

Chapter 88

WASTE WATER ORDINANCE
TOWN OF HENNIKER, NEW HAMPSHIRE
AUGUST 7, 1990
REVISED MAY 15, 2001

Pursuant to the authority of New Hampshire Revised Statute Annotated Chapter 149-I as amended, the Selectmen hereby enact an Ordinance relating to the sewerage system as follows:

TOWN OF HENNIKER SEWER ORDINANCE

Article I Description and Objectives

Section 1. Description

The sanitary sewerage system of the Town of Henniker consists of public lateral and interceptor sewers laid in the streets and right-of-ways, and a wastewater treatment plant, the locations of which are shown upon drawings and plans located in the Office of Sewer Commissioners, and all other appurtenances which are used in whole or in part in connection with the collection, treatment, and disposal of sewage and Industrial wastes; and all extensions, additions and improvements which may be made to such system. Its purpose is to provide for the collection and treatment of domestic sewage and such industrial wastes as are permitted by this Ordinance, in order to protect the health, safety, and general welfare of the residents of the Town of Henniker. This ordinance sets forth uniform requirements for contributors into the wastewater collection and treatment system for the Town of Henniker, N.H. and enables the Town to comply with all applicable State and Federal Laws required by the Clean Water Act of 1977 and the General Pretreatment Regulations (40 CFR, Part 403).

Section 2. Objectives

The objectives of this Ordinance are:

- A. To prevent the introduction of pollutants into the municipal wastewater system which will interfere with the operation of the system or contaminate the resulting sludge;
- B. To prevent the introduction of pollutants into the municipal wastewater system which will pass through the system, inadequately treated, into the receiving waters or the atmosphere or otherwise be incompatible with the system;
- C. To improve the opportunity to recycle and reclaim wastewater and sludges from the system;
- D. To provide for equitable distribution of the cost of the municipal wastewater system;
- E. To regulate the construction, use, repair, alterations and discontinuance or abandonment of sewers, drains and appurtenances and the connections thereto including drains and pipes discharging directly or indirectly into said sewers or drains.

This ordinance provides for the regulation of direct and indirect contributors to the municipal wastewater system through the issuance of permits to users and through enforcement of general requirements for all users, authorizes monitoring and enforcement activities, requires user reporting, assumes that existing customers= capacity will not be preempted, and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

This ordinance shall apply to the Town of Henniker and to persons outside the Town who are, by

contract or agreement with the Town, users of the POTW. Except as otherwise provided herein, the Superintendent of the POTW, under the direction of the Town Administrator shall administer and implement the provisions of this Ordinance. Enforcement of this Ordinance shall be the responsibility of the Sewer Commissioners.

Article II Definitions

- A. Unless a provision explicitly states otherwise, the following terms and phrases, as used in this Ordinance, shall have the meanings hereinafter designated.

1. Act or the Act. The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. ' 1251 et seq.

2. Approval Authority. The Regional Administrator of the EPA or his duly appointed agent.

3. Authorized Representative of the User.

a. If the user is a corporation:

i. The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

ii. The manager of one or more manufacturing, production, or operation facilities employing more than two hundred fifty (250) persons or having gross annual sales or expenditures exceeding twenty-five (25) million dollars (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

b. If the user is a partnership or sole proprietorship: a general partner or proprietor respectively.

c. If the user is a federal, state, or local government facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility.

d. The individuals described in paragraphs (a) through (c), above, may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the town.

4. Biochemical Oxygen Demand or BOD. The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20 centigrade, usually expressed as a concentration (e.g. mg/l).

5. Building Drain. That part of the lowest horizontal piping of a drainage system that receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet outside the inner face of the building wall.

6. Building Sewer. The extension from the building drain to the public sewer or other place of disposal, also called house connection.
7. Bypass. The intentional diversion of wastestreams from any portion of a wastewater treatment facility.
8. Categorical Pretreatment Standard of Categorical Standard. Any regulation containing pollutant discharge limitations promulgated by EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. ' 1317) that apply to a specific category of users and that appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.
9. Town. The Town of Henniker, New Hampshire.
10. Combined Sewer. A sewer intended to receive both wastewater and storm or surface water.
11. Commercial Use. Premises used for financial gain, such as business or industrial use, but excluding residential uses and related accessory uses.
12. Compatible Pollutant. Biochemical oxygen demand, suspended solids, pH, and fecal coliform bacteria.
13. Control Authority. The term Control Authority as used in this Ordinance, refers to the Town of Henniker or (Regional Administrator of the EPA.)
14. Domestic Wastewater or Sewage. Normal water-carried household and toilet wastes or waste from sanitary conveniences of residences, commercial buildings, and industrial plants, excluding ground, surface, or storm water. (See also: Industrial Wastes).
15. Easement. An acquired legal right for the specific use of land owned by others.
16. Environmental Protection Agency or EPA. The United States Environmental Protection Agency or, where appropriate, the EPA Regional Water Management Division Director, or other duly authorized official of said agency.
17. Existing Source. Any source of discharge, the construction or operation of which commenced prior to the publication by EPA of proposed categorical pretreatment standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.
18. Floatable Oil. Oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable oil if it is properly pretreated and the wastewater does not interfere with the collection system.
19. Force Main. A line without access from individual properties, providing a connection from a pump station to a pump station, trunk, or sanitary sewer main.
20. Garbage. The animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods.

21. Grab Sample. A sample that is taken from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.
22. Grease. The material removed from a grease interceptor (trap) serving a restaurant or other facility requiring such grease interceptors. Also means volatile and non-volatile residual fats, fatty acids, soaps, waxes and other similar materials.
23. Hauler. Those persons, firms, or corporations, who pump, haul, transport, or dispose of septage and who are licensed by the New Hampshire Department of Environmental Services pursuant to RSA 485-A:4,XVI-a and rules adopted to implement said section.
24. Human Excrement and other Putrescible Material. The liquid or solid matter discharged from the intestinal canal of a human, or other liquid or solid waste materials that are likely to undergo bacterial decomposition; (provided, however, that these terms shall not include refuse as defined in RSA 145-M).
25. Incompatible Pollutant. Any pollutant that is not a compatible pollutant.
26. Industrial Discharge Permit or IDP. The written permit between the town and an industrial user that outlines the conditions under which discharge to the POTW will be accepted.
27. Industrial User. A person who discharges industrial wastes to the POTW of the town.
28. Industrial Wastes or Non-Domestic Wastewater. The wastewater and waterborne wastes from any liquid, gaseous, or solid waste substance resulting from any process of industry, manufacturing trade, or business or from development of any natural resources as distinct from domestic wastewater, sewage or unpolluted water.
29. Indirect Discharge or Discharge. The introduction of pollutants into the POTW from any non-domestic source regulated under Section 307(b), (c), or (d) of the Act.
30. Instantaneous Discharge Limit. The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composite sample collected, independent of the industrial flow rate and the duration of the sampling event.
31. Interference. A discharge, which alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and therefore is a cause of a violation of the town's NPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent state or local regulations; Section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as RCRA; any state regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; the Marine Protection, Research, and Sanctuaries Act; 40 CFR Part 503 Standards for Sewage Sludge Use and Disposal and RSA 485-A:4,XVI-a.
32. Local Limits. Numerical limitations on the discharge of pollutants established by the town, as

distinct from state or federal limitations for non-domestic wastewater discharged to the POTW.

33.May. Means permissive (see AShall@).

34.Medical Waste. Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, chemotherapy wastes, and dialysis wastes.

35.National Pollutant Discharge Elimination System Permit or NPDES Permit. A permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).

36.Natural Outlet. Any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake or other body or surface water or groundwater.

37.Normal Domestic Wastewater. Wastewater generated by residential users containing not more than 200 mg/l BOD and not more than 250 mg/l suspended solids.

38.New Source.

a.Any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced subsequent to the publication of proposed pretreatment standards under Section 307(c) of the Act that will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:

i.The building, structure, facility, or installation is constructed at a site at which no other source is located; or

ii.The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or

iii.The production or wastewater-generating processes of the building , structure facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent,, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, will be considered.

b.Construction of a new source as defined under this paragraph has commenced if the owner or operator has:

i.Begun, or caused to begin, as part of a continuous on-site construction program

ia. any placement, assembly, or installation of facilities or equipment; or

ib. significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities that is necessary for the placement, assembly, or installation of new source facilities or equipment; or

- ii. Entered into a binding contractual obligation for the purchase of facilities or equipment that are intended to be used in its operation within a reasonable time. Options to purchase or contracts that can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.
 - c. Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting criteria of Section (a)(ii) or (a)(iii) above but otherwise alters, replaces, or adds to existing process or production equipment.
39. Non-Contact Cooling Water. Water used for cooling that does not directly contact any raw material, intermediate product, waste product, or finished product.
40. Pass Through. A discharge that exits the POTW into waters of the United States in quantities or concentrations that, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the town's NPDES permit, including an increase in the magnitude or duration of a violation.
41. Person. Any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents or assigns. This definition includes all federal, state, and local government entities.
42. pH. A logarithmic measure devised to express the hydrogen ion concentration of a solution, expressed in Standard Units. Solutions with pH values greater than 7 are basic (or alkaline); solutions with pH values less than 7 are acidic.
43. Pollutant. Dredged soil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, ammunition, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes, and characteristics of wastewater (e.g. pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).
44. Pollution Prevention. The use of materials, processes, or practices that reduce or eliminate the creation of pollutants or wastes at the source, or minimize their release to the environment prior to recycling, treatment or disposal. It includes practices that reduce the use of hazardous materials, energy, water or other resources. It also includes practices that protect natural resources and human health through conservation, more efficient use, or effective release minimization.
45. Pretreatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.
46. Pretreatment Requirements. Any substantive or procedural requirement related to

pretreatment imposed on a user, other than a pretreatment standard.

47. Pretreatment Standards or Standards. Pretreatment standards shall mean prohibited discharge standards, [categorical pretreatment standards] and local limits.
48. Prohibited Discharge Standards or Prohibited Discharges. Absolute prohibitions against the discharge of certain substances as identified in Article IX, Section 1 of this Ordinance.
49. Properly Shredded Garbage. Wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be transported freely under the flow conditions normally prevailing in public sewers, with no particle greater than 2 inch in any direction.
50. Public Sewer. A pipe or conduit that carries wastewater, storm water, groundwater, subsurface water, or unpolluted water from any source, which is controlled by a governmental agency or public utility.
51. Publicly Owned Treatment Works or POTW. A treatment works, as defined by Section 212 of the Act (33 U.S.C. § 1292) that is owned by the town. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature. It also includes sewers, pipes, and other conveyances only if these structures convey wastewater to a POTW wastewater treatment facility. The term also means the municipality that has jurisdiction over discharges to and from such a treatment plant, and any sewer that conveys wastewater to the POTW from persons outside the town who are, by contract or agreement with the town, users of the town's POTW.
52. Recreational Vehicle or RV. A mobile vehicle or trailer used for temporary living, e.g. a camper or wholly self-contained transport and living unit.
53. Sanitary Sewer. A sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial facilities, and institutions, together with minor quantities of ground, storm, and surface waters that are not admitted intentionally.
54. Screening Level. That concentration of a pollutant that under baseline conditions would cause a threat to personnel exposed to the pollutant, or would adversely impact structures of the POTW. To be administered as local limits applicable to a particular discharge, the screening levels must be adjusted to account for conditions at the point of discharge that differ from baseline conditions.
55. Semi-Public Use. Premises of private, non-profit organizations such as schools, hospitals, and religious institutions.
56. Septage or Septic Tank Waste. Any liquid, solid, or sludge pumped from chemical toilets, vaults, septic tanks, or cesspools or other holding tanks, that have received only domestic wastewater.
57. Septage Tank Truck. Any watertight vehicle that is used for the collection and hauling of septage as described above and that complies with the rules of the New Hampshire Department of Environmental Services.

58. Sewage. Human excrement and gray water (household showers, dishwashing operations, etc.).

59. Sewer. A pipe or conduit that carries wastewater, storm water, groundwater, subsurface water, or unpolluted water from any source.

60. Shall. Means mandatory (see AMay@).

61. Significant Industrial User.

a. A user subject to categorical pretreatment standards under 40 CFR 403.8 and 40 CFR Chapter I, Subchapter N; or

b. A user that:

i. Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, non-contact cooling, and boiler blowdown wastewater);

ii. Contributes a process wastestream that comprises five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or

iii. Is designated as such by the town on the basis that it has a reasonable potential for adversely affecting the POTW=s operation or for violating any pretreatment standard or requirement.

c. Upon determining that a user meeting the criteria in Subsection b.i. or b.ii. has no reasonable potential for adversely affecting the POTW=s operation or for violating any pretreatment standard or requirement, the town may at any time, on its own initiative or in response to a petition received from a user, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such a user should not be considered a significant industrial user.

62. Significant Noncompliance or SNC. An industrial user is in significant noncompliance if its violation meets one or more of the following criteria:

a. Chronic violations. A pattern of violating the same pretreatment standard daily maximum or average limit (any magnitude of exceedence) sixty-six percent (66%) or more of the time in a 6-month period;

b. Technical Review Criteria (TRC violations). Thirty-three percent (33%) or more of the measurements exceed the same pretreatment standard daily maximum limit or average limit by more than the TRC factor in a six month period. The TRC factor is 1.4 for biochemical oxygen demand (BOD), total suspended solids (TSS), oil & grease and 1.2 for all other pollutants except pH;

c. For pH monitoring, excursions shall be considered SNC when:

i. The total time during which the pH values are outside the required range of pH

- values exceeds 7 hours and 26 minutes in any calendar month; or
- ii. An individual excursion from the range of pH values exceeds 60 minutes; or
 - iii. An excursion occurs that the town believes has caused, alone or in combination with other discharges, interference or pass-through; or has endangered the health of the sewage treatment personnel or the general public; or
 - iv. Any pH less than or equal to 2.0 or greater than or equal to 12.5.
- d. Any other discharge violation that the Sewer Commissioners believe has caused, alone or in combination with other discharges, interference or pass-through, including endangering the health of POTW personnel or the general public;
- e. Any discharge of pollutants that has caused imminent endangerment to the public or to the environment, or has resulted in the Sewer Commissioners= exercise of its emergency authority to halt or prevent such a discharge;
- f. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;
- g. Failure to provide within thirty (30) days after the due date, any required reports, including baseline monitoring reports, Industrial Discharge Permit applications, reports on compliance with categorical pretreatment standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- h. Failure to accurately report noncompliance; or
- i. Any other violation(s) that the Sewer Commissioners determine will adversely affect the operation or implementation of the local pretreatment program.
63. Slug Load or Slug means:
- a. Any discharge of water, wastewater, sewage, or industrial sewage 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 flow during normal operation;
 - b. Any discharge at a flow rate or concentration that could cause a violation of the prohibited discharge standards in Article IX, Section I.
 - c. Any discharge that may adversely affect the collection system and/or performance of the POTW.
64. Source Reduction. Any practice that:
- a. Reduces the amount of any hazardous substance, pollutant, or contaminant entering any wastestream or otherwise released into the environment (including fugitive

emissions) prior to recycling, treatment, or disposal; and

- b.Reduces the hazards to public health and the environment associated with the release of such substances, pollutants, or contaminants.

The term includes equipment or technology modifications; process or procedure modifications; reformulation or redesign of products; substitution of raw materials; and improvements in housekeeping, maintenance, training, or inventory control. The term source reduction does not include any practice that alters the physical, chemical, or biological characteristics or the volume of a hazardous substance, pollutant, or contaminant through a process or activity that itself is not integral to and necessary for the production of a product or the providing of a service.

65. Standard Industrial Classification (SIC) Code. A classification pursuant to the *Standard Industrial Classification Manual* issued by the United States Office of Management and Budget.

66. State. The State of New Hampshire.

67. Storm Drain or Storm Sewer. A drain or sewer for conveying storm water, groundwater, subsurface water, or unpolluted water from any source.

68. Storm Water. Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

69. Superintendent. The person designated by the town to supervise the operation of the POTW, and who is charged with certain duties and responsibilities by this Ordinance, or a duly authorized representative.

70. Suspended Solids or TSS. The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and that is removable by laboratory filtering.

71. Treatment Plant, Treatment Works, Treatment Facility. Any device or system used in the storage, treatment, equalization, recycling or reclamation of wastewater and/or wastewater sludges as defined herein.

72. Unpolluted Water. Water of quality equal to or better than the State Water Quality Standards (Part Env-WS 430 through Env-Ws 440) or water that would not cause a violation of receiving water quality standards and would not be benefitted by discharge to the POTW.

73. User or Industrial User. A source of pollutants introduced into the POTW from any non-domestic source regulated under Section 307(b),(c), or (d) of the Act.

74. Wastewater. Liquid and water-carried industrial wastes and/or sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

75. Watercourse. A natural or artificial channel for the passage of water either continuously or intermittently.

Article III Abbreviations

The following abbreviations shall have the designated meanings for this Ordinance:

BOD	Biochemical Oxygen Demand
CFR	Code of Federal Regulations
COD	Chemical Oxygen Demand
EPA	U.S. Environmental Protection Agency
gpd	Gallons per day
IDP	Industrial Discharge Permit
mg/l	Milligrams per liter
DES	New Hampshire Department of Environmental Services
NPDES	National Pollutant Discharge Elimination System
POTW	Publicly Owned Treatment Works
RCRA	Resource Conservation and Recovery Act
RSA	New Hampshire Revised Statute Annotated
SIC	Standard Industrial Classification
TDS	Total Dissolved Solids
TSS	Total Suspended Solids
USC	Unites States Code

Article IV Use of Public Sewers Required

The wastewater from every existing building or structure intended for human habitation use or occupancy shall be conducted into the public sewer, provided there is a public sewer within one hundred (100) feet of said building. The Sewer Commissioners may consider applications for temporary variance from the above requirement for such time as they may approve. Said variances shall be conditioned on the following:

- A. The wastewater from the subject property shall not be discharged directly to any Waters of the State.
- B. The property shall be served by an acceptable subsurface disposal system, meeting all the requirements of the State of N.H. In the event of any failure of said system requiring repairs beyond septic tank pumping and/or blockage removal, repairs shall not be permissible. At the time of said failure the property shall be connected to the sanitary sewer system.
- C. The agreement is nontransferable; that is a new owner must connect to the sanitary sewer system within one (1) year of the passing of papers.
- D. Persons granted said variances shall be liable for the semi-annual change as defined in Article V Section 2 of this Ordinance.

