

# **TOWN OF MONTVILLE, CT**

## ***SEWER USE***

## ***RULES AND REGULATIONS***



September 1, 2009

# TOWN OF MONTVILLE, CONNECTICUT

## SEWER USE RULES AND REGULATIONS

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Adopted by the TOWN OF MONTVILLE WATER POLLUTION CONTROL AUTHORITY (WPCA) pursuant to all applicable authority, including without limitation Sections 7-247, 7-249, 7-255, 7-267, 7-268, and 7-270 of the General Statutes of the State of Connecticut, as amended, and Sections C407 and C1011.A of the Town Charter, as amended.

## **SECTION 1 INTRODUCTION**

These SEWER USE RULES AND REGULATIONS establish the procedures for making connections to the public sewer in the Town sanitary sewer system and charging Users for such connections to and uses of the Town's Sewage Works. They also establish specific limits for pollutant discharges, which by their nature or by their interaction with Sewage will be detrimental to the public health, cause damage to the public Sewer or Water Pollution Control Facility, pollute the waters of the State, or otherwise create a public nuisance.

These Rules and Regulations are intended to:

1. Inform the public as to the prohibitions, limitations, fees, charges, and other terms and conditions governing connections to and uses of the Town's Sewers and other Sewage Works and the technical and administrative procedures to be followed in obtaining or changing any such connection or use, and establishing and paying such fees and charges.
2. Prevent the introduction of pollutants into the sanitary sewer system that will interfere with the collection and/or treatment system.
3. Prevent the introduction of pollutants into the treatment system that will pass through the system, inadequately treated, into the waters of the State or the atmosphere or otherwise be incompatible with the system.
4. Improve the opportunity to recycle and reclaim wastewaters and sludges from the system.
5. Allow the Town and Its WPCA to properly govern and manage the design and planning, financing, acquisition and construction, use, operation, maintenance, repair, and alteration, and the discontinuance or abandonment of the Town's Sewers, Sewage Treatment Plants, other Sewage Works, and appurtenances and connections thereto, including pipes discharging directly or indirectly into the Town's Sewage Works.

These Rules and Regulations Shall apply to the Town and its WPCA and to all Users of the public Sewer, whether located inside or outside of Montville. Except as otherwise provided herein, the WPCA Enforcement Official May implement and enforce the provisions of these Rules and Regulations on behalf of the Town and its WPCA.

## SECTION 2 DEFINITIONS AND ABBREVIATIONS

Where, and as the context will admit, the following terms Shall have the meanings indicated hereafter where used in these Rules and Regulations.

1. **“Act”** shall mean the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended (33 U.S.C. 1251 et seq.).
2. **“Applicant or Owner”** shall mean any person requesting approval to discharge industrial or domestic sewage into facilities of the Town
3. **“Authorized representative of industrial user”** shall mean: (a) a principal executive officer of at least the level of vice president, if the industrial user is a corporation; (b) a general partner or proprietor if the industrial user is a partnership or proprietorship, respectively; or (c) a duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.
4. **“Assessment”** shall mean the process of determining the special benefit accruing to a property for the proportionate share of the cost of the sewerage system improvements as defined in Sec. 7-249 of the Connecticut General Statutes.
5. **“Biochemical Oxygen Demand (BOD)”** shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20°C., expressed in milligrams per liter.
6. **“Building Connector”** shall mean a pipe which connects a building or structure drain to a main Sewer for the purpose of conveying sewage of any kind. The Building Connector Shall be the pipe extending directly from the main Sewer to the termination point of the Building Drain from the building or structure.
7. **“Building Connector Lateral”** shall mean a pipe laid incidental to the original construction of a main Sewer from that Sewer to some point at the side of the street, highway, R.O.W. or similar location and there capped, having been provided and intended for extension as defined in above. When a Building Connector Lateral has been connected with and extended for the purpose of installing a Building Connector, the lateral Shall become and thereafter be part of such Building Connector.
8. **“Building Department”** as used herein, shall mean the building department for the Town of Montville, County of New London, State of Connecticut, or its agents or representatives.
9. **“Building Drain”** shall mean the part of the piping of a drainage system which receives the discharge from sewage drainage pipes inside the walls of the building and conveys it to the Building Connector five (5) feet outside the inner face of the building wall.
10. **“Building Inspector”** shall mean the duly appointed Building Inspector of the Town of Montville.
11. **“Capital costs”** shall mean the costs of major rehabilitation, betterments, expansion or upgrading required as facilities reach the end of their useful life.
12. **“Categorical Pretreatment Standards or Categorical Standards”** are the National Categorical Pretreatment Standards or pretreatment Standards which are any regulation containing Pollutant discharge limits promulgated by EPA in accordance with Section 307(b) and (c) of the Act (33 U.S.C. § 1317) as amended, which apply to a specific

category of user and which appear in 40 CFR Chapter 1, Subchapter N Parts 405-471. National Categorical.

13. **“Chemical Oxygen Demand (COD)”** shall mean the oxygen equivalent of that portion of organic matter in a wastewater sample that is susceptible to oxidation by a strong chemical. COD (denoting Chemical Oxygen Demand) shall be determined under standard laboratory procedures after laboratory filtration of the waste as set forth in the latest edition of “Standard methods for the Examination of the Water and Wastewater”, published by the American Public health Association, Inc.
14. **“Chlorine Demand”** shall mean the amount of chlorine which must be added to waters or wastes to produce a residual chlorine in such waters or wastes. To produce a free residual of 0.1 mg/1 after a contact time of 15 minutes as measures by the DPD (N,N, Diethyp-Phenylene-Diamine) method on a sample at temperature of 20° degrees centigrade (68° Fahrenheit) in conformance with standard methods.
15. **“Collection System”** shall mean the Sewer lines and appurtenances used and useful in the collection and conveyance of wastewater.
16. **“Commercial User”** shall mean retail stores, restaurants, office buildings, laundries, service stations and other private business and service establishments.
17. **“Commissioner”** shall mean the Commissioner of Environmental Protection for the State of Connecticut.
18. **“Combined Sewer”** shall mean a Sewer receiving both surface runoff and sewage.
19. **“Compatible Pollutant”** means biochemical oxygen demand, suspended solids and pH and fecal coliform bacteria as well as any additional pollutants identified in the WPCF designed to treat such pollutants and in fact treats such pollutants to the degree required by the NPDES Permit.
20. **“Contact Person”** - The Contact Person Shall mean the individual responsible for overseeing daily operation of the Food Preparation Establishment and who is responsible for overseeing the Food Preparation Establishment's compliance with the FOG Pretreatment Program.
21. **“Cooling Water”** shall include clean wastewater from air-conditioning, industrial cooling, condensing and similar apparatus and from hydraulically-powered equipment. Cooling Water will include only water which is clean and unpolluted, in accordance with state regulations, to be discharged, without treatment or purification, into any natural open stream or Watercourse without offense.
22. **“D.E.P.”** shall mean the Department of Environmental Protection of the State of Connecticut.
23. **“Drain Layer” or “Sewer Layer”** Shall mean an individual, partnership or corporation to whom the State of Connecticut Shall have issued a valid license under Chapter 393, Section 20 of the Connecticut General Statutes, as amended, to install and repair Sewers, Sewer connections, Building Connectors, and other components of or appurtenances to the Sewage Works, during the period when such license is valid, as hereinafter provided, and the proper agents and representatives of such Drain Layer.
24. **“Easement”** shall mean an acquired legal right access for the specific use of Sewer maintenance on land owned by others.
25. **“Effective Date”** shall mean September 1, 2009.

26. **“E.P.A.”** shall mean the Environmental Protection Agency of the U.S. Government.
27. **“Enterprise Fund”** shall mean a fund established to account for operations (a) that are financed and operated in a manner similar to private business enterprises where the intent of the governing body is that the costs (expenses, including depreciation) of providing goods or services to the general public on a continuing basis be financed or recovered primarily through User Charges; or (b) where the governing body has determined that periodic determination of revenues earned, expenses incurred, and/or net income is appropriate for capital maintenance, public policy, management control, accountability, or other purposes.
28. **“Excessive”** shall mean amounts of concentrations of a constituent of a wastewater which, in the judgment of the WPCA and/or D.E.P. will cause damage to any sewage facility, which will be harmful to a wastewater treatment process, which cannot be removed to meet the limiting stream classification standards of the receiving water, which can otherwise endanger life, limb or public property, and/or which can constitute a nuisance.
29. **“Fats, Oils, and Grease (FOG)”** shall mean animal and plant-derived substances that may solidify or become viscous between the temperatures of 32°F and 150°F (0°C to 65°C), and that separate from Sewage by gravity. Any edible substance identified as grease per the most current EPA method as listed in 40 CFR 136.3.
30. **“Floatable Oil”** is oil, fat or grease in a physical state such it will separate by gravity from wastewater by treatment in an approved pretreatment facility. Wastewater shall be considered free of floatable fat if it is properly pretreated and wastewater does not interfere with Collection System.
31. **“FOG Interceptor” or “Grease Trap”** shall mean a passive tank installed outside a building and designed to remove fats, oils, and grease from flowing Sewage while allowing Sewage to flow through it, and as further defined herein.
32. **“FOG Recovery Unit (AGRU)”** shall mean all active indoor mechanical systems designed to remove fats, oil, and grease by physical separation from flowing Sewage, as further defined herein.
33. **“FOG Pretreatment System”** shall refer to properly installed and operated FOG Interceptors and FOG Recovery Units as approved by the WPCA.
34. **“Food Preparation Establishments”** shall mean Class III and Class IV food service establishments and any other facility determined by the WPCA that may discharge FOG above the set limits in Section 5(b)(2) of the Department of Environmental Protection's *General Permit for the Discharge of Sewage Associated with Food Preparation Establishments*. These facilities shall include but not be limited to restaurants, hotel kitchens, hospital kitchens, school kitchens, bars, cafeterias, and clubs. Class III and Class IV food service establishments shall be as defined under Section 19-13-B42 of the State of Connecticut Public Health Code.
35. **“Garbage”** shall mean the animal and vegetable wastes resulting from the handling, preparation, cooking and serving of food. It is composed largely of putrescible organic matter and its natural moisture content.
36. **“Grease Interceptor”** shall mean a device installed on waste lines leading from sinks, drains or other fixtures to remove excessive quantities of grease or fat.
37. **“Governmental”** shall include legislative, judicial, administrative, and regulatory activities of federal, state, and local government.



