pre-rinse sinks
 - (iii) any sink into which fats, oils, or grease are likely to be introduced;
 - (iv) soup kettles or similar devices;
 - (v) work stations;
 - (vi) floor drains or sinks into which kettles may be drained;
 - (vii) automatic hood wash units;
 - (viii) dishwashers without pre-rinse sinks; and
 - (ix) any other fixtures or drains that are likely to allow fats, oils, and grease to be discharged.

B. The grease trap/interceptor shall be watertight and constructed of concrete or other durable material. It shall be located so as to be accessible for convenient inspection and maintenance. No permanent or temporary structures or containers shall be placed directly over the grease trap/interceptor. Grease trap/interceptors installed in areas subject to traffic shall be designed to accommodate traffic loading.

C. Separate cleanout covers shall be provided over the inlet and outlet of the grease trap/interceptor so as to provide easy access for inspection and cleaning. Cleanout ports shall be fitted with manhole extensions to grade. In areas subject to traffic, the extensions shall be constructed of a material sufficient to withstand the traffic load. Where concrete covers are used, the lid must either weigh a minimum of fifty-nine (59) pounds or contain a locking mechanism to prevent unauthorized entrance. The manholes, extensions, and inlet and outlet access holes to the grease trap/interceptor shall have a minimum inside diameter of seventeen (17) inches.

D. The inlet and outlet piping shall be PVC ASTM D 1785 Schedule 40 with rubber compression gaskets or solvent weld couplings. The joints must meet ASTM D 3212 specifications. The authorized agent may approve other piping materials for use. The minimum diameter of the inlet and outlet piping shall be four (4) inches. The inlet and outlet shall utilize a tee-pipe fitting on the interior of the grease trap/interceptor. The tee-pipe of the inlet and outlet shall extend to within twelve (12) inches of the bottom and at least five (5) inches above the static liquid level of the tank.

E. The grease trap/interceptor shall be set level on a consolidated, stable base so that no settling or tipping of the grease trap/interceptor can occur.

F. The outlet discharge line from the grease trap/interceptor shall be directly connected to a sanitary sewer.

G. Should the authorized agent notify the permittee that testing is required, the testing shall be performed in either of the following manners;

(i) Vacuum Test- seal the tank and apply a vacuum to four (4) inches (50mm) of mercury. The tank is acceptable if 90% of a vacuum is held for two (2) minutes.

(ii) Water-Pressure Test- seal the tank, fill with water, and let stand for twenty-four (24) hours. Refill the tank. The tank is acceptable if the water level is held for one (1) hour.

H. For cleaning or servicing of grease trap/interceptor, including the removal and hauling of fats, oils, grease, and food wastes which are components of sewage, the permittee shall hire a grease trap/interceptor cleaner.

i. The permittee may use hot water, steam, chemicals, or biological additives in the normal course of facility maintenance, but may not intentionally use hot water, steam, physical means, chemicals, or biological additives that will cause the release of fats, oils, and grease from the grease trap/interceptor.

At times directed by the Commission, the Chief Operator shall cause the interceptor to be inspected. The owner shall have the interceptor accessible and shall have personnel on-site at the directed time to do all mechanical work to facilitate the inspection. A fee of \$75.00 shall be paid at the time of the inspection.

Sec.7 Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

Sec.8 When required by the Commissioners, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable manhole together with such necessary meters, and other appurtenances in the building sewers to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Commission. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

Sec.9 All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in these regulations shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, and shall be considered to be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customary accepted methods to reflect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls whereas ph's are determined from periodic grab samples. All industries discharging into a public sewer shall perform such monitoring of their discharges as the Commissioners may reasonably require, including installation, use, and maintenance of monitoring equipment, keeping records and reporting the results of such monitoring to the Commission. Such records shall be made available upon request by the Commission to other Agencies having jurisdiction over discharges to the receiving waters.

Sec.10 No statement contained in this article shall be construed as preventing any special agreement or arrangement between the Town and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Town for treatment, subject to payment therefore, by the industrial concern.

Sec.11 Any proposed development, commercial, institutional, residential or other, that requires pumping of wastewater through new facilities that are proposed to be maintained by the Town shall have a wastewater surcharge placed on all users of the facilities to maintain, operate, and to fund the future replacement cost of the facilities. Deed restrictions shall be placed on all said properties to

enforce this surcharge and shall be approved and accepted by the Board of Sewer Commissioners prior to sewer connection approval.

The surcharge shall be actual cost incurred by the Town during this period, prorated to each user, based on water meter readings during the period.