On all streets provided with a public sewer, the wastewater from all buildings hereafter constructed shall be conducted into such sewer. No privy, vault, cesspool, or septic system for sewage shall hereafter be constructed or repaired on any property abutting on a street provided with a sewer.

Article V Sewer Rents and Assessments

1. A semi-annual charge is hereby imposed on all property owners in the Town of Henniker for the payment of eligible construction costs and debt service of the town=s wastewater collection and treatment systems. This charge to be collected via property taxes.
2. A semi-annual charge is also hereby imposed upon every user whose premises are served by the sanitary sewer system of the town (and from which premises sewage is being collected, either directly or indirectly), for the payment of the costs of operating, maintaining, and repairing said system.
3. The annual charge established by 2 above of this article shall be based upon a unit system of measurement as follows:
 - A. Each single family dwelling shall be charged at the rate of one (1) unit.
 - B. Each multiple use building, other than a boarding house, tourist home, hotel or motel, in which space is allocated for business or professional offices, commercial occupancy or apartments shall be charged at the rate of one (1) unit for each dwelling unit, apartment unit, professional, business or commercial space allocation.
 - C. Rooming houses, tourist homes, hotels and motels shall be charged at the rate of one (1) unit for each 500 square feet or major fraction thereof, of the gross floor area available for rent as determined by outside premises foundation measurement and floor count.
 - D. Restaurants, taverns, bars, grilles, and lodges, fraternal, charitable and religious organizations who maintain facilities for the preparation and serving of food and/or beverages shall be charged at the rate of two (2) units plus, in the event that said food and beverage facilities are in use five (5) days per week or more, a charge of one (1) unit for each fifty (50) seating spaces or any fraction thereof, which is in excess of seventy-five (75) seating spaces.
 - E. Gasoline service stations, automotive sales and/or repair premises shall be charged at the rate of one (1) unit plus one (1) unit for each stall, space or floor area used for the washing of automotive vehicles whether said stall, space, or floor area be used for washing by manual, semi-automatic or automatic means.
 - F. So-called car washes or other real premises devoted exclusively to the washing of automotive vehicles by manual, semi-automatic or automatic means shall be charged at the rate of one (1) unit per stall, space or floor area devoted to said washing if operated twelve (12) hours, or less, in each twenty-four (24) hour day; to this charge shall be added the charge of one-half (2) unit each of said stalls, spaces, or floor areas operated or usable in excess of twelve (12) hours in each twenty-four (24) hour day.
 - G. Lodges, charitable organizations, corporations or associations organized and conducted to enable members to meet for divine worship, shall be charges at a rate of one (1) unit unless other use chargeable under (D) above.
 - H. Laundromats containing manual, semi-automatic, or automatic coin-operated washers, shall be charged one (1) unit for each washer.
 - I. Dry cleaning establishments, whether a portion of facilities devoted to the normal operation of a laundry or Laundromat or a premises devoted exclusively to manual, semi-automatic,

automatic, or coin-operated cleaning of wearing apparel in machines not using water as the cleaning agent, shall be charged one (1) unit for each machine.

- J. Public or private schools, and government installations shall be charged at the rate of one (1) unit for each ten (10) or fraction thereof, students, teachers, custodians or other regular occupants, the number of which shall be determined as of the thirtieth (30th) day of September and the first (1st) day of March for the next succeeding six (6) months.
- K. Commercial establishments, including but not limited to retail stores, wholesale distributors, light manufacturers, industrial plants, business operations, barber and beauty shops, banks, post offices, funeral homes, professional and business offices, lunch bars and other types of business enterprises not heretofore or hereinafter described shall be charged at the rate of one (1) unit for each ten (10) employees, or fraction thereof.
- L. In the event the use of any parcel of real property combines two (2) or more of the classifications herein set for the number of units in each classification shall be determined, and the total thereof shall constitute the number of units to be charged to the entire parcel.
- M. The town reserves the right to assess charges for use of the sanitary sewer system by contract in the event a customer does not fall within any of the classifications.
- N. In the event of any change in the number of applicable units chargeable to a premises, the user shall report said change in writing to the Sewer Commissioners upon its occurrence.
- O. In an institutional residence or an area rented to a group (non-related) a unit shall consist of 3.6 people.

Article VI Billing

Section 1. Units.

Units as defined in Article V shall be determined by the Sewer Commissioners.

Section 2. Assessments.

The Town shall have the same liens and use of the same collection procedures as authorized by RSA 38:22 and RSA 149-i:16. Interest and overdue charges shall be assessed in accordance with RSA 76:13.

Section 3. Liens

The Town shall have the same collection procedures as authorized by RSA 38:22. Interest and overdue charges shall be assessed in accordance with RSA 76:13.

Article VII Building Sewers and Connections

Section 1. Access to Public Sewer

No unauthorized person shall uncover, make any connections with or opening into, use,

alter, or disturb any public sewer or appurtenances thereof.

Section 2. Permits

A. Class There shall be two (2) classes of building sewer permits:

- Class 1. for residential and commercial service discharging only domestic water;
- Class 2. for service to establishments producing industrial wastes

In either case, the owner or his agent shall make application on a special form furnished by the town. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgement of the Sewer Commissioners. A permit and inspection fee shall be charged, as established in the fee schedule, for both classes of permit. The fee shall be paid at the time the application is filed. The Sewer Commissioners reserve the right to have a consulting engineer, of the town's choice, review said application, plans, or specifications, the cost to be borne by the applicant.

B. Trench Permit. The applicant shall obtain a trench permit from the town for all excavation in the public right-of-way.

Section 3. Cost and Expense

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 any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Section 4. Single Connection

A separate and independent building sewer shall be provided for every building, except where the building stands at the rear of another or an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway. In that case the building sewer from the front building may be extended to the rear building and the whole is considered as one building sewer. Said sewer shall require properly recorded easements, obtained and recorded at no cost to the town. The Sewer Commissioners may authorize the connection of a private sewer serving several buildings if constructed in accordance with the Standards for Public Sewers. They may also permit the connection of existing private sewers on a variance basis until a public sewer is available. Such sewers shall be connected at manholes. The Town of Henniker does not and will not assume any obligation or responsibility for damage caused by or resulting from any such connection of the type described in this Section.

Section 5. Existing Sanitary Sewers

Old or existing building sanitary sewers may be used in connection with the new buildings only when they are found, on examination and test by the Sewer Commissioners or their inspector, to meet all requirements of this Ordinance.

Section 6. Building Sewer Elevation

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 public sewer.

Section 7. Prohibited Connections

No person shall make connection of floor drains, roof down spouts, foundation drains, basement sump pumps, areaway drains, or other sources of surface runoff, groundwater or unpolluted wastewater, to a building drain which in turn, is connected directly or indirectly to a public sanitary sewer.

Within 180 days of the acceptance date of this ordinance all commercial/industrial floor drains that are connected to a building sewer must be disconnected from said sewer. The user must then apply to the State for a permit to install a holding tank. Holding tank wastewater must be disposed of according to Article X Section 2 of this ordinance.

Section 8. Inspections

The applicant for the building sewer permit shall notify the superintendent when the building sewer is ready for inspection and testing. The pipe shall be laid in the ditch with stone bedding in place to the center-line of the pipe and all joints shall be fully accessible to the inspector. The completed building sewer shall be tested prior to backfilling by inserting a plug at the inspection tee and filling the line with water. All joints and pipe sections shall be visually checked for leaks or defects. If for any reason the trench must be backfilled prior to inspection, the completed line will be required to hold a full pipe over a twenty-four hour period.

Section 9. Connection

The connection of the building sewer into the public sewer shall be made by town forces or their designee.

Section 10. Excavation

- A. Safety All excavations for sewer installations shall be adequately guarded with signs, barricades, cones, flagpersons, and lights as needed so as to protect the public from hazard throughout the entire project. All procedures and equipment used shall conform to any applicable town, state or federal safety laws.
- B. Permits All necessary town and state permits shall be obtained and provided to the Sewer Commissioners for review.
- C. Restoration All streets, sidewalks, parkways, and other public property disturbed in the course shall be restored in a manner and time frame satisfactory to the town.

Section 11. New or Changed Discharges

Any person proposing a new discharge into the system or a substantial change in the volume or character of pollutants that are discharged into the system shall notify the Sewer Commissioners at least sixty (60) days prior to the proposed change or connection. Proposed new discharges from residential or commercial sources involving loading

exceeding 50 population equivalents, or 5000 gallons per day, or any increase in industrial discharge must be approved by the Sewer Commissioners and the State of N.H. DES.

Section 12. Abandonment

When any building or other structure served by a connection to any public sewer is demolished, destroyed, abandoned or altered so that any portion of an abandoned plumbing system which is directly or indirectly connected to any public sewer is no longer used and is no longer connected to the drainage system of said structure, the open end of such plumbing system shall be promptly sealed to the satisfaction of the Sewer Commissioners, so that no water or wastes may enter the sanitary sewer. In the event that said building is not disconnected within fourteen (14) days the Sewer Commissioners shall have the work completed to their satisfaction and the owner shall be charged for all costs incurred at the rate of 150%.

Section 13. Repairs & Maintenance

- A. Any repair or maintenance work in connection with sewer pipes and drains connected directly or indirectly to any sanitary sewer shall be performed in accordance with the specifications and under the inspection of the Sewer Commissioners.
- B. Those persons connected to the sanitary sewer are obligated to pay for repairs and maintenance of the building sewer from their building to the public sewer.
 - 1. The Sewer Commissioners shall have the right to charge a fee for all work performed at their direction or under their supervision on sewers, pipes, laterals, or drains which are not part of the public sewer system for the particular or special benefit of any individual parcel or portion of real property. Said fee shall be paid in advance if excavation is required. If it is determined by the Sewer Commissioners that the town is responsible for the blockage or breakage then the fee will be refunded.
 - 2. The Sewer Commissioners shall semi-annually assess against the individual parcel of land the amount of any such charges remaining unpaid and such charges shall be added to the tax role and collected in the same manner and at the same time as the other taxes are assessed, levied and collected pursuant to statute.

Section 14. Grease, Fats and Oils Removal Systems

Grease, Fats and Oils Removal Systems shall be provided when in the opinion of the Sewer Commissioners, or their designees, it is necessary for the proper handling of waste containing grease, fats and oils in excessive amounts. All removal systems shall be of a type and capacity approved by the Sewer Commissioners, and shall be located so as to be readily and easily accessible for cleaning and inspection. Removal systems shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, and equipped with easily removable covers which when bolted in place shall be gas-tight and watertight. Removal systems shall be constructed or installed in any place or building having a capability to serve group meals. Where installed, removal systems shall be maintained by the owner at his/her expense in continuously efficient operation at all times. Materials collected shall be disposed of properly and not reintroduced into the sewer system.

- A. Definitions The following words and terms shall, for the purpose of this Section, have the meaning show herein.

Grease, Fats and Oils Removal Systems/ or Removal Systems. Interceptors, separators, traps or grease recovery devices, which prevent free floating grease, fats and oils from entering the sewer system.

Grease Interceptor. A passive interceptor whose rated flow is 50 gallons per minute or less and serves as a fixture trap and which is located inside the building.

Grease Laden Waste. Effluent discharge that is produced from food processing, food preparation or other commercial source where grease, fats and oils enter automatic dishwasher pre-rinse stations, sinks, or other appurtenances.

Grease Recovery Device. An active automatic device which separates and removes grease, fats and oils from effluent discharge, and cleans itself of accumulated grease, fats and oils at least once every twenty four (24) hours, utilizing electromechanical apparatus to accomplish removal.

Grease Trap. A passive interceptor whose rated flow exceeds fifty (50) gallons per minute or minimum storage capacity of seven hundred fifty (750) gallons or more and which is located outside the building.

Solids Transfer/Grease Recovery Device. An active automatic pretreatment device which macerates course solids and separates/recovers free floating grease, fats and oils from effluent. The device cleans itself of accumulated grease, fats and oils at lease once every twenty four (24) hours, utilizing electromechanical apparatus to accomplish removal.

B. Administration

Registration Requirements. All discharges to the collection system that are required to install a grease, fats and oils removal system shall register with the town wastewater department. The department shall provide the owner with a registration number, indicating the potential for grease laden waste to be introduced into the town wastewater collection system. The department shall keep a running public log, including permit number, address and name of owner.

Owner Responsibility. The owner shall be responsible for cleaning and maintaining the removal system located on his property and shall maintain accurate records of the dates of cleaning and means of grease, fats and oils disposal, subject to semi-annual inspection and review by the town wastewater department in accordance with Article IX Section 13 of this ordinance. Any removal and/or hauling of grease, fats and oils shall be performed by a licensed waste disposal or rendering firm. All cost incidental to the building sewer installation, connection and registration shall be borne by the owner.

C. Grease Removal Systems

Where Required. Grease, fats and oils removal systems shall be installed where the

discharge of grease laden waste, from food preparation or food processing or other commercial establishment discharges, into the town wastewater collection system. An approved removal system shall be installed consisting of one or a combination of the following methods.

1. Passive Technology including:
 - a. An approved in-ground grease trap
 - b. An approved grease interceptor
2. Active Technology including:
 - a. An approved grease recovery device
 - b. An approved solids transfer/grease recovery device

Prohibited Discharge. Waste that does not contain fat, grease or oils and that otherwise does not require treatment shall not discharge into the removal system. Wastewater from dishwasher machines or wastewater that otherwise exceeds 130°F shall not be introduced into any grease removal system.

Food-waste Grinders. Food waste grinders shall not discharge into the building drainage system through a grease interceptor, grease trap or grease recovery device.

Dishwasher. Dishwashers shall not discharge into the building drainage system through a grease interceptor, grease trap or grease recovery device.

D. Passive System Requirements

Grease Traps. The size, type and location of each grease trap shall meet the specifications of the New Hampshire State Plumbing Code. Grease interceptors shall be sized and engineered based upon the anticipated load and/or conditions of actual use. Grease traps of pre-cast or poured in place concrete shall be constructed of sound durable material, not subject to excessive corrosion or decay, and shall be water and gas tight.

Grease interceptors. Grease interceptors shall be sized and engineered based upon the anticipated load and/or conditions of actual use. Grease interceptors shall receive grease laden waste discharge from the major point sources. A floor drain shall not be considered a major point source.

1. Grease interceptors shall have the grease retention capacity indicated in Table 1 for the flow rated indicated.
2. Grease interceptors shall be equipped to control the rate of flow.

E. Active System Requirements

Grease Recovery Devices. Grease recovery devices shall be permitted in lieu of grease interceptors or grease traps in accordance with the following requirements.

Location. Grease recovery devices shall receive all grease laden waste discharge from the major point sources. A floor drain shall not be considered a major point source.

Sizing. Grease recovery devices shall be sized based upon the anticipated load and/or conditions of actual use.

Capacity. Grease recovery devices shall have a minimum retention capacity indicated in Table 1 for the flow rates indicated.

F. High Risk Facilities

General. High risk facilities or facilities that have had previous field or surface violations shall incorporate a grease recovery device in combination with and preceding the grease trap.

G. Alternate Methods

Alternative Technology/Methods. Engineered alternative technology or methods shall be permitted, provided the technology or method meets the minimum performance standards set forth by the Administrative Authority.

Biological or Chemical Treatment Agents. Biological or chemical treatment agents for the separation, emulsification and/or removal of grease, fats and oils shall be prohibited.

**TABLE 1
SIZING AND RATING**

Sizing Symbol	4	7	10	15	20	25	30	35	50	75
Flow Rate GPM 1/S	4 .2 5	7 .44	10 .63	15 95	20 1.26	25 1.58	30 1.89	35 2.20	50 3.16	75 4.73
Retention Capacity Pounds/ Kg	8 3.6	14 6.4	20 9.1	30 13.6	40 18.2	50 22.7	60 27.3	70 31.8	100 45.4	150 68.2

Section 15. Specifications.

Building sewers and connections shall be designated and constructed to the specifications of the Town of Henniker or the State of N.H. whichever is more stringent.

Section 16. Materials.

The applicant shall provide all materials required for the building sewer and connection.

- A. Pipe. Pipe used for building sewers shall conform to the specifications in Article VIII Section 7 Subsection A.
- B. Saddle. Sewer saddles shall be provided with gaskets meeting or exceeding ASTM D-2000 3 BA715. Saddle castings meeting or exceeding ASTM 536-71 with a 3.5 inch stainless steel adjustable strap and 2 inch studs, nuts and washers.
- C. Details of Design and Construction. Building sewers shall be installed as detailed in Article VIII Section 5. A six (6) inch inspection tee shall be installed at or near the property line to facilitate inspection and testing of the building sewer.

Article VIII Collection System

Section 1. Main Pipe Extensions.

Main pipe extensions shall be made subject to the following terms and conditions:

- A. Main pipe extensions shall be allowed only if the treatment plant is either:
 - 1. Capable of adequately processing the added hydraulic and organic load; or,
 - 2. Expanded to provide adequate treatment facilities at no cost to the town, on a time schedule acceptable to the Sewer Commissioners.
- B. Main pipe extensions shall be designed and constructed to the specifications of the Town of Henniker or the State of N.H. whichever is more stringent.
- C. Main pipe extensions shall become the property of the town upon completion, inspection and acceptance by the Sewer Commissioners.
- D. The size and type of pipe shall be determined by the Sewer Commissioners in accordance with conditions surrounding the extension, including the possibilities of future expansion.
- E. The following will apply to persons, businesses, industries, or developers who request, through the Sewer Commissioners, a main pipe extension to primarily serve their particular property or project:
 - 1. The petitioner(s) shall finance the entire cost of the main pipe extension.
 - 2. Building Sewer Service Laterals, to be installed from the main to the property line, shall be the responsibility of the petitioner of the main pipe extension. The number and location of such laterals for all buildings, lots of record, or lots that may be subdivided in the future shall be determined by the Sewer Commissioners.
 - 3. There shall be no reimbursement to the main pipe extension petitioner(s) when abutters connect to the main pipe extension.
 - 4. All main pipe extensions and Building Sewer Laterals shall be designed and constructed to the specifications of the Town of Henniker.