38. **“Grantee”** shall mean a municipality that has executed a federal grant agreement.
39. **“Health Director”** shall mean the Director of Health of the Town of Montville or his/her authorized representative. Currently the town uses the services of the Uncas Health District.
40. **“Holding Tank Sewage”** means any wastewater from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, sealed vaults and vacuum pumps tank trucks.
41. **“Industrial User”** shall mean any user that discharges wastewater from commercial and/or industrial processes.
42. **“Industrial Wastes”** shall include the liquid or water-carried wastes of any industrial process not clearly included within the definitions of Sanitary Sewage, Storm Water, Cooling Water, and sub-soil drainage herein. Wastewaters carrying oils, grease, fats, abrasives, chemicals, residues of manufacturing processes, wastes from commercial food preserving or canning, from slaughter-houses or meat processing plants, and similar substances whether dissolved, in suspension, or mechanically carried by water, Shall be considered as Industrial Waste.
43. **“Infiltration”** shall mean water other than wastewater that enters a Sewer system (including Sewer service connections and foundation drains) from the ground through such means as defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from, Inflow.
44. **“Inflow”** shall mean water other than wastewater that enters a Sewage Works (including Sewer service connections) from sources such as, but not limited to, roof leaders, cellar drains, yard drains, area drains, drains from springs and swampy areas, manhole covers, cross connections between Storm Sewers and Sanitary Sewers, catch basins, cooling towers, Storm Waters, surface runoff, street wash waters, or drainage. Inflow does not include, and is distinguished from Infiltration.
45. **“Institutional”** shall include social, charitable, religious, and educational activities such as schools, churches, hospitals, nursing homes, penal institutions and similar type Users.
46. **“Interference”** shall mean the disruption of the WPCF treatment processes or an operation which contributes to a violation of any requirement of the WPCF NPDES Permit. The term includes prevention of sewage sludge use or disposal of the WPCF in accordance with Section 405 of the Act, (33 U.S.C. 1345) or any criteria, guidelines or regulation development pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substance Control Act, or more stringent state criteria (including those contained in any state sludge management plan prepared pursuant to Title IV of SWDA) applicable to the method of treatment and disposal or use employed by the WPCF.
47. **“Invert”** shall mean the bottom inside of the conveyance pipe.
48. **“National Categorical Pretreatment Standard or Pretreatment Standard”** shall mean any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act (33 U.S.C. 1347) which applies to a specific category of Industrial User.
49. **“National Pollution Discharge Elimination System (NPDES) Permit”** is a permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).
50. **“Natural Outlet”** shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

51. **“New Source”** shall mean any building, structure, facility or installation from which there is or may be a discharge of pollution, the construction of which commenced after the publication of proposed Pretreatment Standards under Section 307 of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:
- a. The building, structure or facility or installation is constructed at a site at which no other source is located; or
  - b. The building, structure facility, or installation totally replaces the process or production equipment that causes the discharge of pollution at an existing source; or
  - c. 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 should be considered.
52. **“Non-renderable Fats, Oils, and Grease”** shall mean non-renderable fats, oils, and grease are food grade grease that has become contaminated with Sewage, detergents, or other constituents that make it unacceptable for rendering.
53. **“Notification of Approved Alternate FOG Pretreatment System”** shall mean written notification from the WPCA for authorization to install and/or operate an alternate FOG Pretreatment System.
54. **“Operation and Maintenance”** shall mean those functions that result in expenditures during the useful life of the treatment works for materials, labor, utilities, and other items which are necessary for managing and maintaining the Sewage Works to achieve the capacity and performance for which such works were designed and constructed.
55. **“Pass Through”** shall mean a discharge which exits at the WPCF into the waters of the United States in quantities which, alone or in conjunction with a discharge 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.
56. **“Person”** shall mean any individual firm, company, association, society, corporation, or group.
57. **“pH”** shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
58. **“Pollutant or Pollution”** shall mean the man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water, including, but not limited to, any dredged spoil, solid waste, incinerator residue, sewage, Garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock sand, cellar dirt and industrial, municipal and agricultural waste discharged into water.
59. **“Pretreatment or Treatment”** is the reduction of the amount of Pollutants, the elimination of Pollutants or the alteration of the nature of Pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such Pollutants into a water pollution control facility. The reduction or alteration can be obtained by physical, chemical or biological processes except as prohibited by Title 40, Code of Federal regulations, Section 403.6(d).

60. **“Properly Shredded Garbage”** shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public Sanitary Sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.
61. **"Property Owner" or "Owner of Property" or "Owner"**, as used herein, Shall include the Property Owner of the fee in any real estate and also his, her, its, or their agents or representatives.
62. **“Rate Base”** shall mean the value of utility property used in computing an authorized rate of return as authorized by law or a regulatory commission.
63. **“Receiving Waters”** shall mean any water course, river, pond, ditch, lake, aquifer, or other body of surface or groundwater receiving discharge of Wastewaters.
64. **“Receiving Water Quality Requirements”** shall mean requirement for the WPCF’s effluent established by the Town or by applicable state or federal regulatory agencies for the protection of receiving water quality. Such requirements shall include effluent limitations, and water discharge standards, requirements, limitations, or prohibitions, which may be established or adopted from time to time by local, state or federal laws or regulatory agencies.
65. **“Regional FOG Disposal Facility”** shall mean a facility for the collection and disposal of non-renderable FOG approved by the Connecticut Department of Environmental Protection.
66. **“Renderable Fats, Oils, and Grease”** shall mean renderable fats, oils, and grease are material that can be recovered and sent to renderers for recycling into various usable products. Renderable grease is created from spent products collected at the source, such as frying oils and grease from restaurants. This material is also called **“yellow grease”**.
67. **“Renderable Fats, Oils, and Grease Container”** shall refer to a closed, leak-proof container for the collection and storage of food grade fats, oil, and grease.
68. **“Renovations”** shall mean any construction to the interior of a building to improve, make better or look nicer in excess of \$20,000 in a one-year period.
69. **“Replacement Cost”** shall mean the cost as of a certain date of a property which can render similar service (but which need not be of the same structural form) as the property to be replaced. Replacement is an incremental element of operating costs and is variable depending upon levels of expenditures for maintenance. The statutory definition of the term means expenditures for obtaining and installing equipment, accessories or appurtenances during the useful life of the treatment works necessary to maintain the capacity and performance for which they were designed and constructed.
70. **“Residential”** shall mean pertaining to a structure or portion of a structure which provides the ordinary comforts of living, on a permanent or semi-permanents basis and shall specifically include single and multi-family dwelling units, apartment units, condominium units and mobile homes and shall specifically exclude hotels, motels, and other forms of transient guest quarters which shall be considered commercials units.
71. **“Sanitary Sewage”** shall mean the common wastewater and water-carried wastes from human dwellings and from toilet and lavatory fixtures, kitchens, laundries, and similar facilities of business and industrial buildings. Sanitary Sewage Shall not include Storm Water, Infiltration, Inflow, clean waste or overflows from springs, wells or Subsoil Drainage, Cooling Water, clean wastewater from hydraulically-operated contrivances, and those wastewaters included within the definition of "Industrial Waste", Section 2 (42).

72. **“Sanitary Sewer”** shall mean a Sewer intended to convey only Sanitary Sewage, or, if so stipulated with respect to the particular Sewer, Sanitary Sewage plus industrial or other wastes, excluding Storm Water.
73. **“Sanitary Sewer Material and Construction Standards”** shall mean the requirements and specifications adopted by the WPCA to regulate the sizes, materials, methods and workmanship to be used in the construction of Sewers, Building Connectors, oil/water and grease separators, grinder pumps and other similar work and appurtenances thereto, in accordance with Section 5.03 of these Rules and Regulations.
74. **“Service Charge”** shall mean a charge levied on a User of the treatment works which includes a User Charge, a charge for capital reserve and debt service, other charges for current services, or all of these.
75. **“Sewage”** shall mean water-carried wastes or a combination of them, discharged into and conveyed by Sanitary Sewers or intended or customarily so discharged and conveyed. Sewage May be further classified as defined in Section 2 (42) and 2 (71).
76. **“Sewage Strength”** shall mean the quality of Sewage discharged as measured by its elements, constituents and characteristics.
77. **“Sewage Works”** shall mean all Town Sewers, the Town’s WPCF, and all other facilities owned or operated by the Town and its WPCA for collecting, pumping, treating and disposing of Sewage.
78. **“Sewer”** shall include the main pipe or conduit, manholes and other structures and equipment appurtenant thereto, provided to carry Sewage, Industrial Wastes, or similar wastes, subject in each particular case to the purposes and limitations imposed upon the particular pipe or conduit or Sewer. Where the intent so indicates, the word "Sewer" Shall be used only with respect to the main line of pipe or conduit, owned, controlled and maintained by a public municipal body for the conveyance of waste or Sewage from several properties, and Shall not be understood to include Building Connectors or connections between the main Sewer and individual properties.
79. **“Sewer Layer” or “Drain Layer”** Shall mean an individual, partnership or corporation to whom the State of Connecticut Shall have issued a valid license under Chapter 393, Section 20 of the Connecticut General Statutes, as amended, to install and repair Sewers, Sewer connections, Building Connectors, and other components of or appurtenances to the Sewage Works, during the period when such license is valid, as hereinafter provided, and the proper agents and representatives of such Drain Layer.
80. **“Sewer Use Rules and Regulations” or “Rules and Regulations”** shall mean these rules and regulations and all amendments thereto.
81. **“Shall”** is mandatory; **“May”** is permissive.
82. **“Sludge”** shall mean any discharge of waste or Wastewater which in concentration of any given constituent, or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes, more that five (5) times the average twenty- four (24) hour concentration, or flow, during normal operation.
83. **“Slug”** shall mean any discharge of waste or wastewater, including but not limited to Sewage or Industrial Waste, that, 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 of flows during normal operation.

84. **“Spill”** shall mean the release, accidental or otherwise, of any material not normally released to the Sewage Works, which by virtue of its volume, concentration or physical or chemical characteristics, creates a hazard to the Town’s WPCF or other Sewage Works, their operation or their personnel. Such characteristics shall include, but are not limited to, volatile, explosive, toxic or otherwise unacceptable materials.
85. **“Standard methods”** shall mean procedures described in the latest edition of “Standard Methods for the Examination of the Water and Wastewater: as published by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation, or such other procedures as may be adopted or prescribed by the WPCA.
86. **“Standard Industrial Classification (SIC)”** shall mean a classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972.
87. **“Storm Sewer” or “Storm Drain”** shall mean a Sewer which carries rainwater, groundwater, storm, surface waters, subsurface drainage, condensate, cooling water, or similar discharge, but excludes Sewage and polluted Industrial Wastes.
88. **“Storm Water”** shall include the runoff or discharge of rain and melted snow or other clean water from roof, surfaces of public or private lands or elsewhere. For most purposes with the scope of these Rules and Regulations, Storm Water Shall not include the flow of any natural brook, rivulet, or stream, even if the source of such water is storm runoff from land or other property, once that runoff has entered the channel of such brook or natural Watercourse. In general, Storm Water Shall include only water which is sufficiently clean and unpolluted to admit being discharged, with treatment or purification, into any natural open stream or water course without offense.
89. **“Subsoil Drainage”** shall include water from the soil percolating into subsoil drains or underground pipes or from similar sources.
90. **“Suspended Solids (SS)”** shall mean solids that either float on the surface or are in suspension in water, Sewage, or other liquids, and which are removable by filtering, and are referred to as non-filterable residue in the laboratory test prescribed in “Standard Methods for the Examination of Water and Wastewater.”
91. **“Town”** as used herein, shall mean the Town of Montville, County of New London, State of Connecticut, and/or its Water Pollution Control Authority or its WPCA Enforcement Official or other representatives.
92. **“Unit” , “EDU”** shall mean a Residential dwelling unit otherwise referred to as an equivalent dwelling unit, public and/ or quasi-public unit, commercial unit and /or industrial unit from which effluent is discharged. A separate unit shall mean any fully partitioned area in which a distinct and specific enterprise is conducted and from which effluent is discharged. One unit is the equivalent of one (1) Residential unit.
93. **“User”** shall mean a recipient of Sewage Works services.
94. **“User Charge”** shall mean a charge levied on Users of a Sewage Works for the cost of operations and maintenance, including rehabilitation and debt service.
95. **“User Surcharge”** shall mean a charge levied on Users of a Sewage Works for the cost of operations and maintenance which exceeds the defined Sewage Strength limits of domestic waste or preset flow limits.