ARTICLE IV

PROTECTION FROM DAMAGE

Sec.1 No unauthorized person shall maliciously, willfully, or negligently break, damage destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

ARTICLE V

POWERS AND AUTHORITY OF INSPECTORS

Sec.1 The Commission and other duly authorized representatives of the Town bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of these regulations. The Commission or their representative shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind of source of discharge to the sewers or waterways or facilities for waste treatment.

Sec.2 While performing the necessary work on private properties referred to in Article V, Section 1 above the Commission or duly authorized representative of the Town shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the Town representative and the Town shall indemnify the company against loss or damage to its property by Town representatives and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article III Section8.

Sec.3 The Commission and other duly authorized representatives of the Town bearing proper credentials and identification shall be permitted to enter all private properties through which the Town holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE VI

INDUSTRIAL WASTES

Sec.1 The Board of Sewer Commissioners is authorized and empowered to enter into agreements or to make other arrangements for handling and treating industrial wastes which in its opinion are amenable to treatment in the Town's facilities. The said Board shall determine charges to be levied against various industries for the handling and treating of its industrial wastes.

ARTICLE VII

BILLING

Sec.1 The Board of Sewer Commissioners shall bill all users on a semi-annual basis based on the amount of water usage as recorded in the Water Department's records. The proportion of the usage and the billing rate shall be determined by the Board of Sewer Commissioners.

Sec.2 In those locations where a domestic water meter is not installed or available, or where the water usage does not reflect the sewer usage, the Board of Sewer Commissioners shall establish an alternative basis for billing sewer use.

Sec.3 The alternative basis for sewer use billing shall be based on the average of all domestic billings on the system as determined by the Board of Sewer Commissioners. The average domestic housing unit shall be assumed to have 18 fixtures units as described by the State Plumbing Code. The alternative billing shall be calculated by determining the number of fixtures units in the facility multiplied by the minimum domestic billing divided by eighteen (18), but the minimum billing shall not be less than the average domestic billing.

ARTICLE VIII

PENALTIES

Sec.1 Any person found to be in violating any provision of this ordinance except Article IV shall be served by the Town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Sec.2 Any person who shall continue any violation beyond the time limit provided for in accordance with Article VIII, Section 1, shall be assessed a civil penalty of up to five thousand dollars (\$5000.00) for each day of violation of any such rule or regulation.

Sec.3 Any person violating any provision of this ordinance shall become liable to the Town for any expense, loss, or damage occasioned the Town by reason of such violation.

Sec.4 The person to whom any written notice is served by the Board of Sewer Commissioners, pursuant to Article VII, Section1, may request a hearing before the Board of Sewer Commissioners, by filing within three (3) days (excluding Saturday, Sunday, and legal holidays) after the day the written notice was served or given, in the office of the Board of Sewer Commissioners, a written letter requesting a hearing on the matter. Upon receipt of such request, the Board of Sewer Commissioners shall set a time and place for such hearing and shall inform the petitioner thereof, in writing.

The hearing shall be commenced not later than five (5) days after the day on which the written request was filed and shall be concluded within five (5) days thereafter, provided that upon application of the petitioner, the said Board may postpone the date of the hearing for a reasonable time beyond the five (5) day period. At the hearing, the petitioner shall be given an opportunity to be heard and to show why the order or decision of the Board of Sewer Commissioners should be modified or withdrawn.

After the hearing, the Board of Sewer Commissioners shall sustain, modify, or withdraw their order of decision and shall inform the petitioner, in writing, of its decision within Three (3) days after the conclusion of the hearing.

If a written letter for hearing is not filed in the office of the Board of Sewer Commissioners within three (3) days (excluding Saturdays, Sundays and legal holidays) after an order, as provided in Article VIII, has been issued, or if after hearing the order has been sustained in any part, each day's failure to comply with the order as issued or modified shall constitute an additional offense.

ARTICLE IX VALIDITY

Sec.1All rules and regulations or parts thereof in conflict herewith are hereby repealed.

Sec.2 The invalidity of any section, clause, sentence, or provision of these rules and regulations shall not affect the validity of any part of these rules and regulations which can be given effect without such invalid part or parts.

ADOPTED BY THE BOARD OF SEWER COMMISSIONERS:

John Mieczkowski Chair

Raymond Shipman Jr. Clerk

Edward Kelley Member

These rules and regulations have been formulated under the provisions of Section 10 of Chapter 83, as amended, of the Massachusetts General Laws.

The effective date of the above rules and regulations commence upon the advertising in the Daily Hampshire Gazette on February 8, 2008.