5. The town will require and provide, at the petitioner(s) expense, a full time inspector who will be on site from start to completion of the project.
6. An as-built plan shall be furnished to the Sewer Commissioners prior to the town=s acceptance of the main pipe extension.
7. Legally prepared and registered deeds, right-of-ways, easements, etc. shall be provided, as necessary, for all main pipe extensions outside the public right-of-way, to the approval of an attorney retained by the Town of Henniker. The cost of providing these items shall be the responsibility of the person(s) proposing the main pipe extension.
8. Operation and maintenance manuals shall be provided for all pump stations, their equipment, or any other permanent appurtenances included in the main pipe extension.
9. Any excavations made in the public right-of-way shall require a trench permit from the Town of Henniker.
10. The person who proposes and causes to be constructed a main pipe extension shall be responsible for maintenance and repairs on said extension for a period of one (1) year following the date said extension is accepted as complete by the Sewer Commissioners.
11. A bond or other means of financing acceptable to the Sewer Commissioners shall be posted for a period of one (1) year, to be used to offset any expenses incurred to the town in relation to the main pipe extension which are uncollectible from the applicant.

Section 2. Design Period.

Sewer systems shall be designed for the estimated ultimate tributary population, usually a period of fifty (50) years hence, except in considering parts of the systems that can be readily increased in capacity. Similarly, consideration should be given to the maximum anticipated capacity of institutions, industrial parks, or commercial shopping centers.

Section 3. Design Factors.

In determining the required capacities of sanitary sewers the following factors shall be considered:

- A. Maximum hourly sewage flow;
- B. Additional maximum sewage or waste flow from industrial plants;
- C. Groundwater infiltration;
- D. Topography of area; and
- E. Pumping requirements.

Section 4. Design Basis: Flow

A. Collector=s; Laterals

1. New sewer systems shall be designed on the basis of an average daily per capita flow of not less than 100 gallons per day.
2. Sewers shall be designed to carry this sanitary waste flow multiplied by a peak flow factor, plus an infiltration allowance, when running full.
3. Sanitary wastes from commercially or industrially zoned areas shall be measured, if existing, or shall be estimated on the basis of the following:
 - a. Industrial Parks - no less than 2,000 gallons/day/gross acre.
 - b. Shopping Center - no less than 2,000 gallons/day/gross acre.
 - c. Supermarkets - no less than 3,500 gallons/day/gross acre.

In the event of a combination of the above named uses the flow shall be estimated at the highest applicable rate.

B. Main Sewers. Design of main sewers shall be based on total contributory flow from the collection system served, but in no case shall the flow be based on less than 2 2 times the average flow of the contributory system.**C. Infiltration Allowance.**

- 1 For areas to be sewerred in the future, an infiltration allowance of 150 gallons per day per acre shall be used.
2. For sewers under design, an allowance of 500 gallons per inch diameter per mile per day shall be made.
3. For existing sewers to be intercepted by the sewer under design, infiltration shall be measured.

Section 5. Details of Design and Construction.

- A. Minimum size. No gravity sewer shall be less than eight (8) inches in diameter.
- B. Depth. Sewers shall be sufficiently deep so as to receive sewage from basements and to prevent freezing. A minimum depth of cover for street installation shall be six (6) feet and for cross country installation shall be four (4) feet.
- C. Slope. All sewers shall be designed and constructed at such slopes as to prevent deposition of organic solids when flowing full based on Manning=s formula and an n value of .013. This shall mean a minimum velocity for design purposes of two (2) feet per second (fps) when flowing full.

1. Minimum slopes to achieve minimum velocity shall be:

Sewer Size	Minimum Slope, Feet per Foot
8 inch	.0040
10 inch	.0028
12 inch	.0022
14 inch	.0017

Full advantage of topographical and paralleling of ground slope shall be made.

2. Sewers shall be designed and laid with a uniform slope between manholes.

D. Alignments. Sewers shall be laid with straight alignment between manholes.

E. Changes in Pipe Size.

1. Increasing size. When a smaller sewer joins a larger one, the invert of the larger sewer shall be lowered sufficiently to maintain the same hydraulic gradient. An approximate method which may be used for securing these results is to place the 0.8 depth point of both sewers at the same elevation.
2. Decreasing size. At times, due to increasing sewer slopes, a reduction in the size of the outgoing sewer from a manhole may be justified. Such a reduction shall not be permitted on sewers twenty four (24) inches in diameter or under, but may be permitted on sewers larger than twenty four (24) inches in diameter.

F. High Velocity Protection. Where velocities greater than ten (10) feet per second may be attained, special provision shall be made to protect against displacement by erosion and shock.

G. Stream Crossings. Sewers crossing streams or to be located within ten (10) feet of a stream embankment or otherwise where unusual strength is indicated, shall be of ductile iron or other suitable material and shall be properly protected.

H. Trenches. Installation of trenches shall be in accordance with the following:

1. Bedding. Bedding material shall be screened gravel or crushed stone to ASTM C33 stone size m 67.
2. Sand. Sand blanket material shall be graded sand free from organic materials, so graded that 100% passes a 2 inch sieve; 15% (maximum) passes a 3200 sieve.
3. Backfill. Backfill material for in road, traveled ways and shoulders, shall be natural material excavated from trench during construction excluding debris, pieces of pavement, organic mater, top soil, all wet or soft muck, peat or clay, all excavated ledge material, or rocks over six (6) inches in the largest dimension, or any material not

- approved by the inspector. For cross-country construction, suitable material shall be described as above, except that the inspector may permit the use of top soil, loam muck or peat, if he is satisfied that the completed construction will be entirely stable and provided that easy access to the sewer for maintenance and possibly reconstruction, when necessary will be preserved. Backfill shall be mounded six (6) inches above original ground in cross-country installations.
4. Base Course. Base course shall meet the requirements of Division 300 of the latest edition of the standard specifications for road and bridge construction of the State of N.H. Department of Public Works and Highways.
 5. Wood Sheeting. Where sheeting is placed alongside the pipe and extends below mid-diameter, it shall be cut off and left in place to an elevation not less than one (1) foot above the top of the pipe. Where sheeting is to be left in place, it shall be cut off at least three (3) feet below finished grade, but not less than one (1) foot above the top of the pipe.
 6. In-trench dimensions shall be as follows:
 - a. For sewer pipe up to fifteen (15) inches in diameter, allowable trench width at plane twelve (12) inches above pipe shall be no more than thirty six (36) inches.
 - b. For pipe greater than fifteen (15) inches the allowable width shall be equal to the pipe outside diameter plus twenty four (24) inches.
 - I. Bedding. Pipe bedding material shall extend from a horizontal plane through the pipe axis to six (6) inches below the bottom of the pipe outside surface. Pipe sand blanket material shall cover the pipe a minimum of twelve (12) inches above the crown of the outside surface. Compaction shall be in twelve (12) inch layers for bedding and blanket materials. Backfill material shall be compacted in three (3) foot layers to the ground surface except for road construction where the final three (3) feet shall be compacted in twelve (12) inch layer to the road base surface.

Section 6. Manholes

- A. Basic requirements.
 1. All component parts shall have the strength, leakproofness, and space necessary for the intended service and shall meet or exceed all federal, state or local requirements.
 2. Pre-cast manhole section assemblies shall withstand H-20 loading and shall not leak in excess of one (1) gallon per day per vertical foot of manhole; for the life of the structure. A period in excess of twenty (25) years shall be the life of the structure.
- B. Measurement shall be the vertical foot as measured from the invert of the cutflowing sewer to the top surface of the cast-iron cover.
- C. Manholes shall be constructed as follows:
 1. Barrels and cone sections shall be pre-cast reinforced or non-reinforced concrete.

2. Base sections shall be monolithic to a point six (6) inches above the crown of the incoming pipe, and shall be pre-cast reinforced or ore-cast non-reinforced concrete.
3. Horizontal joints between sections of pre-cast concrete barrels shall be of a type approved by the Sewer Commissioners; said type shall, in general, depend for water-tightness upon an elastomeric or mastic-like sealant.
4. Pipe to manhole joints shall be only as approved by the Sewer Commissioners and, in general, will depend for water-tightness upon a manufactured boot type connection. If sewer mains are connected at existing manholes, connections shall be cored only and rubber boots installed with water plug hydraulic cement.
5. Cone sections shall be eccentric.
6. Inverts and Shelves. Manholes shall have a brick paved shelf and invert, constructed to conform to the size of pipe and flow. In straight through manholes, inverts may be constructed using half pipe sections of SDR 35 plastic pipe to provide a smooth flow line. At changes in direction, the inverts shall be laid out in curves of the longest radius possible tangent to the center line of the sewer pipes. Shelves shall be constructed to the elevation of the highest pipe crown and slope to drain toward the flowing channel. Underlayment of invert and shelves shall consist of brick masonry. Inverts and shelves shall be placed after testing.

D. Materials. Materials of construction for manholes shall be as follows:

1. Pre-cast concrete barrel sections, cones, and bases shall conform to ASTM C478 except as may be otherwise shown in this Ordinance.
2. Frame and Cover. Manhole frame and cover shall provide a thirty (30) inch diameter clear opening. The cover shall have the letter A S @ or the word A SEWER @ in three (3) inch letters cast into the top surface. The castings shall be of good quality, heavy duty, strong, tough, even-grained, cast iron, sooth, free from scale, lumps, blisters, sandholes, and defects; contact surfaces of covers and frames shall be machined at the foundry, to prevent rocking of covers in any orientation. All castings shall be thoroughly cleaned and subject to a careful hammer inspection.
 - a. Castings. Castings shall be equal to class 30, conforming to the ASTM standard for gray iron castings, designation A48. Castings shall be sandblasted and given two coats of coal-tar-pitch varnish, applied in a satisfactory manner so as to make a smooth coating, tough, tenacious, and not brittle or with any tendency to scale off. Damaged coatings shall be repaired by the installer to the satisfaction of the inspector.
 - b. Water tightness. Watertight manhole covers shall be used whenever the manhole tops may be flooded by street runoff or high water.
3. Brick. Brick masonry for shelf, invert and grade adjustment shall comply with ASTM C-32 (clay or shale) for grade SS hand brick.
4. Mortar. Mortar shall be composed of portland cement, hydrated lime, and sand in the

proportions of one part cement to 2 part lime to 4 2 parts sand, (by volume). In no case shall the volume of sand exceed three (3) times the sum of the volume of cement and lime.

5. Cement. Cement shall be type II portland cement conforming to ASTM C-150.
6. Lime. Hydrated lime shall be type S conforming to the ASTM C-207 Standard Specification for Hydrated Lime for Masonry Purposes, Designation C207.
7. Sand. Sand shall consist of inert natural sand conforming to the ASTM Standard Specifications for Concrete (Fine) Aggregates, Designation C33.
8. Shallow Manhole. When manhole depth is less than six (6) feet, a reinforced concrete slab cover may be used, shall have an eccentric entrance opening and capable of supporting H-20 loads. The opening shall be fitted with a frame and cover as specified in Section 6 (D)(2) of this article.

E. Location.

Manholes shall be installed at the end of each sewer line, at all intersections, and at all changes in grade, size, or alignment. In no case shall the distance between manholes be greater than three hundred (300) feet. All manholes shall be located so that they are readily accessible for safe entry, cleaning and rescue operations.

F. Drop Manholes.

A drop pipe shall be provided for a sewer entering a manhole at an elevation of twenty four (24) inches or more above the manhole invert. Where the difference in elevation between the incoming sewer and the manhole invert is less than twenty four (24) inches, the slope of the incoming sewer shall be increased to meet the manhole invert for the entire length of the sewer to the next upstream manhole. Inside drop types shall be used unless conditions prevent their use.

G. Diameter.

The minimum diameter of manholes shall be forty eight (48) inches. For sewers larger than twenty four (24) inches diameter, manhole diameters shall be increased so as to always provide at least twelve (12) inches of shelf on each side of the sewer.

H. Flow Channel.

A drop of at least 0.1 feet shall be provided between incoming and outgoing sewers on all junction manholes and on manholes with bends greater than 45°.

I. Electrical.

Electrical equipment installed or used in manholes shall conform to Ws 721.01 e.5, the National Electric Code and any other applicable town, state or federal requirement.

J. Installation.

1. Pre-cast bases shall be placed on a six (6) inch layer of compacted bedding material. Bedding shall conform to ASTM C.33 m 67 stone. The excavation shall be properly dewatered while placing bedding material and setting the base.
2. Inlet and outlet stubs shall be connected and sealed in accordance with the manufacturer=s recommended procedure, and as shown in the Standard Manhole drawings (Appendix F Detail A).
3. Barrel sections and cones of the appropriate combination of heights shall then be placed, using manufacturer=s recommended procedure for sealing horizontal joints.
4. Frame and cover shall be placed on the top or some other means of preventing accidental or unauthorized persons, animals or debris, from entering the manhole until such a time that the final adjustment to grade can be made.
5. Setting Manhole Frames and Covers. Manhole frames shall be set with the tops conforming accurately to the grade of the pavement or finished ground surface as indicated on the approved plans. Frames shall be set concentric with the top of the masonry and in a full bed of mortar so that the space between the top of the manhole masonry and the bottom flange of the frame shall be completely filled and made watertight. A thick ring of mortar shall be placed all around and on the top of the bottom flange. The mortar shall be smoothly finished and have a slight slope to shed water away from the frame.

K. Leakage Test.

After the manhole has been assembled in place, all lifting holes shall be filled with and pointed with an approved non-shrinking mortar. The test shall be made prior to placing the shelf and invert and before filling and pointing the horizontal joints. All pipes and other openings into the manhole shall be suitably plugged and the plugs be braced to prevent blow out. Vacuum tests shall be performed using the following procedure:

1. Initial test pressure; ten (10) inches Hg (i.e. 20" absolute)
2. One (1) inch drop (from 10" Hg to 9" Hg) in two (2) minutes time minimum allowable for 0-10 foot deep manholes; 22 minutes time minimum allowable for 10'-15' deep manholes; three (3) minutes time minimum allowable for 15'-25' deep manholes.
3. If the pressure drop exceeds one (1) inch in the allotted time the unit shall be repaired and retested.
4. If a unit fails to meet the standards after repairs, the unit shall be water exfiltration tested and repaired as necessary.
5. Testing using either air or water shall be done, whenever possible, prior to backfilling to assist in locating leaks. Joint repairs by parging are to be done on both outside and inside of the joint to ensure a permanent seal.

L. Maximum Depth.

Twenty five (25) feet shall be the maximum allowable depth. Variances may be considered if the person proposing a manhole at greater depth shall provide any cleaning, safety or maintenance equipment required because of the added depth.

Section 7. Pipe Specifications.

A. Pipe. Pipe used for main pipe extensions and building sewers shall conform to the following:

1. Polyvinyl Chloride (PVC) sewer pipe shall be used and shall conform to ASTM specification D3034. The pipe shall meet the Dimension Ratio (SDR) 35 and be colored green for in-ground identification as sewer pipe.
2. PVC pipe shall be joined by means of a rubber gasket and an integral bell. Sealing rings shall meet the requirements of ASTM F477.
3. The pipe shall have a minimum stiffness of 46 psi.
4. The pipe shall be supplied in standard thirteen (13) foot laying lengths.
5. The pipe shall be manufactured by a member of Unibell.

Section 8. Main Pipe Testing.

The following procedures shall be used to test main pipe extensions.

- A. Clean section to be tested.
- B. Plug all pipe outlets with suitable test plugs. Brace each plug securely.
- C. Add air slowly to the portion of the pipe installation under test until the internal pressure is raised to 4.0 psig.
- D. After an internal pressure of 4.0 psig is obtained, allow at least two (2) minutes for air temperature to stabilize, adding only the amount of air required to maintain pressure.
- E. After the two (2) minute period, disconnect the air supply.
- F. When pressure decreases to 3.5 psig, start the stopwatch. Determine the time in seconds that is required for the internal air pressure to reach 2.5 psig.
 1. If the stopwatch time is less than the time specified in the TIME HOLDING CHART (Appendix G), the tester shall fill the line with water and hold for sixty (60) minutes. The water is to be released from the test section and said test section shall be immediately retested.
 2. If after all sources of air leakage have been corrected and there is still difficulty in meeting the minimum specification time requirements, a water exfiltration test shall be

conducted to determine the acceptability of the test section.

In the event of a test failure it shall be the responsibility of the installer to determine the cause of failure and perform repairs satisfactory to the inspector. No adjustment in the leakage allowance will be made for unknown causes such as leaking plugs, absorption, etc. It will be assumed that all leakage is the results of leaks through the joints or damaged pipe.

Section 9. Pump Station Specifications.

A. Basic Requirements

1. Prefabricated pumping stations shall meet all of the design requirements of the following sections. In addition, the capacity of the prefabricated pumping station shall not exceed 2000 GPM, and the depth shall not exceed twenty eight (28) feet. Pump stations which exceed these parameters shall be constructed in place.
2. Flood control shall provide for uninterrupted operation under flood conditions of a 25-year frequency. Pump stations shall be so placed as to be protected against damage from 100-year floods. A suitable super structure preferably located off the right-of-way of streets and alleys shall be provided. The station shall be readily accessible.
3. Grit. The wet well and the discharge manifold piping shall be designed to prevent grit from settling back into pump discharge lines of pumps not operating.