96. **“Viscosity”** is the property of a fluid that resists internal flow by releasing counteracting forces.
97. **“Wastes” or “Wastewaters”** shall mean the liquid and water-carried wastes from residences, commercial buildings, industrial plants, institutions, and other properties and facilities, together, with any ground water, surface water, storm water, contaminants and other materials that may be present in such wastewaters or otherwise discarded.
98. **“Wastewater Facilities Plan”** shall mean the most recent versions of plans completed and approved by the WPCA, in its discretion, documenting the design and capacity limitations of the Sewers, WPCF or other Sewage Works, the permitted uses and connections of such Sewage Works in existence, and/or the potential wastes and wastewaters from specific categories of future Users and connections for which the WPCA May, in its discretion, elect to reserve capacity, including but not limited to any such plan completed and approved by the WPCA under the Town’s NPDES Permit or Regs. Conn. State Agencies §§ 22a-482-1 et seq. or 22a-430-1 et seq.
99. **“Watercourse”** shall mean a channel in which a natural flow of water occurs. The distinguishing mark of a Watercourse is a supply which is permanent in the sense that similar conditions will always produce a flow of water and that conditions recur with some degree of regularity so that they establish and maintain for considerable periods of time a running stream.
100. **“Water Pollution Control Authority” or “WPCA”** shall mean the authority or similar body serving in the capacity of the Water Pollution Control Authority of the Town of Montville under Chapter 103 of the Connecticut General Statutes, as amended, and exercising powers with regard to sewers and sewerage as designated in Town Charter and Town Ordinances through a duly appointed commission or board, a WPCA Enforcement Official, and other duly authorized representatives from the Town’s Sewer Department.
101. **“WPCA Enforcement Official”** shall mean the Town Sewer Department Administrator or other municipal officer or employee, if such other officer or employee is designated by Town Charter, Town Ordinance, or WPCA resolution to issue notices, warnings, citations, decisions or orders or otherwise undertake enforcement actions on behalf of the WPCA pursuant to local, state or federal law.
102. **“Water Pollution Control Facility (WPCF)”** shall mean an arrangement of devices for the treatment of sewage and/or sludge. Also referred to as **Sewage Treatment Plant (STP)**.
103. **“Written WPCA Notice”** shall mean a valid and applicable action of the WPCA under these Rules and Regulations, including but not limited to those taken by the WPCA Enforcement Official, establishing terms and conditions that govern wastes or wastewaters that May be discharged, conveyed, treated or disposed in the Town’s Sewers, WPCF or other Sewage Works, as documented through one or more of the following written forms:
- a. A permit issued, in writing and pursuant to SECTION 7, by the WPCA for the connection used to introduce wastes or wastewaters into the Sewage Works;
  - b. An order, order modification, approval, or other notice issued, in writing and pursuant to these Rules and Regulations, by the WPCA to the User, Owner or other Person responsible for the wastes or wastewaters;

- c. A written agreement or agreement modification into which the WPCA enters with the User, Owner or other Person responsible for the discharged wastes or wastewaters.

104. **OTHER ABBREVIATIONS**

<b>ASTM</b>	shall mean the American Society of Testing Materials.
<b>CFR</b>	Code of Federal Regulations
<b>Conn. Gen. Stat.</b>	Connecticut General Statutes
<b>L</b>	liter
<b>Mg</b>	milligrams
<b>mg/l</b>	milligrams per liter
<b>Regs. Conn. State Agencies</b>	Regulations of Connecticut State Agencies
<b>U.S.C.</b>	United States Code
<b>PPM</b>	Parts Per Million

## **SECTION 3 USE OF SANITARY SEWERS**

### **3.00 Failure to Use Public Sewers**

No Person Shall use any Watercourse, pond, ditch or lake within the Town for the discharge or other disposal of any Sanitary Sewage, Industrial Wastes, or other polluted wastewaters, except where suitable treatment has been provided in accordance with all applicable requirements of local, state and federal authorities and where an applicable NPDES Permit is in force.

The use of the Sanitary Sewer system Shall be required as further defined in Sections 3.01 and 3.02.

### **3.01 New Building**

The Property Owner of all newly constructed houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the Town and abutting on any street, right-of-way alley, or alley which connects to a street in which there is located a public Sanitary Sewer, Shall, at his/her expense, install suitable toilet facilities therein, and connect such facilities directly to the public Sanitary Sewer, in accordance with the provisions of these Rules and Regulations, before occupancy. In instances where the service is greater than three hundred (300) feet from the Sanitary Sewer, and the Health Director has determined that adequate on-site treatment is being provided, the WPCA May issue a written waiver to the Owner from this obligation to connect.

### **3.02 Existing Buildings**

When the Health Director informs the WPCA that the continuance of any private Sewage disposal system or systems serving any existing building or group of buildings, to which a public Sanitary Sewer system is available, May be deleterious to health or May result in the contamination or pollution of any water or May otherwise affect the cleanliness or purity of any water, the WPCA May, as hereinafter provided, order the Property Owner or Owners of a building or group of buildings or the underlying property to install and maintain connections to the public Sanitary Sewer system. A public Sanitary Sewer system Shall be deemed available to an existing building when connection can be made either upon the premises on which such building is located, upon adjoining land owned by the Town (including but not limited to streets, alleys and rights-of-way) or within existing easements for such connection.

- A. Before issuing any final order to connect, the WPCA Enforcement Official Shall give notice of a public hearing to be held on its proposed order, which notice Shall state the date, time, place and purpose for such hearing, by publishing a copy of the same in a newspaper having a circulation in the Town and by certified mail to the Property Owner or Owners of the building or group of buildings concerned (to the address of each such Property Owner as maintained by the Assessor of the Town) at least ten (10) days before such hearing. The reasons for the proposed order to connect and all relevant information submitted by the affected Property Owner or Owners or by any member of the public Shall be made part of the record of such hearing.
- B. Following such hearing, the WPCA May rescind the order or affirm or modify the order requiring connection through a final order issued by the WPCA Enforcement Official, to be effective not earlier than the 22nd day following its issuance and completed within ninety (90) calendar days from the effective date, which final order May further require that the constituent parts of the private system, including but not limited to any septic tank and cesspool, be promptly



removed or abandoned in accordance with the Public Health Code and as approved by the Health Director.

- C. Upon the failure of any Property Owner to comply with an order to connect, the WPCA through its WPCA Enforcement Official Shall cause the connection to be made, and Shall assess the expense thereof against such Property Owner. Nothing herein Shall supersede or affect any other requirement of law, ordinance or regulation, but Shall be in addition to any such other requirements.

### **3.03 New or Rehabilitated Sewers**

Where the WPCA has contracted the services of a Drain Layer to install new or replacement Sewers or to rehabilitate existing Sewers, the WPCA May, as hereinafter provided, order Property Owners to hookup or provide a new Building Connector to the new Sewer.

- A. Before issuing any final order to hookup or provide a new Building Connector, the WPCA Enforcement Official Shall give notice of a public hearing to be held on its proposed order, which notice Shall state the date, time, place and purpose for such hearing, by publishing a copy of the same in a newspaper having a circulation in the Town and by certified mail to the Property Owner or Owners of the building or group of buildings concerned (to the address of each such Property Owner as maintained by the Assessor of the Town) at least ten (10) days before such hearing.
- B. At the public hearing, the WPCA Shall consider all information presented and comments received from the Owners or other Persons.
- C. Following the public hearing, the WPCA May rescind the order or affirm or modify the order, to be effective not earlier than the 22nd day following its issuance and establishing a time frame in which Owners Shall thereafter comply with the final order to hookup or replace the Building Connector.
- D. The Property Owners Shall be notified by certified mail of the final order and established time frame to hookup or provide the new Building Connector.
- E. Upon the failure of any Property Owner to comply with an order to hookup or provide the new Building Connector, the WPCA through its WPCA Enforcement Official Shall cause the connection to be made, and Shall assess the expense thereof against such Property Owner. Nothing herein Shall supersede or affect any other requirement of law, ordinance or regulation, but Shall be in addition to any such other requirements.

## **SECTION 4 PRIVATE SEWAGE DISPOSAL**

Where a public Sanitary Sewer is not available under the provisions of SECTION 3, the Building Connector Shall be connected to a private Sewage disposal system complying with the provisions of Rules and Regulations of the Town and applicable provisions of the Building and Health Code of the State of Connecticut.

At such time as a public Sanitary Sewer becomes available to a property served by a private Sewage disposal system, connection to such system from such property May be ordered in accordance with Section 3.02 of these regulations.

No statement contained in this article Shall be construed or interfere with any additional requirement that May be imposed by the Health Director.

## **SECTION 5 CONNECTIONS TO AND WORK ON SEWERS**

### **5.00 Authorized Access to Sewers**

No unauthorized Person Shall open the cover of, enter or alter any manhole or similar appurtenance of any public Sewer, put anything therein or interfere therewith. No Person Shall insert or place in any public Sewer, manhole or other appurtenance thereof any sticks, rubbish or other material, except for a permitted discharge of waste through a connection to a Sewer intended to receive such waste under these Rules and Regulations.

No unauthorized Person Shall break, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the Sewage Works of the Town.

### **5.01 Alteration to Sewers and Appurtenances**

Should it become necessary to relocate, reset the top of or otherwise alter any Sewer, manhole or other appurtenance thereof belonging to said Town or in its charge, the Person or party desiring such change to be made Shall make a written request to the WPCA of the Town for written permission, and said Person or party Shall bear all expenses concerned with such changes.

### **5.02 Connection to Sewers**

No Person Shall make any connection to any public Sewer of the Town, or appurtenance thereof, or to any pipe or appurtenance discharging thereinto, or remove or disconnect any existing connection thereto, except as provided in SECTION 6 and SECTION 7 and the subsections thereof of these Rules and Regulations; provided, plumbing work and fixtures within buildings, and similar structures May be built and connected as provided by applicable plumbing codes, laws and regulations and by permits issued thereunder.

### **5.03 Materials and Workmanship for Sewers, Building Connectors, Drains, Etc.**

The WPCA May establish standard requirements or specifications to regulate the sizes, materials, methods and workmanship to be used in the construction of Sewers, Building Connectors, oil/water and grease separators, grinder pumps and other similar work and appurtenances thereto connected or intended to be connected or to discharge, directly or indirectly, into any public Sewer of the Town. Such standard requirements Shall provide minimum requirements as to size, depth, slope or rate of grade for such pipes, and Shall regulate the kinds of pipe, fittings, methods of laying, jointing, materials used, manner of connecting to pre-existing Sewers and Building Drains, and general considerations as to location and other pertinent features. Such requirements or specifications set forth in the Sanitary Sewer Material and Construction Standards dated March 24, 2009 (rev. June 1, 2009) and adopted on even date herewith and any subsequent amendments adopted by the WPCA are hereby made a part of these Sewer Use Rules and Regulations.

### **5.04 Applicable Codes**

The requirements of applicable State Building and Plumbing Codes Shall be observed with respect to piping and fixtures inside or immediately adjacent to buildings and within the areas of jurisdiction of said codes, subject only to the general requirements of these Rules and Regulations.

### **5.05 Separate Connections for Each Building**

Each independent building to be connected to Sewer Collection System Shall have a direct connection to the Sewer Collection System serving it. The WPCA in its discretion

May permit or require variations of this requirement either upon receipt of a written request to that effect from the Property Owner of all the structures in any way concerned or on the initiative of the WPCA or its WPCA Enforcement Official. All Building Connectors Shall be maintained by the Property Owner of the structure served by the Sewer at no expense to the Town or its WPCA including but not limited to replacement as deemed necessary by the WPCA,.

#### **5.06 Connection at Owner's Expense**

All costs and expense incident to the installation and connection of the Building Connector Shall be borne by the Property Owner. The Owner Shall indemnify and hold harmless the Town and its WPCA from any loss or damage that May be directly or indirectly occasioned by the installation of the Building Connector.

#### **5.07 Existing Building Connectors**

Old Building Connectors May be used in connection with new buildings only when they are found on examination and test performed by the Property Owner to meet all requirements of these Rules and Regulations and when the WPCA Enforcement Official reviews and accepts such examination and test.

Old Building Connectors May be used, where the Sewer Collection System for which it directly discharges is replaced, only when they are found on examination and test performed by the Property Owner to meet all requirements of these Rules and Regulations and when the WPCA Enforcement Official reviews and accepts such examination and test.

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 and discharged to the Building Connector by artificial means approved by the WPCA pursuant to these Rules and Regulations. The individual household pump systems Shall comply with the requirements of the grinder pump specifications contained within these Rules and Regulations. Said discharge pipe Shall not exceed diameter of the discharge port.

#### **5.08 Notification Prior to Inspection**

- A. The WPCA Shall be notified not less than 48 hours in advance of the time any connection is to be made to any public Sewer of said Town, or to any existing Building Connector connected to a public Sewer, and such connection Shall be made only in the presence of said WPCA during normal business hours and according to their directions. At the time of inspection, the Building Connector trench Shall be open and visible for inspection prior to backfilling.
- B. Said WPCA Shall be afforded all reasonable opportunity to oversee the construction of all parts of any Building Drain or Building Connector connected or intended to be connected, to any public Sewer of the Town and to obtain and record the location and other pertinent facts with respect to such Sewer.
- C. No public Sewer Shall be opened or in any way disturbed except in the presence of the WPCA. This same requirement Shall apply to repairs or alterations to Sewers, or pipes discharging thereto. See SECTION 7 regarding licenses and Permits for work conducted on sewers.

#### **5.09 Record of Connections By WPCA**

The WPCA Shall keep a record of all Building Connectors to public Sewers under these Rules and Regulations and all repairs and alterations made to Sewers or Building

Connectors connected to or discharging into public Sewers of the Town or intended to so discharge. Approved Sewer Layers and others Shall provide the WPCA the as-built data needed for such records.

#### **5.10 Assistance of the WPCA**

The WPCA Shall assist in the installation, repair and alteration of connections to public Sewers and of Building Connectors discharging thereinto by furnishing such information as May be in their possession and proper to be furnished to the party performing such work.

#### **5.11 Town To Be Reimbursed For Engineering**

The WPCA May, in its discretion, in any case where the quantity or expense of work by Town personnel incidental to the construction, repair or inspection of any Sewer or Sewer connection warranting such a requirement, require that the Owner of Property concerned or the Sewer Layer Shall reimburse the Town for the cost of services of Town employees or services of an outside consultant engaged in work or inspections incidental to said Sewer or Sewer connection. The costs may include photocopy, engineering review, hydraulic capacity analysis or whatever else the WPCA May deem important to insure the safety of operation of its infrastructure. The WPCA Enforcement Official Shall make a suitable provision for such reimbursement a condition prior to the issuance of any permit for the construction, alteration or repair of such Sewer or Sewer connection, subject to such directions as the WPCA May issue.

#### **5.12 Ends of Sewer To Be Closed**

Adequate precautions Shall be taken to exclude from public Sewers all water, wastes, wastewaters or other materials which May obstruct, damage or wrongfully fill the Sewer into which they May discharge directly or indirectly. To that end, the open ends of Sewers or Sewer connections Shall be kept closed or protected during construction and during periods when work on any incomplete Sewer is suspended. If any Sewer or Building Connector Shall have been laid to the site of a proposed building or other structure prior to the time when the building or structure is built, the end of the Sewer or Building Connector Shall be kept closed to ensure that no water, wastes, wastewaters or materials enter such Sewer during the interval prior to the construction of the building or structure. Any expense borne by the Town to remedy blockages in the Sewer caused by connection of the Building Connector to the Sewer will be at the Property Owner's expense.

#### **5.13 Sealing Discontinued Building Connectors and Drains**

When any building or other structure previously served by a connection to any public Sewer is demolished, destroyed, abandoned or altered so that any Sewer, Building Connector, or 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 buildings or structure, the open end of such Sewer or Building Connector which discharges directly or indirectly into a public Sewer Shall be promptly closed and sealed off so that no water or wastes not otherwise permitted to enter the public Sewer Shall be so discharged thereunto. In the case where Building Connectors are discontinued, the Building Connector shall be capped at the publicly owned Sewer. In the case where Building Connectors are temporarily out of service due to hardship where the building has been temporarily deemed uninhabitable by the Town Building Department, the Building Connector Shall be plugged until such time as the new certificate of occupancy is issued. In cases where the building exceeds being uninhabitable for more than one (1) year, the building Shall be considered abandoned and the Owner Shall be required to follow the guidelines for capping the Building Connector as if an abandoned building. Extensions

May be granted through the appeal procedure set forth in Section 8.01. The WPCA Shall be notified within ten (10) days of such abandonment or discontinuance and of the closing and sealing of such drain and afforded an opportunity to see such work performed. The procedures as noted in Section 5.08 regarding inspection Shall be applicable. All of said work Shall be the responsibility of the Person or party who demolishes, destroys, alters or otherwise abandons or discontinues the building or structure so as to make such closing and sealing necessary, and, in the event of the failure of such Person or party to do so, Shall be done by the Owner, lessee or tenant of the premises to the satisfaction of the WPCA, all without expense to the Town.

## 5.14 Connection Fees

- A. A Capital Connection Fee made up of a connection charge and usage benefit charge Shall be charged to the Property Owner(s) for connecting to the Sewage Works. The fee is intended to cover the capital costs associated with the design construction and upgrade of the Sewage Works. The fee Shall be payable to the WPCA, in accordance with the following schedule:
1. New Connections
    - a. **Basic Connection Charge** – two thousand five hundred dollars (**\$2,500**) Shall be charged for each Building Connector connected to the Sewage Works as defined in Section 5.05; and
    - b. **Usage Benefit Charge** – three thousand seven hundred fifty dollars (**\$3,750**) Shall be charged for each Unit, as defined in SECTION 2, served by a Building Connector to be connected to the Sewage Works
  2. **Improvements** - Each improvement to a property, whether located inside or outside the geographical area of the Town, connected to the Sewage Works that has an increased discharge to the Sewage Works greater than or equal to the sewage flow as defined in Section 10.01 A for the Equivalent Dwelling Unit for a single family dwelling Shall be subject to a Usage Benefit Charge with the exception of the conditions as described in Section 5.14 E. If the improvements are made under the certificate of occupancy (“CO”) process, the CO will not be issued until the supplemental fees are paid to the WPCA.
    - a. In calculating the Usage Benefit Charge for improvements, the charge Shall take into account previous usage benefit payments to determine the net charge. Abandoned property or property discontinuing service Shall not be considered as an improvement.
    - b. The issuance of a DEP discharge permit modification of the existing permit Shall also be subject to a supplemental Usage Benefit Charge based on the number of EDU’s or portion thereof.
- B. The WPCA May, on its own initiative, provide for payment of said connection fee in installments and determine the payment schedule and interest thereon in accordance with 7-253 of the Connecticut General Statutes. Where an installment payment plan is agreed upon, the WPCA Shall cause the Town Clerk to record upon the land records a certificate of such fact in a form substantially in compliance with the form provided for by Section 7-253 of the Connecticut General Statutes.

- C. If the WPCA determines that a proposed new connection or improvements or other changes to the use of an existing Building Connector will exceed the capacity of the existing Sewer and/or WPCF, either directly or indirectly as the Sewage is conveyed to the WPCF, it May condition its permission or otherwise require that the User, Owner or other Person proposing the connection or changes provide enlarged replacement Sewers and/or pumping facilities and/or WPCF improvements, at the direction of the WPCA, to handle the increase in flow and expected effects from the proposed connection or change in lieu of or in addition to the usage benefit charge. Said cost Shall include the design, construction, construction administration, interest, and all ancillary costs associated with the complete installation of the new Sewage Works. In no case Shall the User pay less than the cost of the upgrade or usage benefit charge but May include both.
- D. No permit to connect with the Sewage Works Shall be issued or modified until the connection fee has been paid or installment payment arrangements made, approved, and recorded. All fees collected under this section Shall be deposited in a separate Sewer fund account to be used solely for the construction, rehabilitation, and replacement of the Sewage Works.
- E. Where a new Building Connector is to tie directly into a Sewer Collection System for which a bond or loan is still active, the fees for connection Shall be computed as described in SECTION 11 for that particular construction project. In addition, the WPCA May charge a supplemental connection charge, usage benefit charge or fees as described in this Section 5.14 depending on the magnitude of the project for which the Assessment is still active and the impact of the new User on those conveyance system improvements. The supplemental fees shall take into account the Assessment payment in computing any required additional fees.

## 5.15 Grinder Pumps

If in the opinion of the WPCA, gravity flow to the Sewer is not permissible, a grinder pump Shall be used to lift the flow to the Sewer line at no expense to the Town or its WPCA, except as expressly provided otherwise in this Section 5.15. Technical standards as defined in the Sanitary Sewer Material and Construction Standards Shall apply. Any installation that requires the use of a grinder pump to overcome the hydraulic elements Shall be approved in writing and in advance by the WPCA Enforcement Official. The following terms and conditions Shall apply:

- A. The Property Owners will be required to pay for the cost of such grinder pumps and the installation, maintenance, repair and replacement, except that the WPCA May agree to supply such a grinder pump and assume responsibility for a specified portion of such costs and work in circumstances that the WPCA finds appropriate, in writing and in its discretion.
- B. The pump Shall be a semi-positive displacement pump or a centrifugal pump meeting the requirements defined in the Sanitary Sewer Material and Construction Standards and approved in writing by the WPCA Enforcement Official.
- C. In all cases, the Property Owner is responsible for operational costs of the grinder pump, including electricity, and installation of the Building Connector, control panel, and electrical system requirements.
- D. Sewage pumping station structures, electrical and mechanical equipment Shall be protected against physical damage and by flooding from the 100-year

reoccurrence interval flood as determined by the Federal Emergency Management Agency (FEMA).