B. Design Requirements. Design requirements shall be as follows:

1. Type: Sewage pumping stations shall be of the dry well type, (i.e., a type wherein the motor or other drive mechanism, the pump and all of the moving components of the pump are placed in a dry chamber, completely separate from the wet well, thereby allowing easier access for inspection, service, and repair).
2. Structures: Wet and dry wells including their superstructure shall be completely separated, The superstructure shall be covered by buildings to protect the entrances to the wells from the weather. The buildings shall have maintenance free exteriors and roofs. The buildings shall have metal doors that shall be keyed to the plant key system.
3. Dry wells shall provide sufficient space for accessibility for the repair and removal of pumps. Provisions shall be made for the removal of pumps and motors.
4. Separate exterior entrances shall be provided to both wet and dry wells of pump stations. For built-in place stations access to lower levels shall be by straight stairways. Ladder access to lower levels shall be limited to pump stations, twenty eight (28) feet in depth. At all stations greater than twenty eight (28) feet in depth from ground level to the top of the bottom floor, a powered elevator meeting the design requirements of ANSI 17.1 safety code (latest edition) shall be provided, the capacity shall be limited to six hundred (600) pounds. Spiral stairs shall not be permitted.

C. Pumps

1. A minimum of two (2) pumps, each designed to handle peak flows for at least fifteen (15) years hence, shall be provided. Where three or more units are provided they should be

designed to fit actual flow conditions and must be of such capacity that with any one unit out of service the remaining units shall have the capacity to handle peak sewage flows. When ejectors are provided as the method of raising sewage, 2 compressor units shall be required: the compressors shall be so interconnected that the duplicate unit will commence operation in the event of failure of the one in use.

2. All pumps shall be protected from damage due to large solid objects such as rocks or boards, by a solids grinding system such as the AMuffin Monster® manufactured by Disposable Waste Systems, Inc. or its equal. A bar screen or rack which shall have 2 inch clear openings between the bars will be provided in a bypass channel to provide screening when the grinder is out of service.
3. Pumps shall be capable of passing 2 2 inch solids or they shall be capable of passing 3 inch solids where the omission of comminuting is approved by the commissioners.
4. Pumps shall be located in a dry well and be so placed that under normal operating conditions they will operate under a positive suction head. Self-priming pumps shall be approved only when it can be shown that pumps operating under positive suction conditions are not practical. Submerged pumps for pumping raw sewage shall not be approved.

D. Electrical Equipment

1. Electric motors shall be protected from flooding.
2. Electrical systems and components (e.g., motors, lights, cable, conduits, switch boxes, control circuits) in enclosed or partially enclosed spaces where flammable mixtures occasionally may be present (including raw sewage wet wells) shall comply with the National Electrical Code requirements for class I division 1 locations.
3. All electrical equipment and work shall comply with the requirements of the National Electrical Code.

E. Sump Pump

A separate sump pump capable of passing 1 2 inch solids shall be provided in the dry well to remove leakage or drainage, with the discharge above the alarm level of the wet well. Water ejectors connected to a potable water supply shall not be approved. All floor and walkway surfaces shall have a slope of 3 inch per foot to a point of drainage.

F. Flow Rates.

The pumps and controls of main pumping stations, (particularly pumping stations operated as part of treatment works) shall be designed to operate at varying delivery rates to permit discharging sewage from the station to the treatment works at approximately its rate of delivery to the pump station.

G. Flow Checks.

Pumps shall be protected from being driven in the reverse direction.

H. Level Control.

Control of pump operation shall be by an air bubbler system. A standby compressor or compressed air cylinder shall be provided for emergency use. For pumping stations with capacities of more than 200 GPM, the standby equipment shall be a compressor which shall permit manual alternation of the duty and standby compressors. Other suitable proven level control systems may be considered by the Sewer Commissioners.

I. Shut-off Valves.

Suitable flanged shut-off valves shall be placed in suction and discharge lines of each pump. A non-slamming check valve or its equivalent shall be placed on each discharge line, between the shut-off valve and the pump.

J. Wet Wells.

1. Turbulence. Wet wells shall be designed to avoid turbulence near the pump suction intakes.
2. Wet wells for pumping stations of greater than 200 GPM capacity shall have division walls so that the station can be kept in operation when work is performed in the wet well.
3. The effective capacity of the wet well shall provide a holding period not to exceed ten (10) minutes for the design average flow.
4. The wet well floor shall have a minimum slope of 1 to 1 to the hopper bottom. The horizontal area of the hopper bottom shall be no greater than necessary for proper installation and function of the inlet.
5. A permanent ladder, securely fastened to the wall of each wet well shall be installed so as to provide egress should a person fall in.

K. Ventilation.

1. Adequate ventilation for personnel and equipment shall be provided for all pump stations. Where the pump pit is below the ground surface, mechanical ventilation shall be provided, so arranged as to independently ventilate the dry well and the wet well. There shall be no interconnection between the wet well and dry well ventilation systems. Dampers shall not be used on exhaust or fresh air ducts and fine screens or other obstructions in air ducts shall be avoided. Switches for operation of ventilation equipment shall be marked and located conveniently. Switches shall provide for both manual and automatic operation. Dehumidification shall be provided in the below ground pump chambers.
2. Ventilation of wet wells shall provide a minimum of thirty (30) air changes per hour if the system is operated intermittently, (intermittent operation allows the system to be selected to run for short periods of rapid venting when the well is occupied for maintenance or operation), or twelve (12) changes per hour if the system is operated continuously (continuous operation allows the system to run continuously at all times, occupied or

not). Fans installed within the wet well structure shall be made of non-spark material: motors, conduit, lights, boxes, switches, controls, shall be explosion proof.

3. Ventilation system of the dry well shall be capable of continuously providing a minimum of six (6) air changes per hour when the facility is occupied and three (3) changes per hour when not occupied.

L. Flow Measurement.

Suitable devices for measuring and recording sewage flow shall be provided at all pumping stations. For pumping stations with capacities of more than 500 GPM, this shall consist of daily recording charts as well as a totalizer. For station with capacities of 500 GPM or less, this may consist of a running meter which shall indicate the total running time of the pumps.

M. Water Supply.

There shall be no physical connection between the potable water system and any other piping system and equipment. This shall be accomplished through the use of devices acceptable to the Sewer Commissioners, Cogswell Springs Water Works, and the AWWA.

N. Suction-lift Pump Stations.

Suction lift pump stations shall not be permitted.

O. Alarm Systems.

1. Basic Requirements. Alarm systems shall be provided for all pumping stations. The alarm signal shall be activated in any one of the following cases:
 - a. High water in the wet well. This alarm shall be activated independent of the pump level control system.
 - b. Loss of one or more phases of power supply.
 - c. High water in the pump room sump.
 - d. Loss of the alarm transmission line.
2. The high water alarm should be a separate float-type or mercury-type switch, independent of the bubbler system, and satisfactory operation of the alarm system should be indicated on a panel with a light which lights up upon failure of the alarm system.
3. An enunciator panel shall be installed at the sewage treatment plant control room. Because the plant is not manned on a 24-hour/day basis, the alarm system shall be connected to a telephone dialer which will call the appropriate dispatcher as determined by the commissioners.
4. The power source for the alarm system shall be an independent battery with continuous charge, or main line power with a back-up battery system, which shall be automatically

connected should main power fail.

5. The alarm signal shall be transmitted through the telephone system, either leased or privately constructed, or by radio transmission.
6. At each enunciator panel, the alarm shall consist of a bell and a light. Provision shall be made to permit silencing of the bell manually, after the alarm has been sounded, but the light shall continue until the alarm condition has been rectified.

P. Instruction and Equipment.

Sewage pumping stations and their operators shall be supplied with a completed set of operational instructions, including emergency procedures, maintenance schedules, all tools and such spare parts as necessary.

Q. Emergency Operation

1. The objective of emergency operation shall be to prevent the discharge of raw or partially treated sewage to any waters and to protect public health by preventing back-up of sewage and subsequent discharge to basements, streets, and other public and private property.
2. Emergency power supply details:
 - a. An independent engine-generator type source of electric power shall be provided for electrically-driven pumps. The source shall be automatically activated by failure of any phase of power supply or upon any fluctuation in voltage, the amount or duration of which would cause damage to the motors. Installations shall comply with all applicable requirements of the National Electrical Code.
 - b. The unit shall be permanently secured in place. Provision shall be made for unit removal for purposes of major repair.
 - c. Provisions shall be made for automatic and manual start-up and cut-in. The controls shall be such that upon automatic start-up under emergency conditions, shut-downs shall be accomplished automatically on restoration of utility power. Manual shut-down shall also be provided. Time delays shall be provided to allow pumps to run down before re-energizing on transfer of power.
 - d. Unit size shall be sufficient to start up sequentially and run all pumps needed to handle average waste flows, plus lighting, ventilation, controls and comminution.
 - e. The unit internal combustion engine shall be located above grade with suitable and adequate ventilation of exhaust gases. Sufficient cooling capacity shall be considered in locating the unit.
 - f. All emergency power generating equipment shall be provided with instructions, for routine exercising and load testing.
 - g. All emergency power generated on site shall be limited to comminuting, degritting, sewage pumping, sedimentation, and disinfecting equipment. Systems shall be

limited to lighting and HVAC. Process equipment that would be damaged if electrically deenergized for long periods (chemical or sludge processing etc.) shall be powered by the emergency source.

- h. The generator engine controls shall be equipped with an automatic exerciser which may be set on any selected schedule to start the generator, run it under no-load or load conditions by selection and shut it off without actuating the alarm system.

R. By-pass.

No pumping station by-passes allowing the discharge of raw sewage either overland or to any water course shall be permitted.

S. Safety.

In addition to safety items included above, the following shall be required:

1. Ladders:

- a. All ladders shall be constructed of aluminum or stainless steel for corrosion protection.
- b. All rungs shall have a minimum diameter of : inch. They shall be a minimum of sixteen (16) inches in clear length and be spaced uniformly no more than twelve (12) inches apart.
- c. Side rails of fixed ladders shall extend forty two (42) inches above the top of landing or floor level.

- 2. Fall prevention: Any station greater than eight (8) feet in depth, with fixed ladders shall include a fall prevention device, Rose, DYNA-LOCK, Self-retracting lanyard or equivalent. Also included shall be a Class 3 body harness and a suitable lanyard to connect the harness to the fall prevention device. A suitable anchor point shall be included in the construction of the building.

3. Handrails:

- a. All handrails installed in pump stations shall be constructed of aluminum, fiberglass, or stainless steel for corrosion protection.
- b. A standard railing shall consist of top rail, intermediate rail and posts, and shall have a vertical height of forty two (42) inches from upper surface of rail to floor.
- c. Railing shall be of such construction that the complete structure shall be capable of withstanding a load of at least two hundred (200) pounds in the vertical or horizontal direction.

Section 10 Force Mains

A. Minimum Velocity.

At pumped flow rate, a cleansing velocity of at least three (3) feet per second shall be maintained.

B. Air Locking.

An automatic air relief valve shall be placed at high points in the force main to prevent air locking.

C. Entrance to Gravity Sewer.

Force mains shall enter the gravity sewer system at a point not more than two (2) feet above the flow line of the receiving manhole.

D. Blow-offs.

Blow-offs properly valved, shall be located on all low points of force mains. Adequate space shall be available at such locations for handling the displaced waste without danger of pollution or health hazard.

E. Material.

Force mains shall be constructed of ductile iron or other material acceptable to the Sewer Commissioners and the State of N.H.

F. Thrust Blocks.

Suitable thrust blocks shall be placed at all bends, elbows, tees, and junctions.

G. Installation.

Force mains shall be treated as gravity sewers for foundation, bedding and backfill requirements.

Section 11 Protection of Water Supplies

A. Backflow.

There shall be no physical connection between a public or private water supply system and a sewer, or appurtenance thereto which would permit the passage of any sewage or polluted water into the potable supply.

B. Public Water Supply.

While no general statement can be made to cover all conditions it is generally recognized that sewers shall be kept remote from public water supply wells or other water supply

sources and structures. Should a proposed sewer be located within four hundred (400) feet of a public water supply well or reservoir or within seventy five (75) feet of private wells, the Sewer Commissioners may require any special construction materials or techniques which they deem necessary in the interest of public health and safety.

C. Water Mains.

1. Sewers shall be located at least ten (10) feet horizontally, from any existing or proposed water main. If, for absolutely essential reasons, it is not possible to achieve such separation, the sewer may be located not less than three (3) feet from a water main, horizontally, provided there is at least eighteen (18) inches vertical separation between the bottom of the water main and the top of the sewer with the sewer below the water main.
2. Whenever sewers unavoidably must cross under water mains, the sewer shall be located at such an elevation that the top of the sewer is at least eighteen (18) inches below the bottom of the water main. Should the grade be such that lowering the sewer is impossible, the water main shall be raised to achieve the required separation. In no case shall the water main pass under the sewer.
3. When it is impossible to obtain the required separation stipulated in (1) and (2) above, the sewer shall be constructed of mechanical joint ductile iron pipe. Also, if necessary, the water main shall be reconstructed of slip-on or mechanical joint ductile iron pipe. Both services shall be pressure tested to assure water tightness. When the sewer is reconstructed using mechanical joint iron pipe, it shall not be located above the water main.

Article IX Industrial Discharges

Section 1 Prohibited Discharge Standards

Pollutants, substances, or wastewater prohibited by this section shall not be processed or stored in such a manner that they could be accidentally discharged into the POTW.

A. General Prohibitions.

No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater that causes pass-through or interference. These general prohibitions apply to all users of the POTW whether or not they are subject to categorical pretreatment standards or any other federal, State, or local pretreatment standards or requirements.

B. Specific Prohibitions.

No user shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:

1. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, gas, solid, or any substance that may generate or form any flammable, combustible or explosive substance, fluid, gas, vapor, or liquid when combined with air, water or other

- substances present in sewers, including, but not limited to, wastestreams with a closed-cup flashpoint of less than 140^NF (60^NC) using the test methods specified in 40 CFR 261.21;
2. Wastewater having a pH less than 5.0 or greater than 11.0 , as measured at the point of connection to the sanitary sewer or other available monitoring location, or otherwise causing corrosive structural damage or hazard to the POTW equipment, or personnel, or with alkalinity in such quantities that the pH of the influent to the POTW is caused to exceed 8.0;
 3. Solid or viscous substances including water or wastes containing fats, wax, grease, or oils, whether emulsified or not, or containing substances that may solidify or become viscous at temperatures between thirty two (32) and one hundred fifty (150) degrees (0-65 degrees C), in amounts that will cause obstruction of the flow in the POTW resulting in interference;
 4. Pollutants, including oxygen-demanding pollutants (BOD, COD, etc.), or chlorine demand requirements released in a discharge at a flow rate and/or pollutant concentration that, either singly or by interaction with other pollutants, will cause interference with the POTW;
 5. Wastewater having a temperature greater than 150^NF (65^NC), or which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater that causes the temperature at the introduction into the POTW treatment plant to exceed 104^NF (40^NC);
 6. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass-through;
 7. Pollutants that result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
 8. Trucked or hauled pollutants, except at discharge points designated by the superintendent in accordance with Section 10, Paragraph I of this Article; and
 9. Household hazardous wastes including but not limited to paints, stains, thinners, pesticides, herbicides, anti-freeze, transmission and brake fluids, motor oil and battery acid.

C. Additional Prohibitions.

No user shall introduce or cause to be introduced into the POTW the following substances, pollutants or wastewater, unless specifically authorized by the Sewer Commissioners in a wastewater discharge permit:

1. Wastewater that imparts color that may not be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently may impart color to the treatment facility=s effluent, thereby violating the town=s NPDES permit;
2. Noxious or malodorous liquids, gases, solids, or other wastewater that, either singly or

- by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;
3. Wastewater containing any radioactive wastes or isotopes except in compliance with applicable state or federal regulations;
 4. Storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, non-contact cooling water, or otherwise unpolluted wastewater;
 5. Sludges, screenings, or other residues from the pretreatment of industrial wastes;
 6. Medical wastes;
 7. Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test;
 8. Detergents, surface-active agents, or other substances that may cause excessive foaming in the POTW;
 9. Wastewater causing a reading on an explosion hazard meter at the point of discharge into the POTW, or at any point in the POTW, of more than ten percent (10%) of the Lower Explosive Limit of the meter;
 10. Garbage that has not been properly shredded (garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers);
 11. Any quantities of flow, concentrations, or both that constitute a "slug" as defined in Article II of this ordinance;
 12. Waters or wastes that, by interaction with other water or wastes in the POTW, release dangerous or noxious gases, form suspended solids that affect the operation of the collection system, or create a condition deleterious to structures and treatment processes; or
 13. Any materials that exert or cause unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime, slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).

Section 2 Federal Categorical Pretreatment Standards

The categorical pretreatment standards are found at 40 CFR Chapter I. Subchapter N. Parts 405-471.

EPA shall be the Control Authority for industrial users subject to categorical pretreatment standards. As the Control Authority, industrial users are responsible to the EPA for compliance with categorical pretreatment standards and the requirements of 40 CFR Part 403. Categorical industrial users shall provide the town with copies of any reports to, or correspondence with EPA relative to compliance with the categorical pretreatment standards.

The industrial user is responsible for determining the applicability of categorical pretreatment standards. The user may request that EPA provide written certification on whether the user is subject to the requirements of a particular category.

Section 2.5 Local Discharge Restrictions

All persons discharging industrial process wastes into public or private sewers connected to the Town's POTW shall comply with applicable federal requirements and State standards for pretreatment of wastes as they may be amended from time to time in addition to the requirements of this Ordinance.

Local numerical discharge limitations established by the Town as set forth herein or as may be adopted by the Sewer Commission (referred to as local limits), and all State pretreatment standards shall apply, whichever is most stringent.