- E. All installations Shall be made with the pumping stations on the exterior of the buildings. Special exceptions May be granted by the WPCA where exterior space is not available.
- F. Pump stations Shall be arranged so that pump or check valve maintenance does not require personal access to the wet well. Pumps Shall be removable without the need for entry to the wet well.
- G. The wet well entry cover shall be lockable. A lock will be provided by the WPCA.
- H. No grinder pump will be allowed to operate and discharge to the Sewer until the pump station, Building Drain, Building Connector and the appurtenances are accepted by the WPCA Enforcement Official and the Building Department.
- I. The Town through its WPCA May repair or replace, at its expense, approved grinder pumps to the certain Property Owners that qualify for participation in the limited maintenance program set forth in this Section 5.15. The following terms and restrictions Shall apply:
  - 1. The program only covers repair or replacement of grinder pumps supplied by the WPCA before the Effective Date of these Rules and Regulations. Within sixty (60) days of the Effective Date of these Rules and Regulations, the Owner of the subject building must register any such eligible grinder pump for participation in the program by submitting written notice to the WPCA Enforcement Official at the WPCA's offices in Montville Town Hall. Registrations filed for a grinder pump and eligibility under this grinder pump maintenance program are not transferrable to new Owners and Users. The grinder pump maintenance program Shall terminate and Shall not cover further replacement or repair of a grinder pump at a building or connection when a new Owner acquires the building or connection after the Effective Date of these Rules and Regulations.
  - 2. The Owner of the subject building must submit a written request identifying the registered grinder pump proposed for maintenance to the WPCA Enforcement Official at the WPCA's offices in Montville Town Hall.
  - 3. The subject building and its connection to the Sanitary Sewer must require installation and use of a grinder pump under these Rules and Regulations.
  - 4. The program covers repair or replacement of the motors and mechanical pump units only. Wet wells, electrical gear, and piping are not covered under the program. Routine maintenance and repair and replacement of other parts are not covered under the program. The WPCA May elect, in its sole discretion, to replace or repair a registered grinder pump covered by the program.
  - 5. A grinder pump proposed for maintenance must require repair or replacement due to failure from normal and reasonable use consistent with the pump's operations manual and complying with the pump's warranty conditions and these Rules and Regulations. The grinder pump maintenance program will not cover replacement or repair of a grinder

pump that the WPCA determines to have failed due to negligence of the Owner, User or any other Person responsible for the discharge or connection or due to the dumping of solvents, gravel, metal, fibrous materials, or any other substances not permitted under these Rules and Regulations. The Owner and User Shall be responsible for any and all damage caused by such negligence or dumping. All associated cost for repairs will be billed to the Property Owner and User for any repair work done by the WPCA. The grinder pump maintenance program Shall terminate and Shall not cover further replacement or repair of a grinder pump at a building or connection where such negligence or dumping has caused a WPCA-supplied grinder pump to fail. Nothing herein shall waive or relieve such Owner, User or Person from any additional liabilities or responsibilities that may apply under applicable law.

### **5.16 Discontinuing On-site Disposal Systems**

In such cases where it becomes necessary to discontinue or abandon an existing on-site wastewater disposal system the following requirements Shall apply:

- A. All abandoned septic tanks, dry wells and/or cesspools Shall be pumped dry, crushed in and the hole Shall be filled with suitable fill.
- B. SEPTAGE from abandoned facilities Shall not be disposed of through the public Sewer system. Such Waste material Shall be disposed of in an approved manner at a WPCF.
- C. Metal tanks Shall be removed from the ground and properly disposed of.
- D. Building Connectors Shall not be allowed to pass through existing structures with connection made directly from the Building Drain to the Sewer.

### **5.17 Improper Sewer Connections and Changes**

If any Person Shall construct, install, alter or repair any Sewer or connection to any public Sewer of the Town without the licensing or permitting required under SECTION 7, without having given the WPCA and its representatives adequate notice, time, opportunity and assistance, during regular working hours, to inspect such Sewer, or connection and the work and materials used thereon, or otherwise in violation of the requirements of these Rules and Regulations, the WPCA May, in its discretion, order or direct the Drain Layer, Owner, User or any other Person responsible for the Sewer, connection, work or materials to uncover and fully expose any or all portions of such Sewer or connection and afford said WPCA and its representatives adequate opportunity to examine and inspect such work and materials, and to submit such records thereof as the WPCA May desire to complete its inspection. If such Sewer, or connection and the appurtenances thereof Shall be found not to be in full accord with the requirements of these Rules and Regulations and the standards established under its provisions, then the WPCA May order and direct any such Person to correct the improper work and materials as the WPCA, in its discretion, deems necessary to insure that such Sewer, connection or appurtenance will conform to the requirements of these Rules and Regulations and all other applicable standards. All of such work Shall be performed by said Person without delay and without expense to the Town.



## **SECTION 6 USE OF SEWERS**

### **6.00 Permitted Wastes, Wastewaters and Discharges**

- A. No Person Shall use or allow the use of any Town Sewer, WPCF, or other Sewage Works, through discharges from Building Drains, Building Connectors or otherwise, for the conveyance, treatment or disposal of any wastes or wastewaters that are prohibited or excluded from the Sewer under these Rules and Regulations, except to the extent such use has been expressly permitted by the WPCA through specific terms and conditions in a Written WPCA Notice and does not contravene any requirements of local, state or federal law, including but not limited to those applying to the design and planning, financing, acquisition and construction, operation and maintenance of the Town's Sewers, WPCF, or other Sewage Works.
- B. No Person Shall discharge or cause to be discharged, Storm Water, Infiltration, Inflow, natural streams, subsurface drainage, Cooling Water, large continuous flow of water seeping into building or excavation soils or other underground sources, surplus from flow wells or unpolluted industrial process waters into any Sanitary Sewer.

### **6.01 Classification of Sewers**

The original description of a particular Sewer's intended use and kind (i.e. Sanitary or Storm), as designated in public proceedings and records of the Sewer's design and planning, financing, acquisition and construction, Shall determine the Sewer's classification, subject to any determination that the WPCA may later make to change the classification pursuant to this SECTION 6.

### **6.02 Discharge of Unauthorized Wastes**

The discharge of wastes or wastewaters that are inconsistent with a particular Sewer's original classification Shall not waive or constitute any amendment of the originally and formally expressed intended use and kind designated for the Sewer; the original designation and corresponding classification of the Sewer Shall remain in effect unless and until they have been amended by the WPCA pursuant to this SECTION 6.

### **6.03 Determination of Classification of Sewer**

If the proceedings and records of the layout, financing and construction of any particular Sewer or for its acquisition by the Town did not indicate the Sewer's intended use and kind (i.e. Sanitary or Storm), the WPCA Shall retain the right to consider the pertinent facts and determine what classification Shall be assigned to the Sewer and what waste or wastewaters Shall be permitted to be discharged thereinto or be excluded therefrom.

- A. In determining a Sewer's classification, the WPCA Shall consider:
  - 1. the size, capacity or slope of the potentially affected Sewers, Building Connectors and Building Drains;
  - 2. the probable quantity and character of wastes, wastewaters and other Sewage in the potentially affected Sewers, Building Connectors and Building Drains;
  - 3. the capacity and other design limitations of the WPCF or other Sewage Works;

4. the plans documented by the WPCA for existing and future use of the Sewers, the WPCF, or other Sewage Works, including but not limited to the Town's Wastewater Facilities Plan,
  5. the terms and conditions of these Rules and Regulations and all other applicable provisions of local, state and federal law, including but not limited to those applying to the design and planning, financing, acquisition and construction, operation and maintenance of the Town's Sewers, WPCF, or other Sewage Works; and
  6. other pertinent facts and circumstances.
- B. The discharge of wastes or wastewaters that are inconsistent with a particular Sewer's classification, as determined by the WPCA in accordance with this SECTION 6, Shall not constitute any waiver or amendment of the intended use and classification determined by the WPCA; the WPCA's determination shall remain in effect unless and until it has been amended by the WPCA pursuant to this SECTION 6.

#### **6.04 Wastes Excluded From All Sewers**

No Person or Owner Shall discharge or permit to be discharged directly or indirectly from any premises or premises under his/her control into any public Sewer of any kind or type, any of the following except to the extent such discharge has been expressly permitted by the WPCA through specific terms and conditions in a Written WPCA Notice and does not contravene any requirements of local, state or federal law, including but not limited to those applying to the design and planning, financing, acquisition and construction, operation and maintenance of the Town's Sewers, WPCF, or other Sewage Works :

- A. Any substance or object likely to damage, injure, destroy, or cause an obstruction in any Sewer, or appurtenance thereof;
- B. Sticks, stones of material size, coarse rubbish, rags, unground or unshredded Garbage, refuse or portions of any animal carcass more than one-half inch (1/2") in longest dimension;
- C. Any debris or substance which by depositing any considerable quantity or sediment, by coagulation, by congealing or by attaching itself to the lining of the Sewer or to other substance being transported within the Sewer is likely to cause an obstruction in any Sewer or appurtenance;
- D. Any gasoline, kerosene, alcohol, oil, tar, benzene, naphtha, fuel oil, flammable or explosive gas, solid or vapor or any substance which May generate or form any flammable, explosive or combustible substance, fluid, gas, vapor or mixture when combined with air, water or other substance commonly found in Sewers;
- E. Any liquid or vapor having a temperature higher than 150° Fahrenheit (65° C.);
- F. Any waters or wastes having a pH lower than 5.5 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the Sewage Works;
- G. Objectionable poisons, cyanides, or any substance likely to generate poisonous fumes that May interfere with, constitute a hazard to or be dangerous to human beings, or domestic or farm animals, or create any hazard in the receiving waters of the Town's WPCF, Sewers or other Sewage Works;

- H. Any noxious or malodorous gas or substance capable of creating a public nuisance;
- I. Any ashes, cinders, straw, sand, mud, shavings, metal, glass, feathers, tar, plastics, wood, manure, animal guts or tissue, entrails, offal, blood, hair, hides, scraps, unshredded vegetables, or any other solid or viscous substance capable of causing obstruction to the flow in Sewers or other interference with the proper operation of the Sewage Works;
- J. Any water or wastes containing disinfectants, formaldehyde, toxic or poisonous substances in quantities sufficient to delay or interfere with Sewage treatment and sludge digestion process including the sedimentation biological and chemical processes used by the Town or any other Town at their WPCFs;
- K. Any industrial or commercial wastewaters other than domestic Sewage that have not first obtained the necessary permit from the State Department of Environmental Protection pursuant to Section 22a-430 of Chapter 446k of the Connecticut General Statutes as amended or do not meet the terms and conditions of such a permit or any applicable state and federal pretreatment requirements;
- L. Any wastewater or Sewage likely to cause damage, injury, or loss to other Persons or to the property of other Persons who are lawfully entitled to use the Sewer or Sewers through which said wastes are discharged, or to any Person or equipment engaged in Sewage treatment and disposal for the Town. This prohibition Shall be understood as applying to the kind or character of wastes discharged into any Sewer and as limiting the quantity of wastes or wastewaters which May be discharged from any one parcel or plot of property and the rate or rates at which wastes are discharged to approximately the quantity of Sewage or wastewater which the Sewer was intended to receive from that particular parcel or plot;
- M. Any radioactive wastes or isotopes of such half-life or concentration as May exceed limits established by the WPCA or state or federal authorities in compliance with applicable state or federal regulations;
- N. Any wastes prohibited by state or federal laws or local Rules and Regulations in effect in the Town.
- O. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which May solidify or become viscous at temperatures between thirty-two (32° F) and one hundred fifty degrees Fahrenheit (150° F) (0°C and 65° C). Floating fats, wax, grease, or oils Shall not exceed 25 mg/l.
- P. Any Garbage that has not been properly shredded. The installation and operation of any Garbage grinder equipped with a motor of three-fourths ( $\frac{3}{4}$ ) horsepower (0.76 hp metric) or greater Shall be subject to the review and approval of the WPCA.
- Q. Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- R. Any water or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite

Sewage at the WPCF exceeds the limits established by the WPCA for such materials.

- S. Any waters or wastes containing phenols or other taste- or odor-producing substances, in such concentrations exceeding limits which May be established by the WPCA as necessary, after treatment of the composite Sewage to meet the requirements of the state, federal, or other public agencies of jurisdiction for such discharge to the receiving waters.
- T. Materials which contain, exert or cause:
  - 1. Average concentrations of inert Suspended Solids in excess of three hundred (**300**) milligrams per liter (mg/l) which is equal to 160 lbs/year for an equivalent dwelling unit (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).
  - 2. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
  - 3. Average concentration of BOD in excess of two hundred fifty (**250**) milligrams per liter (mg/l) which is equal to 133 lbs/year for an equivalent dwelling unit or material which causes unusual chemical oxygen demand as to constitute a significant load on the WPCF.
  - 4. Unusual volumes of flow having a chlorine demand in excess of fifteen (**15**) milligrams per liter (mg/l) as to constitute a significant load on the WPCF.
  - 5. Unusual volume of flow or concentration of wastes constituting "Slugs" as defined herein.
  - 6. Septic tank solids that are not diluted sufficiently to assure that all particles will be carried freely under all flow conditions in the Sewage Works of the Town. Discharge only allowed at the WPCF.
- U. Waters or wastes containing substances which are not amenable to treatment or reduction by the Sewage treatment processes employed, or are amenable to treatment only to such degree that the Sewage Works and effluent cannot meet the requirements of other agencies having jurisdiction over the Town's Sewage Works or discharge to the receiving waters.
- V. Sewage with a concentration of pollutants in excess of the following limits:

<b>Pollutant Concentration</b>	
<b>Mg/l (Parts/Million)</b>	
Arsenic	0.05
Barium	5.0
Boron	5.0
Cyanides as CN (Total)	0.1
Fluoride	20.0
Chromium (Total)	1.0
Magnesium	100.0
Manganese	5.0
Copper	1.0
Zinc	1.0
Cadmium	0.1
Lead	0.1
Tin	2.0
Silver	0.1
Mercury	0.01
Nickel	1.0
Note: All metals are to be measured as total metals.	

- W. Any substance, which May cause the WPCF's effluent or any other project of the WPCF such as residues, sludges or scums to be unsuitable for reclamation process where the WPCF is pursuing a reuse and reclamation program.
- X. Discharge flow or Sewage Strength that would cause the WPCF or other Sewage Works to be in excess of the applicable design parameters as set forth in the Town's Wastewater Facilities Plan or NPDES Permit.

**6.05 Notice, Application and Permission for New and Changed Discharges**

- A. Any Person proposing a discharge into the Sewer from a new connection or a substantial change in the volume or character of pollutants that are being discharged into the system from an existing connection Shall notify the WPCA by submitting written notice to the WPCA Enforcement Official at the WPCA's offices in Montville Town Hall at least forty-five (45) days prior to the proposed change or connection.
- B. No new connection or alteration to an existing connection is allowed except as permitted under SECTIONS 5 and 7. No Person May initiate or maintain any discharge of wastes or wastewaters that are excluded from the Sewer under these Rules and Regulations except those that are expressly permitted pursuant to a Written WPCA Notice, issued or entered in accordance with this SECTION 6, and that fully comply with all applicable terms and conditions set forth in such Written WPCA Notice.
- C. Any Person seeking to obtain permission under a Written WPCA Notice to discharge wastes or wastewaters excluded from the Sewer or to modify the terms and conditions of such a Written WPCA Notice Shall submit all application

and other information and materials requested by the WPCA or its WPCA Enforcement Official.

- D. The WPCA May permit or exclude some or all of the proposed discharge or change in discharge, subject to terms and conditions that May be set forth in the Written WPCA Notice, based on the application and any other information and materials submitted by the applicant or any other Person and the considerations described in SECTION 6 of these Rules and Regulations.

## **6.06 Determination for Permission or Exclusion**

In determining what waste or wastewaters Shall be permitted to be discharged into a Sewer or Shall be excluded from a Sewer, the WPCA Shall consider:

1. the quantity, time or times, rate and manner of discharge;
2. dilution and character of the wastes or wastewaters in question;
3. the size, capacity or slope of the potentially affected Sewers, Building Connectors and Building Drains;
4. the probable quantity and character of wastes, wastewaters and other Sewage in said Sewers, Building Connectors and Building Drains at the time of discharge;
5. the capacity and other design limitations of the WPCF or other Sewage Works;
6. the plans established or accepted by the WPCA, in its discretion, for existing and future uses of the Sewers, the WPCF, and other Sewage Works, based on the information documented or projected in the Town's most recent plan of conservation and development (adopted under Conn. Gen. Stat. § 8-23), water pollution control plan (including any such plan completed under Conn. Gen. Stat. § 7-246(b)), or Wastewater Facilities Plan,
7. the terms and conditions of these Rules and Regulations and all other applicable provisions of local, state and federal law, including but not limited to those applying to the design and planning, financing, acquisition and construction, operation and maintenance of the Town's Sewers, WPCF, or other Sewage Works;
8. the terms and conditions of any Written WPCA Notice governing the subject connection and any existing or proposed discharges therefrom; and
9. other pertinent facts and circumstances.

## **6.07 Grease, oil and gross particle separators**

### **A. General**

Owners, Users and other Persons responsible for the following facilities Shall install, operate, and maintain a FOG Pretreatment System by the deadlines specified in, and in accordance with, this Section 6.07:

1. All Food Preparation Establishments with a Class 3 or 4 Food Service License, including restaurants, cafeterias, diners, and similar non-industrial facilities using food preparation processes that have the potential to generate FOG in Sewage at concentrations in excess of the limits defined in these Sewer Use Rules and Regulations, or are otherwise required to meet the General Permit of the State of Connecticut Section 22a-430b of the General Statutes; and
2. All other new and existing facilities that the WPCA orders, in writing, to install FOG Pretreatment Systems for the proper handling of Sewage containing fats, oils, or grease, except that such FOG Pretreatment Systems Shall not be required for Residential units.

The Owners, Users and other Persons responsible for such Food Preparation Establishments and other facilities that generate and discharge any Sewage flow at any time prior to July 1, 2011 Shall complete the installation and commence full-scale operation and maintenance of a FOG Pretreatment System, in accordance with this Section 6.07, by July 1, 2011, except for such facilities that are sold or undergo interior renovations. The Owners, Users and other Persons responsible for such existing Food Preparation Establishments and other facilities that are sold or undergo interior renovations prior to July 1, 2011 Shall complete the installation and commence full-scale operation and maintenance of the required FOG Pretreatment System, in accordance with this Section 6.07, prior to the use of the sold or renovated facility. The Owners, Users and other Persons responsible for such Food Preparation Establishments and other facilities that come into existence and first commence Sewage flow discharges after July 1, 2011 Shall complete the installation and commence full operation and maintenance of the required FOG Pretreatment System, in accordance with this Section 6.07, prior to the use of the new facility.

**B. Application for Permit**

1. All Owners, Users and other Persons responsible for Food Preparation Establishments and other facilities that generate and discharge Sewage containing fats, oils, and grease through a permitted connection and that require a FOG Pretreatment System Shall apply for and obtain a permit from the WPCA. All Owners, Users and other Persons responsible for Food Preparation Establishments and other facilities that are newly constructed or otherwise require a connection permit and that generate and discharge Sewage containing fats, oils, and grease and require a FOG Pretreatment System Shall include the design and specifications for the FOG Pretreatment System as part of the Sewer connection permit application. An application for a permit for the FOG Interceptor/trap will need to be submitted with payment made to the WPCA at the current fee payment schedule set by the WPCA.
2. All costs and related expenses associated with the installation and connection of the FOG Interceptor(s) or Alternate FOG Pretreatment System(s) Shall be borne by the Owner, User and any other Persons responsible for the Food Preparation Establishment or facility. Such Owner, User and other Persons responsible Shall indemnify the Town and its WPCA and agents for any loss or damage that may directly or indirectly occur due to the installation of the FOG Pretreatment System.
3. An application for the design and installation of a FOG Pretreatment System Shall be subject to review and approval by the WPCA per these

Sewer Use Rules and Regulations, the Sanitary Sewer Material and Construction Standards, and subject to the requirements of all other applicable codes, ordinances, and laws.

**C. Discharge Limits**

No Owner, User or other Person responsible for a connection Shall discharge or cause to be discharged any Sewage with a FOG concentration in excess of the limits described in this SECTION 6 as determined by the most current approved test for total recoverable fats and grease listed in 40 CFR 136.3, or in concentrations or in quantities which will harm either the Town's Sewers, or WPCF, as determined by the WPCA.

**D. Pretreatment System Requirements**

1. All sizing requirements for a grease interceptor/trap or other approved device/system are to be sized accordingly by an engineer at the expense of the subject facility. Each unit must be able to handle the anticipated flow and remove grease so as to not violate any part of these Sewer Use Rules and Regulations.
2. Except as otherwise provided by this Section 6.07, the Sewage generated from Food Preparation Establishments Shall be treated to remove FOG using a FOG Interceptor.
3. Every structure at the subject facility Shall be constructed, operated, and maintained, in a manner to ensure that the discharge of food preparation Sewage and any other Sewage designated by the WPCA is directed solely to the FOG Interceptor, or Alternate FOG Pretreatment System. No diverting valve or bypass piping that could prevent the discharge of such Sewage from entering appropriate Pretreatment equipment Shall be present.
4. The Contact Person at each Food Preparation Establishment or other facility Shall notify the WPCA when the FOG Pretreatment System is ready for inspection and connection to the public Sewer. The connection and testing Shall be made under the supervision of the WPCA Enforcement Official or inspector, and/or the Health Director. The Town Building Department must also inspect any interior connections and all applicable permits must be issued prior to the start of work.
5. All applicable local plumbing/building codes Shall be followed during the installation of the FOG Pretreatment System.
6. FOG Interceptor REQUIREMENTS – The FOG Interceptor Shall be installed on a separate Building Connector servicing kitchen flows and Shall only be connected to those fixtures or drains which can allow fats, oils, and grease to be discharged into the public Sewer. This Shall include:
  - a. Pot sinks;
  - b. Pre-rinse sinks, or dishwashers without pre-rinse sinks;
  - c. Any sink into which fats, oils, or grease may be introduced;
  - d. Soup kettles or similar devices;



- e. Wok stations;
  - f. Floor drains or sinks into which kettles may be drained;
  - g. Automatic hood wash units;
  - h. Dishwashers without pre-rinse sinks; and
  - i. Any other fixtures or drains that can allow fats, oils, and grease to be discharged into the Sewer.
7. No pipe carrying any Sewage other than from those listed in the Paragraph above Shall be connected to the FOG Interceptor/trap.
  8. No food grinder Shall discharge to the FOG Interceptor/trap.
  9. The FOG Interceptor Shall be located so as to maintain the separating distances from well water supplies set forth in Section 19-13-B51d of the Public Health Code.
  10. The following minimum-separating distances Shall be maintained between the FOG Interceptor and the items listed below.
 

a. Property line	10 ft
b. Building served (no footing drains) -	15 ft
c. Ground water intercepting drains, footing drains and storm drainage systems	25 ft
d. Open Watercourse	50 ft
  11. All non-concrete septic tanks must be approved for use by the WPCA.
  12. The FOG Interceptor/trap Shall be accessible for convenient inspection and maintenance. No structures Shall be placed directly upon or over the FOG Interceptor.
  13. When necessary due to installation concerns, testing for leakage will be performed using either a vacuum test or water-pressure test.
    - a. Vacuum Test - Seal the empty tank and apply a vacuum to two (2) inches of mercury. The tank is approved if 90 percent of the vacuum is held for two (2) minutes.
    - b. Water-Pressure Test - Seal the tank, fill with water, and let stand for twenty-four (24) hours. Refill the tank. The tank is approved if the water level is held for one (1) hour.