If any waters or wastes are discharged or are proposed to be discharged to the POTW that exceed the standards or restrictions established in Article IX Sections 1, 2, and 2.5 of this Ordinance, which in the judgment of the Sewer Commission may have a deleterious effect upon the POTW, processes, equipment, or receiving waters, or that otherwise create a hazard to worker safety or health, or constitute a public nuisance, the Sewer Commission may:

- § Reject or prevent any discharge to the POTW after notice has been served to the discharger and the discharger has had reasonable opportunity to respond;
- § Require pretreatment prior to discharge to the POTW (Article IX, Section 6);
- § Require control (e.g., equalization) over the quantities and rates of discharge; and/or
- § Require payment to cover additional cost of handling and treating wastes.

If the Sewer Commission allows the pretreatment or equalization of waste flows, the design and installation of the systems and equipment shall be subject to the review and approval of the Sewer Commission and the State (see Article IX, Section 6).

A. Maximum Allowable POTW Headworks Loadings Limitations. Numerical pollutant loading limitations may be established to protect against pass-through and interference:

The Sewer Commission shall calculate and administer daily concentration limits (i.e., local limits) when required as described below to ensure that the combined industrial pollutant discharge loadings do not cause or contribute to exceeding of these limitations. For industrial discharge applications, the local limits shall apply at the end of the process train prior to dilution with non-industrial wastewaters.

Daily concentrations are the concentration of a pollutant discharged, determined from the analysis of a flow-composited sample (or other sampling procedure approved by the Sewer Commission) representative of the discharge over the duration of a 24-hour day or industrial operation schedule of less than 24 hours.

The Sewer Commission may impose mass limitations in addition to, or in accordance with Article IX, Section 5, in place of the concentration-based limitations.

Local limits are developed based on the identification of industrial users known to be discharging each pollutant (industrial contributory flow procedure).

- B. Screening Levels. Pollutants shall not be discharged to the POTW exceeding concentrations set by the Sewer Commission. The Sewer Commission will develop screening levels as needed.

Screening levels are numerical values above which actions are initiated to evaluate, prevent or reduce adverse impacts due to flammability, chemical reactivity, organic/solids loadings, or worker health and safety.

If any of the screening levels are exceeded, repeat analysis must be performed to verify compliance or noncompliance with that screening level. If noncompliance is confirmed, then the industrial user may be required, at the discretion of the Sewer Commission, to conduct an appropriate engineering evaluation to determine the potential impact of the discharge of this pollutant to the Town=s POTW or alternatively, to develop a pollution prevention plan specifically addressing the pollutant that exceeds the screening level. This study or plan must be conducted under the supervision and approval of the Town. Should the evaluation indicate the impact to be unsatisfactory, the Industrial User shall reduce the pollutant concentration to a satisfactory level. If the evaluation supports development of an alternate site-specific limitation, then the screening level shall be adjusted and administered at a limit for the specific discharge.

- C. Special Agreements. No statement contained in this paragraph except for Article IX, Sections 1.A, 1.B, and 2 shall be construed as preventing any special agreement or arrangement between the Town and any industrial user whereby an industrial waste of unusual strength or character may be accepted by the Town for treatment provided that said agreements do not contravene any requirements of existing federal or State laws, and/or regulations promulgated thereunder, are compatible with any user charge system in effect, and do not waive applicable federal categorical pretreatment standards. Special agreement requests shall require submittal of a pollution prevention plan that specifically addresses the discharge for which a special agreement is requested. For pollutants with numerical local limits, the Town has allocated a percentage of its allowable industrial loadings for such special agreements. Requests for special agreements that exceed this allocation will not be approved.

Section 3 Town=s Right of Revision

The discharge standards and requirements set forth in Article IX Sections 1 and 2 are established for the purpose of preventing discharges to the POTW that would harm the sewers, wastewater treatment process or equipment; would have an adverse effect on the receiving stream: or would otherwise endanger lives, limb, public property, or constitute a nuisance.

To meet these objectives, the Sewer Commission may, from time to time, review and set more stringent standards or requirements than those established in Article IX Sections 1 and 2 if, in the Sewer Commissioner=s opinion, such more stringent standards or requirements are necessary. At a minimum this review will be performed at least once every five (5) years. In forming this opinion, the Sewer Commissioners may give consideration to such factors as the quantity of waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment facility, degree of treatability at

the wastewater treatment facility, pollution prevention activities, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer shall not be exceeded without the approval of the Sewer Commissioners.

The Sewer Commissioners shall allow affected industrial users reasonable time to comply with any changes to the local limits. The conditions and schedule for compliance shall accompany the written notification of amended local limits.

Section 4 Dilution

No user shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable pretreatment standard or requirement. The Sewer Commissioners may impose mass limitations on users who are using dilution to meet applicable pretreatment standards or requirements, or in other cases when the imposition of mass limitations is appropriate.

Section 5 Mass-Based Limitations

Users implementing process changes may request that compliance be determined based on mass limitations in lieu of concentration limitations. Such mass-based limitations will be calculated from the permitted concentration-based limitations and flows, and shall be equivalent to or less than the mass discharge in effect at the time of the request. The intent of a mass-based limit is to encourage and allow pollution prevention and/or water conservation measures that might cause a facility to increase pollutant concentrations in its discharge even though the total mass of the pollutant discharged does not increase, and may in fact decrease. Decisions on granting requests for mass-based compliance limitations will be based on user-specific information and current operating conditions of the POTW, and will be at the discretion of the Sewer Commissioners. Implementation of mass-based limitations may not contravene any requirements of federal or state laws and/or regulations implemented thereunder, and may not waive applicable categorical pretreatment standards.

Section 6 Pretreatment Facilities

Users shall provide wastewater treatment as necessary to comply with this ordinance and shall achieve compliance with all local limits, prohibitions, and requirements set in this ordinance within the time limitations specified by EPA, the state, or the Sewer Commissioners, whichever is more stringent. All facilities required to achieve and maintain compliance shall be provided, operated, and maintained at the user=s expense. Detailed plans describing such facilities and operating procedures shall be submitted to the Sewer Commissioners for review, and shall be acceptable to the Sewer Commissioners and the DES before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the user from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the town under the provisions of this ordinance.

Section 7 Additional Pretreatment Measures

A. Whenever deemed necessary to protect the POTW and determine the user=s compliance with

the requirements of this ordinance the Sewer Commissioners may require users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and such other conditions as may be necessary.

- B. The Sewer Commissioners may require any person discharging into the POTW to install and maintain on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. An Industrial Discharge Permit may be issued solely for flow equalization.
- C. Grease, oil, and sand interceptors shall be provided at the owner=s expense when, in the opinion of the Sewer Commissioners, these devices are necessary for the preliminary treatment of wastewater containing excessive amounts of grease, oil, or sand; except that such interceptors shall not be required for residential users. All interception units shall be of a type and capacity approved by the Sewer Commissioners and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired regularly, as needed, by the user at their expense. The owner shall be responsible for the proper removal and disposal by appropriate means of the captured materials and shall be subject to periodic review by the Sewer Commissioners. Any removal and hauling of the collected materials shall be performed by currently licensed waste disposal firms.
- D. Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter and alarm.
- E. Where pretreatment or flow equalizing facilities are provided or required for any waters or wastes, these devices shall be maintained continuously to ensure satisfactory and effective operation by the owner at his expense.

Section 8 Accidental Discharge/Slug Control Plans

At least once every two (2) years, the Sewer Commissioners shall evaluate whether each significant industrial user needs an accidental discharge/slug control plan. The Sewer Commissioners may require any user to develop, submit for approval, and implement such a plan. Alternatively, the Sewer Commissioners may develop such a plan for any user. An accidental discharge/slug control plan shall address, at a minimum, the following:

- A. Description of discharge practices, including non-routine batch discharges;
- B. Description of stored chemicals;
- C. Procedures for immediately notifying the Sewer Commissioners of any accidental or slug discharge, as required by Article IX, Section 12, Paragraph C of this ordinance; and
- D. Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

Section 9 Pollution Prevention Plans

In accordance with the provisions of Article IX Section 16 Paragraph C of this ordinance, the Sewer Commissioners may require any person discharging wastes into the POTW to develop and implement, at that person=s own expense, a pollution prevention plan. The Sewer Commissioners may require users to submit as part of the pollution prevention plan information that demonstrates adherence to the following elements:

A. Management Support.

For changes to be effective, the visible support of top management is required. Management=s support should be explicitly stated and include designation of a pollution prevention coordinator, goals, and time frames for reductions in volume and toxicity of wastestreams, and procedures for employee training and involvement.

B. Process Characterization.

A detailed process waste diagram shall be developed that identifies and characterizes the input of raw materials, the outflow of products, and the generation of wastes.

C. Waste Assessment.

Estimates shall be developed for the amount of wastes generated by each process. This may include establishing and maintaining waste accounting systems to track sources, the rates and dates of generation, and the presence of hazardous constituents.

D. Analysis of Waste Management Economics.

Waste management economic returns shall be determined based on the consideration of:

1. Reduced raw material purchases;
2. Avoidance of waste treatment, monitoring and disposal costs;
3. Reductions in operations and maintenance expenses;
4. Elimination of permitting fees and compliance costs; and
5. Reduced liabilities for employee/public exposure to hazardous chemicals and cleanup of waste disposal sites.

E. Development of Pollution Prevention Alternatives.

Current and past pollution prevention activities should be assessed, including estimates of the reduction in the amount and toxicity of waste achieved by the identified actions. Opportunities for pollution prevention must then be assessed for identified processes where raw materials become or generate wastes. Technical information on pollution prevention should be solicited and exchanged, both from inside the organization and out.

F. Evaluation and Implementation.

Technically and economically feasible pollution prevention opportunities shall be identified and an implementation timetable with interim and final milestones shall be developed. The recommendations that are implemented shall be periodically reviewed for effectiveness.

The review and approval of such pollution prevention plans by the town shall in no way relieve the user from the responsibilities of modifying facilities as necessary to produce a discharge acceptable to the town in accordance with the provisions of this ordinance.

Section 10 Industrial Discharge Permit Application

A. Wastewater Characterization

When requested by the Sewer Commissioners a user must submit information on the nature and characteristics of its wastewater within sixty (60) days of the request. The Sewer Commission is authorized to prepare a form for this purpose and may periodically require users to update this information.

B. Industrial Discharge Permit Requirement

1. No significant industrial user shall discharge wastewater into the POTW without first obtaining an Industrial Discharge Permit from the Sewer Commissioners, except that a significant industrial user that has filed a timely and complete application pursuant to Article IX Section 10 Paragraph D of this ordinance may continue to discharge for the time period specified therein.
2. The Sewer Commissioners may require other users to obtain Industrial Discharge Permits, or submit an application for an Industrial Discharge Permit, as necessary to execute the purposes of this ordinance.
3. Any violation of the terms and conditions of an Industrial Discharge Permit shall be deemed a violation of this ordinance and shall subject the industrial discharge permittee to the enforcement actions set out in Article IX Section 16 through 18 of this ordinance. Obtaining an Industrial Discharge Permit does not relieve a permittee of its obligation to comply with all federal, and state pretreatment standards or requirements or with any other requirements of federal, state and local law.

C. Discharge Permit Request Requirement

All industrial users must receive DES approval for any new industrial discharge, or any significant alteration in either flow or waste characteristics, in accordance with the town's NPDES permit. Such approvals shall be obtained in accordance with Article IX Section 12 Paragraph B of this ordinance.

D. Industrial Discharge Permitting: Existing Connections

Any user required to obtain an Industrial Discharge Permit who was discharging wastewater into the POTW prior to the effective date of this ordinance, and is not currently covered by a valid Industrial Discharge Permit, and who wishes to continue such discharges in the future, shall, within sixty (60) days after said date, apply to the Sewer Commissioners for an Industrial

Discharge Permit in accordance with Article IX Section 10 Paragraph G of this ordinance, and shall not cause or allow discharges to the POTW to continue after one hundred twenty (120) days of the effective date of this ordinance except in accordance with an Industrial Discharge Permit issued by the Sewer Commissioners.

E. Industrial Discharge Permitting: New Connections

Any user required to obtain an Industrial Discharge Permit who proposes to begin or recommence discharging into the POTW shall obtain an Industrial Discharge Permit prior to the beginning or recommencing of such discharge. An application for this Industrial Discharge Permit, in accordance with Article IX Section 10 Paragraph G of this ordinance, shall be filed at least ninety (90) days prior to the date upon which any discharge will begin or recommence.

F. Industrial Discharge Permitting: Categorical Standards

Within one hundred twenty (120) days subsequent to the effective date of a categorical pretreatment standard, an industrial user subject to such standards shall submit an application for an Industrial Discharge Permit amendment. The application shall contain the information noted under Article IX Section 10 Paragraph G.

G. Industrial Discharge Permit Application Contents

All users required to obtain an Industrial Discharge Permit, and other users subject to these rules, as required by the Sewer Commissioners, shall submit a permit application. The Sewer Commissioners may require all users to submit as part of an application the following information:

1. Description of activities, facilities, and production processes on the premises, including a list of all raw materials and chemicals used or stored by the facility that are, or could accidentally be, discharged to the POTW;
2. A list of all environmental permits held by or for the facility;
3. Each product produced by type, amount, process or processes, and rate of production;
4. Type and amount of raw materials processed (average and maximum per day);
5. Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge and sampling locations;
6. The estimated average, maximum and total daily flow for each discharge and the time and duration of discharges;
7. Copies of existing pollution prevention plans and/or a description of all known pollution prevention opportunities that may exist at the facility;
8. Notification to the town of any proposed or existing discharge of listed or characteristic hazardous waste [as required by 40 CFR 403.12.12(p)];

9. In those instances in which the industrial user provides notification the discharge of hazardous waste, the industrial user shall also provide the following certification: *I* certify that (*the company*) has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree (*the company*) has determined to be economically practicable@;
10. An indication of whether the conditions referenced in the application are existing or proposed; and
11. Any other information as may be deemed necessary by the Sewer Commissioners to evaluate the Industrial Discharge Permit application.

Incomplete or inaccurate applications will not be processed and will be returned to the user for revision.

H. Signatories and Certification

All industrial Discharge Permit applications and user reports shall be signed by an authorized representative of the user and shall contain the following certification statement:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.@

I. Hauled Wastewater Permits

1. Septic tank waste may be introduced into the POTW only at locations designated by the Sewer Commissioners and at such times as are established by the Sewer Commissioners. Transport and discharge of such waste shall comply with Article X of this ordinance.
2. The Sewer Commissioners shall require generators of hauled industrial waste to obtain Industrial Discharge Permits. The Sewer Commissioners may require haulers of industrial waste to obtain Industrial Discharge Permits. The Sewer Commissioners may also prohibit the disposal of hauled industrial waste. All other requirements of this ordinance apply to the discharge of hauled industrial waste.
3. Industrial waste haulers may discharge loads only at locations designated by the Sewer Commissioners. No load may be discharged without prior consent of the Sewer Commissioners. The Sewer Commissioners may collect samples of each hauled load to ensure compliance with applicable standards. The Sewer Commissioners may require the industrial waste hauler to provide a waste analysis of any load prior to discharge.
4. Industrial waste haulers shall provide a waste-tracking form for every load. This form shall include, at a minimum, the name and address of the industrial waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and

characteristics of waste. The form shall identify the type of industry, known or suspected waste constituents and a certification that the wastes are not hazardous wastes as defined in the State=s Hazardous Waste Rules (Env-Wm 110, 211-216, 351-353, 400-1000).

Section 11 Industrial Discharge Permit Issuance Process

A. Industrial Discharge Permit Decisions

The Sewer Commissioners will evaluate the data provided by the industrial user and may require additional information. Within thirty (30) days of receipt of a complete Industrial Discharge Permit application (or ninety (90) days in the case of an application for a new or increased discharge requiring review and approval by DES), the Sewer Commissioners will determine whether or not to issue an Industrial Discharge Permit. The Sewer Commissioners may deny any application for an Industrial Discharge Permit, with just cause.

B. Industrial Discharge Permit Duration

An Industrial Discharge Permit shall be issued for a specified time period, not to exceed five (5) years [or three (3) years in the case of a significant user] from the effective date of the permit. An Industrial Discharge Permit may be issued for a period less than these intervals at the discretion of the Sewer Commissioners. Each Industrial Discharge Permit will indicate a specific date upon which it will expire.

Industrial Discharge Permits shall be terminated upon cessation of operations or transfer of business ownership, unless notification of such transfer is provided in accordance with Article IX Section 11 Paragraph F of this ordinance. All Industrial Discharge Permits issued to a particular user are void upon the issuance of a new Industrial Discharge Permit to that user.

C. Industrial Discharge Permit Contents

An Industrial Discharge Permit shall include such conditions as are deemed reasonably necessary by the Sewer Commissioners to prevent pass through or interference, protect the quality of the water body receiving the treatment facility=s effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

Industrial Discharge Permits shall contain:

1. A statement that indicates Industrial Discharge Permit duration, which in no event shall exceed five (5) years;
2. A statement that the Industrial Discharge Permit is nontransferable without prior notification to the town in accordance with Article IX Section 11 Paragraph F of this ordinance, and provisions for providing the new owner or operator with a copy of the existing Industrial Discharge Permit;
3. Effluent limitations based on applicable pretreatment standards and requirements;
4. Self-monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants requiring pollution prevention reports and, for pollutants to be monitored, the following: sampling location, sampling

- frequency, and sample type based on this ordinance, and state and federal laws, rules and regulations;
5. For users with reporting requirements, such reports at a minimum shall require:
- a. Periodic monitoring results indicating the nature and concentration of pollutants in the discharge from the regulated processes governed by pretreatment requirements and the average and maximum daily flow for these process units;
 - b. A statement as to whether the applicable pretreatment standards and requirements are being met on a consistent basis and, if not, then what additional operation and maintenance practices and/or pretreatment systems are necessary; and
 - c. Submittal of any monitoring results performed in addition to the requirements of the Industrial Discharge Permit using procedures prescribed in the permit.
6. A description of identified pollution prevention opportunities at the facility;
7. A statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule. This schedule may not extend the time for compliance beyond that required by this ordinance, applicable state and federal laws, rules and regulations; and
8. A statement that compliance with the Industrial Discharge Permit does not relieve the permittee of responsibility for compliance with all applicable federal and state pretreatment standards, including those that become effective during the term of the Industrial Discharge Permit.