**E. Alternate FOG Pretreatment Systems**

1. When it is not practical for the Owner, User and other Person responsible for the Food Preparation Establishment or other facility to install an outdoor in-ground FOG Interceptor per Section 6.07 D, an Alternate FOG Pretreatment System, such as an AGRU (automatic grease recovery unit) may be utilized upon approval by the WPCA and upon receiving a "Notification of Approved Alternative FOG Pretreatment System." Approval of the system Shall be based on demonstrated

(proven) removal efficiencies and reliability of operation. The WPCA will approve these systems on a case-by-case basis. The Contact Person may be required to furnish the manufacturer's analytical data demonstrating that FOG discharge concentrations do not exceed the limits established in these Sewer Use Rules and Regulations. Installation of the above mentioned device/system will require a permit by the WPCA along with the required fee and inspection of device/system will be required from both the WPCA inspector and the Montville Building Department.

2. Alternate FOG Pretreatment Systems Shall consist of a FOG Recovery Unit meeting the requirements of Section 6.07 E 4, unless there are special circumstances that preclude such installation, as approved by the WPCA.
3. Alternate FOG Pretreatment Systems Shall meet the requirements of Section 6.07 D 1-4, and Section 6.07 D 6 and 7 and Shall be installed immediately downstream of each of the fixtures and drains listed in Section 6.07 D 5.
4. Alternate FOG Pretreatment System Requirements.
  - a. FOG AGRUs Shall be sized to properly pretreat the measured or calculated flows using methods approved by the WPCA.
  - b. FOG AGRUs Shall be constructed of corrosion-resistant material such as stainless steel or plastic.
  - c. Solids Shall be intercepted and separated from the effluent flow using a strainer mechanism that is integral to the unit.
  - d. FOG AGRUs Shall operate using a skimming device, automatic draw-off, or other mechanical means to automatically remove separated FOG. This skimming device Shall be controlled using a timer, FOG sensor, or other means of automatic operation. FOG Recovery Units operated by timer Shall be set to operate no less than once per day.
  - e. FOG AGRUs Shall be included with an internal or external flow control device.
  - f. FOG AGRUs Shall be located to permit frequent access for maintenance, and inspection.

**F. Pretreatment Equipment Maintenance**

1. The FOG Pretreatment System Shall be maintained continuously in satisfactory and effective operation, at the expense of the Owner, User and other Persons responsible for the subject facility.
2. The Contact Person Shall be responsible for the proper removal and disposal, by appropriate means, of the collected material removed from the FOG Pretreatment System.
3. A record of all FOG Pretreatment System maintenance activities Shall be maintained on the premises for a minimum of five (5) years.

4. The Contact Person Shall ensure that the FOG Interceptor is inspected when pumped to ensure that all fittings and fixtures inside the interceptor are in good condition and functioning properly. The depth of grease inside the tank Shall be measured and recorded in the maintenance log during every inspection along with any deficiencies, and the identity of the inspector.
5. The Contact Person Shall determine the frequency at which its FOG Interceptor(s) Shall be pumped according to the following criteria:
  - a. The FOG Interceptor Shall be completely cleaned by a licensed waste hauler when 25% of the operating depth of the FOG Interceptor is occupied by grease and settled solids, or a minimum of once every three (3) months, whichever is more frequent.
  - b. If the Contact Person can provide data demonstrating that less frequent cleaning of the FOG Interceptor will not result in a grease level in excess of 25% of the operating depth of the FOG Interceptor, the WPCA may allow less frequent cleaning. The Contact Person Shall provide data including pumping receipts for four (4) consecutive cleanings of the FOG Interceptor, complete with a report from the FOG hauler indicating the grease level at each cleaning, and the FOG Interceptor or maintenance log.
  - c. A maintenance log Shall be maintained on the premises, and Shall include the following information: dates of all activities, volume pumped, grease depth, hauler's name, location of the waste disposal, means of disposal for all material removed from the FOG Interceptor, and the name of the individual recording the information. The maintenance log and waste hauler's receipts Shall be made available to the Health Director for inspection on demand. Interceptor cleaning and inspection records Shall be maintained on file a minimum of five (5) years.
6. All removal and hauling of the collected materials must be performed by State-licensed waste hauler. Pumped material Shall be disposed of at a Regional FOG Disposal Facility. Pumping Shall include the complete removal of all contents, including floating materials, Sewage and settled Sludge. Decanting back into the FOG Interceptor Shall not be permitted. FOG Interceptor cleaning Shall include scraping Excessive solids from the walls, floors, baffles and all piping.

**G. FOG Minimization**

1. The Contact Person Shall make every practical effort to reduce the amount of FOG contributed to the Sewage system.
2. Renderable fats, oils, and grease Shall not be discharged into any Building Connector or FOG Interceptor. All renderable fats, oils, and grease Shall be stored in a separate, covered, leak-proof, renderable FOG Container, stored out of reach of vermin, and collected by a renderer.

3. Small quantities of FOG scraped or removed from pots, pans, dishes and utensils Shall be directed to the municipal solid waste stream for disposal.

**H. Administration**

1. Technical standards as defined in the Sanitary Sewer Material and Construction Standards Shall apply when in the opinion of the WPCA that excessive grease, oil or gross particles exist for a particular connection as defined by Section 6.07.
2. The WPCA Shall have the right to inspect such facilities at any time during normal business hours.
3. A Grease Trap Log Shall be furnished by the WPCA, which Shall state the proper cleaning intervals for any FOG device/system. The log Shall be updated at every cleaning and inspection and be available for viewing by WPCA personnel at all times. Failure to maintain Grease Logs will result in monetary penalties.
4. All fryolator grease must be stored in a proper, covered container until removal by a renderer and not discharged to the public Sewer. Violators May be subject to a monetary penalty. Grease trap waste, May in most cases, be disposed of by the renderer or the normal trash contractor.
5. All sinks not draining through a FOG device/system must be posted as follows: NO CLEANING OF POTS, PANS, DISHES OR UTENSILS NO FATS, OILS OR GREASE.
6. No chemicals, emulsifiers or grease cutters other than bacteria Shall be used in the maintenance of Grease Traps or Building Drains in the Municipal Collection System.

**6.08 Special Requirements Imposed on Certain Discharges**

- A. If, in the judgment of the WPCA, any wastes or wastewaters are discharged, or are proposed to be discharged to the public Sewers, which contain the substances or possess the characteristics enumerated in Section 6.04 which May have a deleterious effect upon the Sewage Works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the WPCA May establish terms and conditions in a Written WPCA Notice or otherwise order the User, Owner and/or other Person responsible for the discharge to:

1. Cease the discharge;
2. Provide pretreatment and/or equalization designed to ensure an acceptable condition for discharge to the public Sewers;
3. Provide acceptable control over the quantities and rates of discharge; and/or
4. Monitor the discharge and submit reports on the monitoring results..

A Written WPCA Notice or order permitting such a discharge under these terms and conditions, and any related actions taken to pretreat, equalize, or control any

discharge, Shall not waive the WPCA's rights to impose User Surcharges and other Service Charges, as applicable, for the discharges in question.

- B. If the WPCA requires the pretreatment, equalization or monitoring of waste flows, the design and installation of the necessary facilities and equipment Shall be subject to the requirements of all applicable codes, rules, regulations, ordinances, and laws. The WPCA may require the User, Owner and/or other Person responsible for the discharge to submit a plan or satisfactory description, or both, of the existing and proposed facilities and equipment and a description of the proposed operation thereof. Said plan, description, or both, Shall become part of an application for permission to discharge wastes excluded under these Rules and Regulations and the proper installation, operation and maintenance of the facilities and equipment in accordance therewith Shall be a condition of any Written WPCA Notice and permission allowing the discharge.
- C. Grease, oil, and gross particle removal Shall be provided as applicable under Section 6.07 and also when, in the opinion of the WPCA, it is necessary for the proposed handling of liquid wastes containing grease in excessive amounts as set forth in Section 6.04, or any flammable wastes, sand, or other harmful ingredients. Removal facilities Shall be of a type and capacity approved by the WPCA and Shall be located as to be readily and easily accessible for cleaning and inspection.
- D. Where pretreatment or flow-equalizing facilities are required or otherwise provided for any wastes or wastewaters, they Shall be installed, operated and maintained by the Owner, User and other Person responsible for the discharge, at no expense to the Town or its WPCA, so as to be safe, fully operational and effective at all times.
- E. When required by the WPCA, the User and Owner of any property serviced by a Sewer connection conveying wastes subject to metered User Charges or User Surcharges or carrying substances outlined in Section 6.04 Shall install, operate and maintain metering and other monitoring equipment, satisfactory to the WPCA, and/or a suitable control manhole in the Building Connector to facilitate observation, sampling, and measurement of the wastes and substances. Such manhole, when required, Shall be accessible and safely located, and Shall be constructed in accordance with plans approved by the WPCA. This equipment and manhole Shall be properly installed, operated and maintained by the Owner, User and other Person responsible for the discharge, at no expense to the Town or its WPCA, so as to be safe, calibrated, operational, and accessible to the WPCA at all times.
- F. All measurements, tests, and analyses of the characteristics of wastes and wastewaters to which reference is made in these Rules and Regulations or any Written WPCA Notice Shall be determined based on analytical procedures completed in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, and representative samples collected at the control manhole, when required, or representative samples collected from another location acceptable to the WPCA. In the event that a control manhole has not been installed in the Building Connector, the control manhole Shall be considered to be the nearest downstream manhole in the public Sewer to the point at which the building Sewer is connected. Sampling Shall be carried out by customarily accepted methods to reflect the effect of constituents upon the Sewage Works and to determine the existing of hazards to life, limb, and property. The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a

premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and Suspended Solids analyses are obtained from twenty-four (24) hour composites of all outfalls, whereas pH measurements are determined from periodic grab samples.

All Users, Owners and other Persons responsible for a discharge into a public Sewer Shall perform such monitoring of their discharge as the WPCA and/or other duly authorized employees of the Town May reasonably require, including installation, use, and maintenance of monitoring equipment, keeping records, and reporting the results of such monitoring to the WPCA. Such records Shall be made available upon request by the WPCA to other agencies having jurisdiction over discharges to the receiving waters.

## **6.09 Powers and Authority of Inspectors**

- A. The WPCA Enforcement Official and other duly authorized employees of the Town bearing proper credentials and identification Shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of all applicable law, including but not limited to such entry that the Town and its WPCA may deem necessary to assess compliance with these Rules and Regulations or the terms and conditions of any Written WPCA Notice.
- B. The WPCA Enforcement Official and other duly authorized employees of the Town bearing proper credentials and identification Shall be permitted to enter all private properties through any easement, license or other permission to enter that the Town holds for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the Sewage Works lying within said easement.