Industrial Discharge Permits may contain, but need not be limited to, the following conditions:

9. Limitations on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
10. Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the POTW;
11. Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or non-routine discharges;
12. Development and implementation of pollution prevention plans to reduce the amount of pollutants discharged to the POTW;
13. The unit charge or schedule of user charges and fees for the management of the wastewater discharged to the POTW;
14. Requirements for installation and maintenance of inspection and sampling facilities and equipment; and

15. Other conditions as deemed appropriate by the Sewer Commissioners to ensure compliance with this ordinance, and state and federal laws, rules, and regulations.

D. Industrial Discharge Permit Appeals

Any person, including the user, may petition the Sewer Commissioners to reconsider the terms of an Industrial Discharge Permit within thirty (30) days of its issuance.

1. Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.
2. In its petition, the appellant user must indicate the Industrial Discharge Permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to place in the Industrial Discharge Permit.
3. The effectiveness of the Industrial Discharge Permit shall not be stayed pending the appeal.
4. If the Sewer Commissioners fail to act within thirty (30) days, a request for reconsideration shall be deemed to be denied.
5. Aggrieved parties may appeal the conditions of the Industrial Discharge Permit in accordance with Article XIII(B) of this ordinance.

E. Industrial Discharge Permit Modification

The Sewer Commissioners may modify an Industrial Discharge Permit for good cause, including, but not limited to, the following reasons:

1. To incorporate any new or revised federal, state, or local pretreatment standards or requirements;
2. To address significant alterations or additions to the user=s operation, processes, or wastewater volume or character since the time of Industrial Discharge Permit issuance;
3. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
4. Information indicating that the permitted discharge poses a threat to the town=s POTW, town personnel, or the water quality in the receiving waters;
5. Violation of any terms or conditions of the Industrial Discharge Permit;
6. Misrepresentations or failure to fully disclose all relevant facts in the Industrial Discharge Permit application or in any required reporting;
7. Revision of or a grant of variance from categorical pretreatment standards pursuant to 403.13;
8. To correct typographical or other errors in the Industrial Discharge Permit; or

9. To reflect a transfer of the facility ownership or operation to a new owner or operator.

F. Industrial Discharge Permit Transfer

Industrial Discharge Permits may be transferred to a new owner or operator only if the permittee provides at least sixty (60) days advance notice to the Sewer Commissioners, and the Sewer Commissioners approve the Industrial Discharge Permit transfer. The notice to the Sewer Commissioners shall include a certification by the new owner or operator that:

1. States that the new owner and/or operator has no immediate intent to change the operations and processes that generate wastewater to be discharged to the POTW;
2. Identifies the specific date on which the transfer is to occur; and
3. Acknowledges full responsibility for complying with the existing Industrial Discharge Permit.

G. Industrial Discharge Permit Reissuance

A user with an expiring Industrial Discharge Permit shall apply for reissuance of the Industrial Discharge Permit by submitting a complete permit application, in accordance with Article IX Section 10 Paragraph G of this ordinance, a minimum of sixty (60) days prior to the expiration of the user=s existing Industrial Discharge Permit. Under no circumstances shall the permittee continue to discharge without an effective permit. An expired permit will continue to be effective and enforceable until the permit is reissued if:

1. The industrial user has submitted a complete permit application at least sixty (60) days prior to the expiration date of the user=s exiting permit; and
2. The failure to reissue the permit, prior to expiration of the previous permit, it not due to negligence or failure to act on the part of the industrial user.

H. Regulation of Waste Received from Other Jurisdictions

1. If another municipality, or user located within another municipality, contributes wastewater to the POTW, the Sewer Commissioners shall enter into an intermunicipal agreement with the contributing municipality.
2. Prior to entering into an agreement required by paragraph 1 above, the Sewer Commissioners shall request the following information from the contributing municipality:
 - a. A description of the quality and volume of wastewater discharged to the POTW by the contributing municipality;
 - b. An inventory of all users located within the contributing municipality that are discharging to the POTW; and
 - c. Such other information as the Sewer Commissioners may deem necessary.
3. An inter-municipal agreement, as required by paragraph 1 above, shall contain the following conditions:

- a. A requirement for the contributing municipality to adopt a sewer use ordinance that is at least as stringent as this ordinance, and local limits that ensure that the pollutant loadings allocated to the contributing municipality are not exceeded. The requirement shall specify that such ordinance and local limits shall be revised as necessary to reflect changes made to the town=s ordinance or revisions to the loadings allocated to the contributing municipality;
 - b. A requirement for the contributing municipality to submit a revised user inventory on at least an annual basis;
 - c. A provision specifying which pretreatment implementation activities, including Industrial Discharge Permit issuance, inspection and sampling, and enforcement, will be conducted by the contributing municipality; which of these activities will be conducted by the Sewer Commissioners; and which of these activities will be conducted jointly by the contributing municipality and the Sewer Commissioners;
 - d. A requirement for the contributing municipality to provide the Sewer Commissioners with access to all information that the contributing municipality obtains as part of its pretreatment activities;
 - e. Limitations on the nature, quantity, and volume of the contributing municipality=s wastewater at the point where it discharges to the POTW;
 - f. Requirements for monitoring the contributing municipality=s discharge;
 - g. A provision ensuring the Sewer Commissioners= access to the facilities of users located within the contributing municipality=s jurisdictional boundaries for the purpose of inspection, sampling, and any other duties deemed necessary by the Sewer Commissioners; and
 - h. A provision specifying remedies available for breach of the terms contained within the agreement.
4. Inter-municipal agreements shall be subject to the requirements of RSA 53-A and subject to approval by DES and the Attorney General.

Section 12 Reporting Requirements

A. Periodic Compliance Reports

1. All significant industrial users shall, at a frequency determined by the Sewer Commissioners but in no case less than twice per year (in June and December), submit a report indicating the nature and concentration of pollutants in the discharge that are limited by pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. All periodic compliance reports shall be signed and certified in Accordance with Article IX Section 10 Paragraph H of this ordinance.
2. All wastewater samples must be representative of the user=s discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and

maintained in good working order at all times. The failure of a user to maintain its monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.

3. If a user subject to the reporting requirement in this section monitors any pollutant more frequently than required by the Sewer Commissioners, using the procedures prescribed in Article IX Sections 12 H & I of this ordinance, the results of this monitoring shall be included in the report.

B. Reports of Changed Conditions

Each industrial user shall notify the Sewer Commissioners of any planned significant changes to the user=s operations or systems that might alter the nature, quality, or volume of its wastewater at least ninety (90) days before the change.

1. The Sewer Commissioners may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submittal of an Industrial Discharge Permit application under Article IX Section 11 Paragraph C of this ordinance.
2. Upon approval of the request by the town, a Discharge Permit Request will be submitted by the town to DES on behalf of the user. All applicable DES review fees shall be provided by the user.
3. Upon approval of the Discharge Permit Request by the WSPCD, the Sewer Commissioners may issue an Industrial Discharge Permit under Article IX Section 11 Paragraph A of this ordinance or modify an existing Industrial Discharge Permit under Article IX Section 11 Paragraph E of this ordinance in response to changed conditions or anticipated changed conditions.

C. Reports of Slug/Potentially Adverse Discharges

1. In the case of any discharge, including but not limited to, accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch discharge, or a slug load, that may cause adverse impacts to the POTW, the user shall immediately telephone and notify the Sewer Commissioners of the incident. This notification shall include identifying the location of the discharge, type of waste, concentration and volume, if known, and corrective actions conducted by the user.
2. Within five (5) days following discharge, the user shall, unless waived by the Sewer Commissioners, submit a detailed written report describing the cause(s) of the discharge and the measures to be conducted by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability that may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability that may be imposed pursuant to this ordinance.
3. A notice shall be permanently posted on the user=s employee bulletin board or other prominent place advising employees whom to call in the event of a discharge described in paragraph 1 above. Employers shall ensure that all employees who may cause such a

discharge to occur or who may be present when a discharge occurs are advised of the emergency notification procedure.

D. Reports from Unpermitted Users

All users not required to obtain an Industrial Discharge Permit shall provide appropriate reports to the Sewer Commissioners as the Sewer Commissioners may require.

E. Notice of Violation/Repeat Sampling and Reporting

If the results of sampling performed by a user indicate a violation, the user shall notify the Sewer Commissioners within twenty four (24) hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Sewer Commissioners within thirty (30) days subsequent to becoming aware of the violation. The user is not required to re-sample if the Sewer Commissioners monitors at the user's facility at least once a month, or if the Sewer Commissioners samples between the user's initial sampling and when the user receives the results of this sampling.

F. Notification of the Discharge of Hazardous Waste

1. Any user who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Commissioner, and DES, in writing, of any discharge into the POTW of a substance that, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the user discharges in excess of one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the user: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream expected to be discharged during the following twelve (12) months. All notification shall occur no later than one hundred and eight (180) days after the discharge commences. Any notification under this paragraph shall be submitted only once for each hazardous waste discharged. However, notifications of changed conditions shall be submitted under Article IX Section 12 Paragraph B of this ordinance. The notification requirement in this section does not apply to pollutants already reported by users subject to categorical pretreatment standards.
2. Dischargers are exempt from the requirements of paragraph 1 above, during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the user discharges more than such quantities of any hazardous wastes do not require additional notification.
3. In the case of any new regulations under Section 3001 of the federal Resource Conservation

and Recovery Act (RCRA) identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the user shall notify the Sewer Commissioners, the EPA Regional Waste Management Division Commissioner, and DES of the discharge of such substance within ninety (90) day of the effective date of such regulations.

4. In the case of any notification made under this section, the user shall certify that it has implemented a Pollution Prevention Plan as described in Article IX Section 9 of this ordinance to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically and technologically practicable.
5. This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this ordinance, a permit issued thereunder, or any applicable federal and state laws, rules and regulating.

G. Pollution Prevention Reports

Permitted industrial users discharging pollutants on the Alocal limits@ or Apollution prevention action@ lists at concentrations greater than background levels, shall report annually on pollution prevention activities undertaken to reduce or minimize the generation of wastes containing these pollutants. The town may publicize these efforts in the annual notification provided for in Section 15 of this Article.

H. Analytical Requirements

All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques in 40 CFR Part 136, unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, sampling and analyses shall be performed in accordance with procedures approved by the town.

I. Sample Collection

1. Except as indicated in Paragraph 2, below, the user shall collect wastewater samples using flow proportional composite collection techniques. In the event flow proportional sampling is infeasible, the Sewer Commissioners may authorize the use of time proportional sampling or a minimum of four (4) grab samples where the user demonstrates that this will provide a representative sample of the effluent being discharged. In addition, grab samples may be required to demonstrate compliance with instantaneous discharge limitations (e.g., screening levels established to protect worker health and safety). A single grab sample may also be used in place of a composite sample with approval of the Sewer Commissioners when:
 - a. The effluent is not discharged on a continuous basis (i.e., batch discharges of short duration), and only when the batch exhibits homogeneous characteristics (i.e., completely mixed) and the pollutant can be safely assumed to be uniformly dispersed;
 - b. Sampling a facility where a statistical relationship can be established between previous grab samples and composite date; and

c. The waste conditions are relatively constant (i.e., are completely mixed and homogeneous) over the period of the discharge.

2. Samples for temperature, pH, phenols, sulfides, and volatile organic compounds shall be obtained using grab collection techniques.

J. Timing

Written reports will be deemed to have been submitted on the date postmarked. For reports that are not mailed, the date of receipt of the report by the person designated in the Industrial Discharge Permit shall govern.

K. Record Keeping

Users subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance and any additional records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements. Records shall include the date, exact location, method, and time of sampling, and the name of the person(s) obtaining the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the user or the town or where the user has been specifically notified of a longer retention period by the Sewer Commissioners. Before destroying the records, the industrial user shall request and receive permission from the town.

Section 13 Powers and Authorities of Inspectors

A. Compliance Monitoring

The town shall investigate instances of noncompliance with the industrial pretreatment standards and requirements.

The town shall, as necessary, sample and analyze the wastewater discharges of contributing users and conduct surveillance and inspection activities to identify, independently of information supplied by such users, occasional and continuing noncompliance with industrial pretreatment standards. Each user will be billed directly for costs incurred for analysis of its wastewater.

B. Right of Entry: Inspection and Sampling

All industrial and commercial users discharging to the town=s POTW shall allow unrestricted access by town, state and EPA personnel (An inspector(s)@) for the purpose of determining whether the user is complying with all requirements of this ordinance, and any Industrial Discharge Permit or order issued hereunder. Users shall allow the Inspector(s) ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.

1. If a user has security measures in force that require proper identification and clearance

- before entry into its premises, the user shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the Inspector(s) will be permitted to enter without delay for the purposes of performing specific responsibilities.
2. The Inspector(s) shall have the right to set up on the user=s property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the user=s operations.
 3. The Inspector(s) may require the user to install monitoring equipment as necessary. The facility=s sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the user at its own expense. All devices used to measure wastewater flow and quality shall be calibrated at least annually to ensure accuracy.
 4. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the user at the written or verbal request of the Inspector(s) and shall not be replaced. The costs of clearing such access shall be borne by the user.
 5. Unreasonable delays in allowing the Inspector(s) access to the user=s premises shall be a violation of this ordinance.
 6. The Inspector(s) is authorized to obtain information concerning industrial processes that have a bearing on the kind or source of discharge to the public sewer. The industrial user may request that the information in question not be disclosed to the public in accordance with Section 14 of this Article. The information in question shall be made available upon written request to governmental agencies for uses related to this ordinance, the NPDES permit, or the pretreatment program. The burden of proof that information should be held confidential rests with the user. However, information regarding wastewater discharge by the user (flow, constituents, concentrations, and characteristics) shall be available to the public without restriction.
 7. While performing the necessary work on private properties referred to in this Section, the Inspector(s) shall observe all safety rules applicable to the premises established by the user. The user shall be held harmless for injury or death of the Inspector(s), and the town shall indemnify the user against loss or damage of its property to town employees and against liability claims and demands for personal injury to property damage asserted against the user and growing out of the monitoring activities, except as such may be caused by negligence or failure of the user to maintain safe conditions.
 8. The Inspector(s) 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 POTW 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.
 9. The Sewer Commissioners and other duly authorized employees of the town bearing proper credentials and identification shall inspect the premises of any consumer for leakage or other wastes of metered water upon request of the consumer. Such a request may be required in writing by the town. The town shall not be held liable for any condition that may

prevail or exist that is discovered by inspection of the town.

C. Search Warrants

If the town has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the town designed to verify compliance with this ordinance or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then the Sewer Commissioners may seek issuance of a search warrant from the Henniker District Court.

Section 14 Confidential Information/Public Participation

A. Confidential Information

Information and data on a user obtained from reports, surveys, Industrial Discharge Permit Applications, Industrial Discharge Permits, and monitoring programs, and from the Sewer Commissioners= inspection and sampling activities, shall be available to the public without restriction, unless the user specifically requests, and is able to demonstrate to the satisfaction of the Sewer Commissioners, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable state law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the user furnishing a report that such information should be held confidential, the portions of a report that might disclose trade secrets or secret process shall not be made available for inspection by the public, but shall be made available immediately upon request of governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person providing the report. Wastewater constituents and characteristics and other effluent data as defined by 40 CFR 2.302 will not be recognized as confidential information and will be available to the public without restriction.

B. Public Participation

The town shall comply with the public participation requirements of 40 CFR Part 25 in the enforcement of industrial pretreatment standards and requirements.

Section 15 Publication of Pollution Prevention Achievements

The Sewer Commissioners shall publish annually, in the largest daily newspaper circulated in the town, a list of users whom during the previous twelve (12) months, demonstrated a commitment to reducing the volume and toxicity of waste discharges. All pollution prevention efforts, not just those that affect wastewater discharges, are subject to recognition. The following criteria will be used to identify published users:

- X Innovative ideas the facility has used to implement process changes that eliminate or reduce the volume or toxicity of waste generated;
- X The percentage of the facility=s process water reused within the system or process;
- X The percentage of the facility=s potential waste reused within the system or process;

- X Implementation of employee pollution prevention training and communications programs;
- X Voluntary performance of pollution audits;
- X Spill control procedures/devices (e.g., secondary containment) the facility implements to prevent accidental chemical spills from entering the sewer system; and
- X The environmental and/or economic benefits or successes derived from implementing pollution prevention methods.

The intent of the publication is to notify local consumers of the environmental responsiveness of local businesses, and to encourage industrial users to identify and implement opportunities for preventing pollution. As part of this publication, the town shall provide an evaluation of the impact of these changes to the POTW, and to summarize the current status of pollutant loadings to the POTW and goals established by the POTW for pollution prevention efforts.

Section 16 Administrative Enforcement Remedies

A. Notification of Violation

When the Sewer Commissioners determine that a user has violated, or continues to violate, any provision of this ordinance, an Industrial Discharge Permit or order issued hereunder, or any other pretreatment standard or requirement, the Sewer Commissioners may serve a verbal or written Notice of Violation to the user. Within the time period specified in the violation notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the user to the Sewer Commissioners. Submittal of this plan in no way relieves the user of liability for any violations occurring before or subsequent to receipt of the Notice of Violation. Nothing in this section shall limit the authority of the Sewer Commissioners to take any action, including emergency action or any other enforcement action, without initially issuing a Notice of Violation.

B. Compliance Schedule Development

The Sewer Commissioners may require any user that has violated or continues to violate any provision of this ordinance, an Industrial Discharge Permit, or order issued hereunder, or any other pretreatment standard or requirement, to develop a compliance schedule. A compliance schedule pursuant to this section shall comply with the following conditions;

1. The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards including, but not limited to, retaining an engineer, completing preliminary and final design plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation;
2. No increment referred to above shall exceed nine (9) months;
3. The user shall submit a progress report to the Sewer Commissioners no later than fourteen (14) days following each date in the schedule and the final date of compliance which identifies as a minimum, whether or not it complied with the increment of programs, the reason for any delay, and, if appropriate, the action being taken by the user to return to the established schedule; and

4. In no event shall more than nine (9) months elapse between such progress reports to the Sewer Commissioners.

C. Pollution Prevention Plan Development

The Sewer Commissioners may require any user that has violated or continues to violate any provision of this ordinance, an Industrial Discharge Permit, or order issued hereunder, or any other pretreatment standard or requirement, to develop a pollution prevention plan in accordance with Article IX Section 9 of this ordinance. The pollution prevention plan must specifically address violation(s) for which this action was undertaken. The pollution prevention plan shall be developed using good engineering judgment and shall be submitted to the Sewer Commissioners no later than sixty (60) days after the user was notified of this requirement.

D. Publication of Users in Significant Noncompliance

The Sewer Commissioners shall publish annually, in the largest daily newspaper circulated in the town where the POTW is located, a list of the users that, during the previous twelve (12) months, were in significant noncompliance with applicable pretreatment standards and requirements.

E. Show Cause Orders

The Sewer Commissioners may order a user that has violated, or continues to violate, any provision of this ordinance, an Industrial Discharge Permit or order issued hereunder, or any other pretreatment standard or requirement, to appear before the Sewer Commissioners and show cause why the proposed enforcement action should not be taken. Notice shall be served to the user specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the user show cause why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days prior to the hearing. Such notice may be served on any authorized representative of the user. A show cause hearing shall not be a bar against, or prerequisite for, executing any other action against the user.

F. Cease and Desist Orders

When the Sewer Commissioners determine that a user has violated, or continues to violate, any provision of this ordinance, an Industrial Discharge Permit or order issued hereunder, or any other pretreatment standard or requirement, or that the user's past violations are likely to recur, the Sewer Commissioners may issue an order to the user directing it to cease and desist all such violations and directing the user to:

1. Immediately comply with all requirements; and
2. Implement such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge.

Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any

other action against the user.

G. Consent Orders

The Sewer Commissioners are hereby empowered to enter into Consent Orders, assurances of voluntary compliance, or other similar documents establishing an agreement with any user responsible for noncompliance. Such orders shall include specific action to be taken by the user to correct the noncompliance within a time period also specified by the order. Orders may also contain such other requirements as might be reasonably necessary and appropriate to address the noncompliance, including the installation of pretreatment systems, additional self-monitoring, and management practices. Such orders shall have the same force and effect as administrative orders issued pursuant to Article IX Section 16 Paragraphs E & F of this ordinance and shall be judicially enforceable.

H. Industrial Discharge Permit Termination

Any industrial user who violates the following conditions of this ordinance or a wastewater discharge permit or order, or any applicable state or federal law, is subject to permit termination:

1. Violation of permit conditions;
2. Failure to accurately report the wastewater constituents and characteristics of its discharge;
3. Failure to report significant changes in operations or wastewater constituents and characteristics; or
4. Refusal of reasonable access to the user=s premises for the purpose of inspection, monitoring, or sampling.

Such user will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Article IX Section 16 Paragraph E of this ordinance why the proposed action should not be taken. Exercise of this option by the Sewer Commissioners shall not be a bar to, or a prerequisite for, taking any other action against the user.

I. Termination of Discharge

In addition to the provisions in Article IX Section 16 Paragraph H of this ordinance, any user who violates the following conditions is subject to termination:

1. Violation of Industrial Discharge Permit conditions;
2. Failure to accurately report the wastewater constituents and characteristics of its discharge;
3. Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;
4. Refusal of reasonable access to the user=s premises for the purpose of inspection, monitoring, or sampling; or

5. Violation of the pretreatment standards in Article IX Section 1 & 2 of this ordinance.

Such user will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Article IX Section 16 Paragraph E of this ordinance why the proposed action should not be taken. Exercise of this option by the Sewer Commissioners shall not be a bar to, or a prerequisite for, taking any other action against the user.

J. Emergency Suspensions

The Sewer Commissioners may immediately suspend a user=s discharge, subsequent to informal notice to the user, whenever such suspension is necessary to terminate an actual or threatened discharge that reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of POTW personnel or the public. The Sewer Commissioners may also immediately suspend a user=s discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or that presents, or may present, an endangerment to the environment.

1. Any user notified of a suspension of its discharge shall immediately terminate or eliminate its wastewater discharge. In the event of a user=s failure to immediately comply with the suspension order, the Sewer Commissioners may implement such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The Sewer Commissioners may allow the user to recommence its discharge when the user has demonstrated to the satisfaction of the Sewer Commissioners that the period of endangerment has passed, unless the termination proceedings in Article IX Section 16 Paragraph H & I of this ordinance are initiated against the user.
2. A user that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures implemented to prevent any future occurrence, to the Sewer Commissioners prior to the date of any show cause or termination hearing under Article IX Section 16 Paragraphs E, H & I of this ordinance.

Nothing in this section shall be interpreted as requiring a hearing prior to any emergency suspension under this section.

K. Recovery of Expenses

Any person or industrial user violating any of the provisions of this ordinance shall be liable to the town for any expense, loss, or damage occasioned by the town by reason of such violation. If the Sewer Commissioners or town shall have caused the disconnection of a drain from a public sewer, the town may collect the expenses associated with completing the disconnection from any person or user responsible for, or willfully concerned in, or who profited by such violation. The town may thereafter refuse to permit the restoration of the former connection or of any new connection to the property concerned in the violation until the claim of the town for the cost of completing such disconnection shall have been paid in full plus interest and the reasonable cost of any legal expenses incurred by the town in connection therewith.

L. Harm to Town Property

No person shall maliciously, willfully, or negligently damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment that is part of the public sewage system. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct pursuant to the local ordinances, and shall also be subject to penalties under state and federal statutes.

Section 17 Judicial Enforcement Remedies

A. Injunctive Relief

When the town determines that a user has violated, or continues to violate, any provision of this ordinance, an Industrial Discharge Permit, or order issued hereunder, or any other pretreatment standard or requirement, the town may petition the Merrimack County Superior Court through the town's attorney for the issuance of a temporary or permanent injunction, as appropriate, that restrains or compels the specific performance of the Industrial Discharge Permit, order, or other requirement imposed by this ordinance on activities of the user. The town may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the user to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, implementing any other action against a user.

B. Civil Penalties

1. A user who has violated, or continues to violate, any provision of this ordinance, an Industrial Discharge Permit, or order issued hereunder, or any other pretreatment standard or requirement shall be liable to the town for a maximum civil penalty of \$10,000 per violation, per day, plus actual damages incurred by the POTW. In the case of a monthly or other long-term average discharge limit, penalties shall occur for each day during the period of the violation.
2. The town may recover reasonable attorney's fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the town. The town shall petition the court to impose, assess, and recover such sums.
3. In determining the amount of civil liability, the court shall consider all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the user's violation, corrective actions by the user, the compliance history of the user, and any other factor as justice requires.
4. Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, implementing any other action against a user.
5. The town shall give notice of the alleged violation to the NHDES within ten (10) days of commencement of any action under this section.

C. Criminal Prosecution

Any person or industrial user who willfully or negligently violates any provision of this ordinance or any orders or permits issued hereunder shall, upon conviction, be guilty of a violation, punishable by a fine not to exceed \$1,000.00 for each violation. Every separate provision

violated shall constitute a separate violation. Everyday that a violation occurs shall be deemed a separate violation. Ref. RSA 47:17,I, RSA 149-I:6, RSA 31:39, III.

D. Nonexclusive Remedies

The remedies provided for in this ordinance are not exclusive. The town may take any, all, or any combination of these actions against a non-compliant user. Enforcement of pretreatment violations will generally be in accordance with the town=s enforcement response plan. However, the town may pursue other action against any user without limitation including *ex parte* temporary judicial relief to prevent a violation of this ordinance. Further, the town is empowered to pursue more than one enforcement action against any non-compliant user.

Section 18 Supplemental Enforcement Action

A. Performance Bonds

The Sewer Commissioners may decline to issue or reissue an Industrial Discharge Permit to any user who has failed to comply with any provision of this ordinance, a previous Industrial Discharge Permit, or order issued hereunder, or any other pretreatment standard or requirement, unless such user first files a satisfactory bond, payable to the town, in a sum not to exceed a value determined by the Sewer Commissioners to be necessary to achieve consistent compliance.

B. Liability Insurance

The Sewer Commissioners may decline to issue or reissue an Industrial Discharge Permit to any user who has failed to comply with any provision of this ordinance, a previous Industrial Discharge Permit, or order issued hereunder, or any other pretreatment standard or requirement, unless the user first submits proof that it has obtained financial assurances sufficient to restore or repair damage to the POTW caused by its discharge.

C. Water Supply Severance

Whenever a user has violated or continues to violate any provision of this ordinance, a previous Industrial Discharge Permit, or order issued hereunder, or any other pretreatment standard or requirement, water service to the user may be severed. Service will only recommence, at the user=s expense, subsequent to satisfactory demonstration of its ability to comply.

D. Public Nuisances

A violation of any provision of this ordinance, a previous Industrial Discharge Permit, or order issued hereunder, or any other pretreatment standard or requirement, is hereby declared a public nuisance and shall be corrected or abated as directed by the Sewer Commissioners. Any person(s) creating a public nuisance shall be subject to the provisions of the town Code Article IV Section 402 governing such nuisances, including reimbursing the town for any costs incurred in removing, abating, or remedying said nuisance.

E. Contractor Listing

Users that have not achieved compliance with applicable pretreatment standards and

requirements are not eligible to receive a contractual award for the sale of goods or services to the town. Existing contracts for the sale of goods or services to the town held by a user found to be in significant noncompliance with pretreatment standards or requirements may be terminated at the discretion of the Sewer Commissioners.

Section 19 Affirmative Defenses to Discharge Violations

A. Upset

1. For the purposes of this section, Upset means an exceptional incident in which there is unintentional and temporary noncompliance with pretreatment standards due to factors beyond the reasonable control of the user. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
2. An upset shall constitute an affirmative defense to an action brought for noncompliance with pretreatment standards if the requirements of paragraph 3, below, are met.
3. A user who intends to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - a. An upset occurred and the user can identify the cause(s) of the upset;
 - b. At the time of the upset, the facility was operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures; and
 - c. The user has submitted the following information to the Sewer Commissioners within twenty-four (24) hours of becoming aware of the upset (if this information is provided orally, a written submission must be provided within five (5) days):
 - i. A description of the discharge and cause of noncompliance;
 - ii. The period of noncompliance, including exact dates and times or, if not corrected, the amount of time the noncompliance is expected to continue; and
 - iii. Action being implemented and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
4. In any enforcement proceeding, the user seeking to establish the occurrence of an upset shall have the burden of proof.
5. Users will have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with pretreatment standards.
6. Users shall control all discharges to the extent necessary to maintain compliance with pretreatment standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost or fails.

B. Prohibited Discharge Standards

A user shall have an affirmative defense to an enforcement action brought against it for noncompliance with the general prohibitions in Article IX Section 1(A) of this ordinance or the specific prohibitions in Article IX Section 1 (B) of this ordinance if it can prove that it did not know, or have reason to know, that its discharge, alone or in conjunction with discharges from other sources, would cause pass through or interference and that either:

1. A local limit exists for each pollutant discharged and the user was in compliance with each limit directly prior to, and during, the pass through or interference; or
2. No local limit exists, but the discharge did not change substantially in nature or constituents from the user's prior discharge when the town was regularly in compliance with its NPDES permit, and in the case of interference, was in compliance with applicable sludge use or disposal requirements.

C. Bypass

1. For the purposes of this section:

a. Bypass means the intentional diversion of wastestreams from any portion of a user's treatment facility.

b. Severe property damage means substantial physical damage to property, damage to the treatment facilities that causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

2. A user may allow any bypass to occur that does not cause pretreatment standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of paragraphs 3 and 4 of this section.

3. a. If a user knows in advance of the need for a bypass, it shall submit prior notice to the Sewer Commissioners at least ten (10) days before the date of the bypass, if possible.

b. A user shall submit oral notice to the Sewer Commissioners of an unanticipated bypass that exceeds applicable pretreatment standards within twenty four (24) hours from the time it becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the user becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the amount of time it is expected to continue; and the steps implemented or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Sewer Commissioners may waive the written report on a case-by-case basis if the oral report has been received within twenty four (24) hours.

4. a. Bypass is prohibited, and the Sewer Commissioners may initiate enforcement action against a user for a bypass, unless:

- i. Bypass was required to prevent loss of life, personal injury, or severe property damage;
 - ii. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgement to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance; and
 - iii. The user submitted notices as required under paragraph 3 of this section.
- b. The Sewer Commissioners may approve an anticipated bypass, subsequent to considering its adverse effects, if the Sewer Commissioners determine that it will meet the three conditions listed in paragraph (4)(a) of this section.

Article X Holding Tank Waste

The discharge of holding tank wastewater shall be subject to the following conditions:

Section 1. Domestic Septage.

Any person who wishes to discharge septage from a domestic source at the town=s wastewater treatment facility must conform to the following requirements:

- A. The hauler must be registered with the town;
- B. Septage will be accepted only from the Town of Henniker, with exceptions made, dependent upon operating conditions of the treatment plant, as determined by the superintendent or chief operator of the treatment plant;
- C. Haulers shall discharge the wastes only at locations authorized by the superintendent or chief operator of the POTW;
- D. Haulers shall be responsible to see that septage does not leak onto the ground at or near the discharge point and that all bar racks are raked and exposed areas are washed to remove traces of septage where odors might develop;
- E. The fee for discharging septage shall be set by the Sewer Commissioners. This fee will be revised as needed to cover the town=s cost to treat the septage;
- F. A Septage Disposal Permit shall be filled out for every load of septage discharged into the POTW prior to actual discharge of the wastes.

Section 2 Commercial and Industrial Holding Tank Wastewater

- A. Any person proposing to discharge commercial or industrial holding tank wastewater at the town=s POTW shall apply to the Sewer Commissioners for permission. This request shall include the following information:

1. Name and address of the person proposing to discharge holding tank wastes;
 2. Location of holding tank;
 3. Description of the activities at the site of the holding tank, (i.e. manufacturing restaurant, laundry etc.);
 4. Volume of the holding tank, the requested volume to be discharged and the anticipated frequency of the discharge;
 5. Wastewater constituents and characteristics that will permit a thorough evaluation of this request.
- B. The Sewer Commissioners will evaluate the data submitted and may require additional information. After evaluation and acceptance of the data furnished, the Sewer Commissioners may:
1. Grant permission to discharge the wastewater as requested;
 2. Grant permission to discharge the wastewater with conditions;
 3. Refuse the request.
- C. If the Sewer Commissioners accept the wastewater for disposal, a price for treatment will be established on the constituents, strength, and volume of the wastewater.

Section 3 Interference

The superintendent retains the right to discontinue any or all holding tank discharges if such materials interfere with the satisfactory operation of the POTW.

Article XI Severability

If any provision, paragraph, word, section or article of this ordinance is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, and chapters shall not be affected and shall continue in full force and effect.

Article XII Validity

- A. All ordinances or parts of ordinances in conflict herewith are hereby repealed.
- B. The validity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part of this ordinance that can be given effect without such invalid part or parts.

Article XIII Interpretation of Requirements

A. Interpretation

The provisions of this ordinance with respect to the meaning of technical terms and phrases,

the classification of different types of sewers, the regulations with respect to making connections to sewers or drains, and other technical matters shall be interpreted and administered by the Sewer Commissioners acting in and for the town of Henniker, New Hampshire.

B. Appeals

Any party aggrieved by any decision, regulation or provision under this ordinance, as amended, from time to time, shall have the right of appeal within thirty (30) calendar days of said decision to the Sewer Commissioners, who shall issue a decision within thirty (30) calendar days. If said appeal is denied by the Sewer Commissioners, then the aggrieved party shall have the right to appeal to the Merrimack County Superior Court for equitable relief, provided that said appeal is entered within thirty (30) calendar days from the issuance of the decision of the Sewer Commissioners.

Article XIV Amendments

The Sewer Commission reserves the right to change or modify this ordinance in whole or in part, as deemed necessary.

Article XV Effective Date

This ordinance shall be in full force and effect immediately following its passage, approval, and publication, as provided by law.

Duly enacted and ordained this 15th day of May 2001 by the Sewer Commissioners of the Town of Henniker in Merrimack County, State of New Hampshire, at a duly noticed and duly held session of the said Sewer Commissioners.

Henniker, New Hampshire

By

APPENDIX A**Fee Schedule**

Description	Fee
1. Permit for residential or commercial user discharging domestic sewage only	\$300.00
2. Permit for industrial users	
a. Significant	\$600.00
b. Minor	\$400.00
c. Insignificant	\$300.00
3. Domestic septage disposal	
a. Henniker septage	\$50/1000 gal.
b. Out of town septage	\$60/1000 gal.
4. Commercial and industrial holding tank wastes	As negotiated
5. Recreational vehicle holding tank wastes	
a. Henniker sewer users	No charge
b. All others	\$15.00
6. Costs of setting up and operating the pretreatment program	As negotiated
7. Industrial monitoring, inspection, and surveillance	As negotiated
8. Review of accidental discharge procedures and construction	As negotiated
9. Charges for filing appeals	\$25.00
10. Costs for consistent removal (by the town) of pollutants otherwise subject to Federal Pretreatment Standards	as negotiated

APPENDIX B**TRENCH PERMIT AND LICENSING REQUIREMENTS**

PERMIT #: _____

DATE: _____

A. TRENCH PERMIT

1. In accordance with the provisions of Chapter 236, Section 9-12, of the NH Revised Statutes Annotated, and amendments thereto, permission is requested to disturb the:

in the Town of Henniker for the purpose of: _____

Location: _____

[Please attach a sketch showing location of trench]

2. I/we

_____ *[name and address]*

agree to conform to the following provisions, instructions, and regulations in processing the work under this request and to any additional instructions issued by the Town of Henniker during the process of the work.

3. In areas where the pavement is to be excavated it shall be neatly and uniformly cut with square edges by machine at each side of all trenches. Every precaution shall be used to prevent undermining the remaining pavement, utilizing shoring procedures as required to prevent cave-in and to protect the remaining pavement. It is recommended that all trenching conform to OSHA regulations. Any undermined areas that inadvertently develop shall have the projecting pavement cut square and removed. Excavation and handling of material shall be performed in a manner which will minimize disturbance beyond the trench limits. Any blasting shall be performed only by a blasting technician licensed by the State of New Hampshire. Necessary arrangements shall be made by the requesting party for coordination of protecting overhead wires.

4. All other excavation shall be performed in a manner which will produce the minimum possible safe width of disturbed area. Sheeting shall be used as required to prevent cave-in.

5. Within the paved areas (as described in NH Department of Transportation Standard Specifications), material equal to the existing gravel course shall be placed in layers not exceeding twelve (12) inches loose depth and thoroughly compacted. A minimum of twelve (12) inches of one and a half (1.5) inch crushed bank run gravel will be placed immediately below pavement. An approved bituminous material shall be placed and carefully graded and rolled to the adjacent pavement grade.

6. In other areas the present surface type shall be restored by placing similar material on top of trench to a depth equal to that existing before excavation. Any existing grass land additionally shall be fertilized and re-seeded with like vegetation that must grow and flourish. Any asphalt or concrete sidewalk shall have surfaces of equal depth, kind and quality placed.

7. Maximum length of trench to be open at one time shall be not more than _____ feet and not more than _____ feet left open at night.

8. Suitable unrestricted ingress and egress to properties abutting the highway shall be maintained at all times. Two-way traffic on nights, weekends and holidays shall be maintained at all times. Sidewalk traffic shall be provided for by means of an alternate protected route if sidewalk is blocked due to work being done.

9. Traffic must be maintained during the performance of the work. Any detours must be planned and agreed to by the Town of Henniker. Work zones shall be protected by suitable barricades, standard warning and advance warning signs, flags during the day, and proper lighting at night, as described in the Manual for Uniform Traffic Control Devices. Uniformed special traffic officers or flag persons shall be provided whenever two-way traffic cannot be maintained, and at the request of the Chief of Police, during any time that he/she deems them necessary for the protection of the public.

NOTE: Every effort should be made to route diverted traffic with well-marked lanes. Qualifications of flag persons may be required by the Chief of Police. Should a uniformed police officer be required for traffic control, arrangements must be made through the Chief of Police. All signs shall be kept in good repair at all times. (See Traffic Course Sheet attached.)

All work zone and traffic control zone plans must be approved by the Town of Henniker prior to work starting. They must be adhered to or all work will cease as public safety is of prime importance and takes precedence.

NOTE: Any repairs, replacements or corrections to traffic control zones required for public safety will be made by the Town of Henniker at a cost to the applicant of 125% for materials, labor, and any and all other costs incurred by the Town of Henniker. Work will not continue until payment has been received in full and accepted by the Town of Henniker, or unless allowed to proceed for safety reasons by the Board of Selectmen.

10. During weekends, holidays and non-work days, and during the hours the job is inactive, a standby crew shall be available in case they are needed as agreed after review with the Town of Henniker for the protection and maintenance of traffic. One or more telephone numbers which will reach the standby crew shall be furnished to the following people:

- \$ Chief of Police
- \$ Highway Superintendent
- \$ Fire Chief

11. Any future surface distortion along the trench lines, due to settlement or other causes attributable to the construction shall be corrected as required during the period of three (3) years following the acceptance of the project by the Owners, based upon a mutually agreed upon record of the road system disturbance (photos, measurements, etc.).

12. I/we, the contractor/owner, agree to save harmless the Town of Henniker from any and all claims arising from the construction of the work, or from trench settlement or other deficiencies of the construction attributable to the said construction for a period of three (3) years following the acceptance of the project by the owners.

13. I/we, the contractor, agree to assume such additional cost as the Town of Henniker may incur by reason of failure to perform this work in the manner prescribed above and in accordance with said plans and specifications, and are familiar with the penalty imposed by NH R.S.A. Chapter 236, Section 14, and amendments thereto.

14. Said permission may be conditioned upon the filing with the Selectmen of a Performance Bond or acceptable surety to secure the repair of said roads, streets or highways damaged as a result of said operations in any amount and surety sufficient to cover the estimated costs of repairs as determined by the Town of Henniker. Said bond shall be approved by the Town and conditioned upon the completion and guarantee of said repairs within a period specified by the Selectmen and expressed in said bond.

15. I/we, the contractor/owner, agree to save harmless the Town of Henniker from any and all claims arising from the construction of said _____ and its appurtenances. A certificate of insurance shall be provided to the Town of Henniker. It must be in full force throughout work scheduled and must name the Town of Henniker as an additional insured party for any claims that may arise from the work/actions resulting from the area covered by this permit.

16. Permission for the above-described construction is granted, subject to the instructions, regulations, conditions and agreements above. It is void and to no effect pending filing of said Surety Bond with the Selectmen of Henniker.

17. In case of an emergency that requires excavation of any street or sidewalk in town, the following must be notified: Henniker Police, Fire Department, Highway Department, Cogswell Spring Water Works, Wastewater Treatment Plant, and Dig Safe. The following business day a complete Trench Permit must be filled out and all of the conditions must be met.

18. WORK TO BEGIN: _____

WORK TO END: _____

19. Dig Safe Approval No.: _____ Date: _____

20. Certificate of Insurance to be provided before work begins. The Town of Henniker is to be named as an additional insured for each location as it applies to this project.

COMPANY AFFORDING COVERAGE:

B. LICENSING REQUIREMENTS

In accordance with the provisions of NH R.S.A. Chapter 231, Sections 160-182, and amendments thereto, any person, co-partnership or corporation desiring to erect or install any telegraph, television, telephone, electric, light and electric power poles and structures, and underground or pole supported conduits and cables, must also obtain a license from the Henniker Board of Selectmen.

THE FOLLOWING TOWN OFFICIALS MUST BE NOTIFIED NOT LESS THAN FIVE (5) WORKING DAYS BEFORE CONSTRUCTION BEGINS:**PERMIT HOLDER:**

Address: _____

Date: _____

Signature: _____

1. Highway Superintendent _____
Tel: 428-7200 *signature*

2. Cogswell Spring Water Works _____
Superintendent *signature*
Tel: 428-3237

3. Wastewater Treatment Plant _____
Superintendent *signature*
Tel: 428-7215

4. Chief of Police _____
Tel: 428-3213 *signature*
Emergency: 428-3212 Uniformed officer required: Y____ N____
at a rate of \$_____
Flag person required: Y____ N____

5. Fire Chief _____
Tel: 428-6244 *signature*

BOARD OF SELECTMEN: _____

Date: _____

c: Henniker Rescue Squad

*Amended by the Town of Henniker, Board of Selectmen:
11/03/87, 08/06/91, 07/30/92, 09/15/92, 03/25/99*

APPENDIX C**APPLICATION FOR PERMIT TO DISCHARGE INDUSTRIAL WASTEWATER
TO THE TOWN OF HENNIKER MUNICIPAL SEWER SYSTEM**

All items are to be completed. If an item is not applicable, indicate **N/A**. Unless otherwise specified, please print or type.

PART I

1. Name of Industry

Address of Industry

2. Name of Owner

Address of Owner

3. Person in responsible charge _____

4. List existing environmental permits

State

EPA

5. Standard Industrial Classifications of Various Operations

6. Nature of business

7. Principal Product

8. Quantity of Production

9. a. Is wastewater discharged to the municipal sewer system? Yes _____ No _____

b. Is wastewater trucked offsite? Yes _____ No _____

If answer is yes, provide name and address of shipping company destination of wastewater.

c. Is wastewater discharged to a septic system? Yes _____ No _____

10. Facility Water Use

Source:	Gallons Per Day		Gallons Per Year
	Avg.	Max.	
Municipal	_____	_____	_____
Groundwater	_____	_____	_____
Other	_____	_____	_____

11. Wastewater Flow (Gallons per day)

	Average Daily	Maximum Daily	Maximum Hourly
Regulated Processes	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Process Cooling Water	_____	_____	_____
Boiler Blow-down	_____	_____	_____
Air Conditioning	_____	_____	_____
Sanitary	_____	_____	_____
Other (Specify)	_____	_____	_____

Total Flow _____

12. Number of employees _____

13. Shifts per day _____

14. Working Days per Week _____

15. Company of production expansion plans (related to product and waste flow)

16. Is pretreatment provided prior to entering municipal system? Yes _____ No _____

17. If yes, describe the pretreatment process.

18. Is wastewater discharge _____ continuous _____ intermittent

19. Average Flow Rate _____ gallons per day

20. Peak Flow Rate _____ gallons per day

21. Duration of Peak(s) _____ hours per day

22. Maximum Flow Period From _____ to _____
Month Month

23. Intermittent Discharges

Duration _____ Minutes per day

Frequency _____ Occurrence per day

24. List Federal Categorical Pretreatment Standards applicable to each regulated process.

-
25. Schedule of Actions to comply with Federal Categorical Pretreatment Standards (if applicable) and Henniker Sewer Use Ordinance.
-
-

PART II

CHARACTERISTICS OF INDUSTRIAL WASTEWATER

Attach a Certified Laboratory Analysis showing the nature and concentration of all pollutants in your process wastewater discharge to the municipal sewer system. List all of the indicated characteristics of the process wastewater and all chemical constituents present as follows:

	<u>Average</u>		<u>Minimum</u>		<u>Maximum</u>	
	<u>mg/l</u>	<u>lb/day</u>	<u>mg/l</u>	<u>lb/day</u>	<u>mg/l</u>	<u>lb/day</u>
26. Biochemical Oxygen Demand (BOD 5-day)	_____	_____	_____	_____	_____	_____
27. Chemical Oxygen Demany (COD)	_____	_____	_____	_____	_____	_____
28. Total Solids	_____	_____	_____	_____	_____	_____
29. Suspended Solids	_____	_____	_____	_____	_____	_____
30. Dissolved Solids	_____	_____	_____	_____	_____	_____
31. Total Volatile Solids	_____	_____	_____	_____	_____	_____
32. Suspended Volatile Solids	_____	_____	_____	_____	_____	_____
33. Settleable Solids	_____	_____	_____	_____	_____	_____
34. pH (SU)	_____	_____	_____	_____	_____	_____
35. Temperature	_____	F	_____	F	_____	F
36. Color	_____	Pt-Co	_____	Pt-Co		

37. Turbidity	_____	NTU	_____	NTU		
38. Total Phosphorus	_____		_____		_____	_____
39. Orthophosphate	_____		_____		_____	_____
40. Ammonia (as N)	_____		_____		_____	_____
41. Oil and Grease	_____		_____		_____	_____
42. Chlorine Demand	_____		_____		_____	_____
43. Fecal Coliform Bacteria	_____	No/100ml	_____	No/100ml		
	_____	No/100ml				
44. Total Coliform Bacteria	_____	No/100ml	_____	No/100ml		
	_____	No/100ml				
45. Chromium (Total)	_____		_____		_____	_____
46. Iron	_____		_____		_____	_____
47. Copper	_____		_____		_____	_____
48. Zinc	_____		_____		_____	_____
49. Phenol	_____		_____		_____	_____
50. Cyanide	_____		_____		_____	_____
51. Mercury	_____		_____		_____	_____
52. Chlorides	_____		_____		_____	_____
53. Nickel	_____		_____		_____	_____
54. Cadmium	_____		_____		_____	_____
55. Sulfides	_____		_____		_____	_____
56. Sulfates	_____		_____		_____	_____
57. Arsenic	_____		_____		_____	_____
58. Lead	_____		_____		_____	_____
59. Other Constituents and characteristics of your wastewater discharge (see list priority pollutants on Page C-7 to C-10)						

[illegible]

PART III**PRODUCTION MATERIALS**

60. List the names (trade names, generic terms, or preferably the chemical name of composition) of all raw materials used in your process and/or production operations. Include all chemical cleaning, or treatment compounds and solutions. Use additional sheets as necessary.

<u>Name</u>	<u>Annual Consumption</u> <u>(pounds, gallons, etc.)</u>	<u>Estimated quantities entering</u> <u>municipal sewer</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

PRIORITY POLLUTANTS

1. Acenaphthene
2. Acrolein
3. Acrylonitrile
4. Benzene
5. Benzidine
6. Carbon tetrachloride (tetrachloromethane)

Chlorinated Benzenes

7. Chlorobenzene
8. 1,2,3-trichloroethane
9. hexachlorobenzene

Chlorinated Ethanes

10. 1,2-dichloroethane
11. 1,1,1--trichloroethane
12. 1,1-dichloroethane
13. 1,1,2-trichloroethane
14. 1,1,2,2,-tetrachloroethane
15. chloroethane

Chloroalkyl Ethers

- 16. bis (2-chloroethyl) ether
- 17. 2-chloroethyl vinyl ether

Chlorinated Napthalene

- 18. 2-chloronapthalene

Chlorinated Phenols

- 19. 2,4,6-trichlorophenol
- 20. 4-chloro-3-methylphenol
- 21. chloroform (trichloromethane)
- 22. 2-chlorophenol

Diachlorobenzines

- 23. 1,2-dichlorobenzene
- 24. 1,3-dichlorobenzene
- 25. 1,4-dichlorobenzene

Dichlorobenzidine

- 26. 3,3-dichlorobenzidine

Dichloroethylenes

- 27. 1,1-dichloroethylene
- 28. 1,2-trans-dichloroethylene
- 29. 2,4-dichlorophenol

Dichloropropane and Dichloropropene

- 30. 1,2-dichloropropane
- 31. 1,3-dichloropropene (cis and trans isomers)
- 32. 2,4-dimethylphenol

Dinitroluene

- 33. 2,4-dinitroluene
- 34. 2,6-dinitroluene
- 35. 1,2-diphenylhydrazine
- 36. ethylbenzene
- 37. fluorethane

Haloethers

- 38. 4-chlorophenyl phenyl ether
- 39. 4-bromophenyl phenyl ether

40. bis (2-chloroisopropyl) ether

41. bis (2-chlorethoxy) methane

Halometnanes

42. methylene chloride (dichloromethane)

43. methyl chloride (chloromethane)

44. methyl bromide (bromomethane)

45. bromoform (tribromomethane)

46. dichlorobromomethane

47. chlorodibromomethane

48. hexachlorobutadiene

49. hexachlorocyclopentadiene

50. isophorone

51. naphthalene

52. nitrobenzene

Nitrophenols

53. 2-nitrophenol

54. 4-nitrophenol

55. 2,4-dinitrophenol

56. 4,6-dinitro-2-methylphenol

Nitrosamines

57. N-nitrosodimethylamine

58. N-nitrosodiphenylamine

59. N-nitrosodi-n-propylamine

60. pentachlorophenol

61. phenol

Phthalate Esters

62. bis-(2-ethylhexyl) phthalate

63. butyl benzyl phthalate

64. di-n-butyl phthalate

65. di-n-octyl phthalate

66. diethyl phthalate

67. dimethyl phthalate

Polynuclear Aromatic Hydrocarbons

68. benzo(a)anthracene (1,2-benzathracene)

69. benzo(a)pyrene (3,4-benzopyrene)

70. 3,4-benzofluoranthene

71. benzo(k)fluorathene (11,12-benzofluorathene)

72. chrysene

- 73. acenaphthylene
- 74. anthracene
- 75. benzo(ghi)perylene (1,12-benzoperylene)
- 76. fluorene
- 77. phenanthrene
- 78. dibenzo(ah)anthracene (1,2,5,6-dibenzanthracene)
- 79. ideno (1,2,3-o) pyrene (2,3-o-phenylenepyrene)
- 80. pyrene
- 81. tetrachloroethylene
- 82. toluene
- 83. trichloroethylene
- 84. vinyl chloride (chloroethylene)

Pesticides and Metabolites

- 85. aldrin
- 86. dieldrin
- 87. chlordane (technical mixture and metabolites)

DDT and Metabolites

- 88. 4,4'-DDT
- 89. 4,4'-DDE (p,p'-DDE)
- 90. 4,4'-DDD (p,p'-TDE)

Endosulfan and Metabolites

- 91. a-endosulfan-Alpha
- 92. b-endosulfan-Beta
- 93. endosulfan sulfate

Endrin and Metabolites

- 94. endrin
- 95. endrin aldehyde

Heptachlor and Metabolites

- 96. heptachlor
- 97. heptachlor epoxide

Hexachlorocyclohexane

- 98. a-BHC-Alpha
- 99. b-BHC-Beta
- 100. g-BHC 9 (lindane) Gamma
- 101. d-BHC-Delta

Polychlorinated Biphenyls (PCB=s)

- 102. PCB-1242 (Arochlor 1242)
- 103. PCB-1254 (Arochlor 1254)
- 104. PCB-1221 (Arochlor 1221)
- 105. PCB-1232 (Arochlor 1232)
- 106. PCB-1248 (Arochlor 1248)
- 107. PCB-1260 (Arochlor 1260)
- 108. PCB-1016 (Arochlor 1016)
- 109. toxaphene

Metals, Asbestos and Cyanide

- 110. antimony and compounds
- 111. arsenic and compounds
- 112. asbestos
- 113. beryllium and compounds
- 114. cadmium and compounds
- 115. chromium and compounds
- 116. copper and compounds
- 117. cyanides
- 118. lead and compounds
- 119. mercury and compounds
- 120. nickel and compounds
- 121. selenium and compounds
- 122. silver and compounds
- 123. thallium and compounds
- 124. zinc and compounds
- 125. 2,3,7,8-tetrachlorodibenzo-p-dioxin (TCDD)