## **6.10 Use of Storm Sewers**

Storm Sewers, conduits or similar terms, are in general, intended to be used for conveying surface and Storm Waters from streets, yards, and other ground surfaces, from roofs and other places. They Shall also be used for conveying Subsoil Drainage waters, the flow of natural springs, groundwater, surplus from flowing wells, clean Cooling Water as defined in Section 2 (21) of these Rules and Regulations and subject to all applicable requirements of local, state and federal law.

## **6.11 Prohibited Discharge Into Storm Drains**

No Persons Shall discharge or permit to be discharged from property under his/her control into a Storm Sewer any waste or water which is polluted with organic or other matter which can decay, which is odorous, oily, or unsightly, or for any other reason is likely to or does give offense or cause damage or injury to nearby Persons or property when discharged into an open natural stream. No wastewater which is poisonous to Persons, animals or fish when discharged into a natural stream Shall be discharged through any Storm Sewer. No coarse rubbish, sticks, large solids, offal, feathers, straw, cinders, ashes, scraps, leaves, oil, grease, combustible substance, or similar materials Shall be permitted to enter any Storm Sewer. No materials, the discharge of which into natural streams, ponds, or lakes is prohibited by local state or federal law or regulation, Shall be discharged into any Storm Sewer.

## **SECTION 7 LICENSES AND PERMITS**

### **7.00 Authorization To Work On Sewers**

To ensure compliance with the foregoing sections of these Rules and Regulations, and to facilitate the supervision of the construction, operation, and repair of Sewers and the keeping of records thereof, no Person other than those described hereinafter Shall construct, repair, alter or remove any Sewer, Building Connector connected to or with or discharging directly or indirectly to or into, any public Sewer of said Town, or intended to discharge thus to some future time, regardless of whether said work is located in a public street or in public or private land. The following May, as indicated, construct, repair, alter or remove Sewers subject to supervision and approval by the WPCA:

- A. Employees of a contractor employed by the Town operating under orders of said WPCA and in the performance of work for said Town.
- B. Employees of the Town and employees of the State of Connecticut operating under and subject to permit for the particular job to be issued by the WPCA.
- C. Employees of any public utility corporation authorized by state law to construct, maintain and operate pipes or ducts within public highways within said Town, while engaged in work incidental to the regular structures of said utility company and operating under and subject to the conditions of a permit for the particular job issued by said WPCA.
- D. Any Person, firm or corporation holding a valid license issued by the State of Connecticut under Chapter 393, Section 20 of the Connecticut General Statutes, as amended, to perform the work defined under said General Statutes and when operating under and subject to the conditions of a permit for the particular job and issued therefor by the WPCA or its authorized representative.
- E. A Property Owner May apply for a permit to construct His/Her own Building Connector from the Building Drain to the Building Connector Lateral but shall not be allowed to make the connection to the publicly owned Sewer.. No Owner, unless He/She meets the requirements of a Drain Layer, Shall be allowed to initiate or conduct construction activities on the publicly-owned section of the Sewer. The Owner must execute a hold harmless agreement and will be required to meet and be subject to all other regulations and requirements regarding the installation procedures for constructing a Building Connector.

### **7.01 Surety Bond and Insurance**

Before any Drain Layer May receive a permit to do work governed by these Rules and Regulations, he/she Shall file with the Town and the WPCA satisfactory surety bonds and protective liability insurance policy certificates for all work performed, to the effect that the Person or Persons including any subcontractors or their agents are properly insured against claims by employees or the public and against liabilities to be assumed under the terms of the Drain Layer's permit. The required surety bonds and policies Shall include (but May not be limited to) Commercial General Liability insurance, Automobile Liability, and where applicable, statutory Workers' Compensation insurance and Shall be provided in the amounts so stated in the Town's current "Insurance Requirements". The Town and the WPCA Shall be added as "additional named insureds" to the Drain Layers Commercial General Liability and Auto Policies for all work performed on behalf of the Town or while operating under and subject to the condition of a permit(s) for the particular job(s) issued by the WPCA for the Town and so stated in those certificates. The Drain Layer Shall also execute a Supplemental Agreement which provides that the Drain Layer is an independent contractor and neither the Contractor nor its employees nor the

Contractor's subcontractors under any circumstances will be considered servants or agents of the Town or the WPCA, and Shall further execute a Hold Harmless Agreement that will indemnify and hold harmless the Town, the WPCA and its respective officers, agents and employees from any loss, costs, damages, expenses, judgements and liability whatsoever kind or nature howsoever the same May be caused resulting directly or indirectly by any act or omission of the Contractor, any subcontractor, anyone directly or indirectly by any of them or anyone for whose acts any of them May be liable resulting in bodily injury including sickness and death, personal injury or damage to property directly or indirectly, including the loss of use resulting therefrom as permitted by law, while operating under the permit(s) issued or from any negligence regarding said work; that the Drain Layer Shall reimburse the Town for any expense to said Town or its agents arising from any injury or damage to any Sewer or Sewer Connector any violation of the Drain Layer or his/her agents or employees of any requirement of these Rules and Regulations; that the Drain Layer Shall faithfully execute in all respects all work performed under the permit(s) issued; that the drain Shall restore the portion of any street or public place in which the Drain Layer May have made an excavation incidental to work under said permit(s) to as good condition as it was prior to said work and also Shall keep said street or public place in like good condition to the satisfaction of the Town or other public officer in charge thereof for a period of not less than one year after said restoration; that the Drain Layer Shall reimburse the Town or State for the expense of repairs to such street or public place made necessary by reason of the excavation made by the Drain Layer; and that the Drain Layer Shall comply in all respects with the rules, regulations, laws, ordinances, and other requirements applicable to work in such streets or public places and with the terms of the permits which May be issued to the Drain Layer by any of the foregoing public bodies and Shall pay all fines imposed on the Drain Layer for violation of these Rules and Regulations.

## **7.02 Conduct of Drain Layer**

Each licensed Drain Layer Shall be responsible for the faithful and safe performance of all work performed under the permits issued to him and for the conduct of all work by his/her employees or agents. No work Shall be sublet by a Drain Layer under any permit in any manner to divest said Drain Layer of full control and responsibility for all parts of said work. Only competent, qualified Persons Shall be employed on work performed under such permit and only suitable materials conforming to the standards established by the WPCA Shall be furnished or used on such work.

## **7.03 Drain Layer Suspension of License**

Should the WPCA find that any Drain Layer licensed under Chapter 393, Sections 20 of the Connecticut General Statutes, as amended, and doing work governed by these Rules and Regulations, has failed to conform to the requirements of these Rules and Regulations and to the conditions of any permit issued thereunder; or that such Drain Layer has not been faithful in the performance of work or furnishing materials under his/her permit issued by the Town, the WPCA May suspend work under any permit issued to such Drain Layer and recommend to the State of Connecticut that the Drain Layer's license issued under Chapter 393, Section 20 of the Connecticut General Statutes, as amended, be suspended or revoked as provided under the General Statutes.

Work under any permit suspended by the Town Shall not resume until:

- A. The Town is notified by the State that the license has not been suspended or revoked; or



- B. If the license has been suspended or revoked, that said license has been restored; or
- C. In the event that the license has been suspended or revoked, that the Property Owner requests in writing that the work resume under another licensed Drain Layer. In such event, the Town May, in its discretion, issue a permit for same.

#### **7.04 Drain Layer Responsible**

Each licensed Drain Layer Shall save the Town, its agents and employees, and the State of Connecticut harmless from all loss or claims for loss, damage or injury arising from the operation of such Drain Layer under any permits issued under his/her license or any negligence or failure on the part of such Drain Layer in guarding, protecting or conducting the work thereunder or from damage to or obstruction or disturbance of any highways, pavements, walks, pipes, Sewers, Building Drains, Building Connectors, Building Connector Laterals, and other components of or appurtenances to the Sewage Works, caused by such work.

#### **7.05 Permits Required for All Work**

No Person, other than those working for and under the direction of the Town, Shall make any excavation for or construction, install, lay, repair, alter, or remove any Sewer, Building Connector, Building Connector Lateral, or appurtenance thereof, which Sewer, Building Connector, Building Connector Lateral, or appurtenance is in any way connected to or discharges directly or indirectly to or into any public Sewer of said Town, or is intended at some future time to be so connected or so discharged, until said Person or party Shall have applied for and secured from the WPCA or its authorized representative a permit for doing such work. Such permits May be issued only to those qualified to perform such work as provided in Section 7.00 of these Rules and Regulations. The WPCA of the Town May authorize competent representatives to act for it in receiving applications for permits and issuing such permits.

#### **7.06 Application For Permits**

Every application for a permit Shall be made in writing on forms to be provided by the Town for that purpose and Shall be signed by the licensed Drain Layer or other qualified Person or party, or an authorized agent thereof. The application Shall state the location and ownership of the property to be served by the Sewer in question, the post office address of said Property Owner, a brief description of the work to be done, detailed sketch, and Shall contain an agreement that the permittee will do the work in accordance with the requirements of the Town and local laws, ordinances, rules, regulations and permits that May govern or be required for the particular location or work and will save said Town and others harmless from damages, losses, claims, and related requirements of law and legal proceedings, in accordance with the terms of the Drain Layer's insurance requirements provided for in Section 7.01 hereof; all in such form and detail as May be directed by the WPCA in the form provided. The detailed sketch of the proposed installation Shall show the Building Connector with approximate distance and depth, cleanouts, manholes if required, grinder pump location if required, wells within twenty-five (25) feet of the proposed installation and any WATER or Storm drains within ten (10) feet of the installation. The WPCA, in its discretion, May require as a prerequisite to the issuance of any permit that it be furnished evidence (a) that any and all necessary permits and approvals to open public streets, public or private grounds or property have been or will be issued; (b) that the agent of the applicant is properly authorized to sign the application in question; (c) that the devices or provisions to prevent the entry into public Sewers, Building Connectors, Building Connector Laterals or Building Drain of any substances forbidden entry by these Rules and Regulations will be provided, maintained and operated as required by SECTION 6, thereof; and any other information or proof

pertinent to the particular job in question. See Section 7.07 for information on final documentation requirements.

### **7.07 Records of Permits and Work Thereunder**

Following completion of Sewer work under and approved permit, the Property Owner or Contractor if performing the installation, Shall submit an as-built diagram drawn on the Sewer connection permit with triangular ties showing the locations of cleanouts, connection to the Building Drain and Building Connector Lateral or Sewer. Such ties shall be to structures or appurtenances not apt to change in location or removed. After completion of the work the Sewer connection permit Shall be turned over to the WPCA without delay. All completed applications for permits and a record of work performed under every permit issued thereupon Shall be kept as permanent records of the Town.

### **7.08 Issuance of Permit**

Each permit to construct, alter or repair any Sewer or Building Connector under this section Shall be issued only after an application as hereinbefore is provided. It Shall state the location and character of the work to be performed thereunder; the Person granted permission to perform such work; a time limit within which the work must be performed and at the expiration of which the privileges for construction under the permit Shall terminate, unless the permittee Shall have requested an extension of the time limit in writing and such time limit Shall have been extended in writing by the WPCA; Shall indicate the general character of wastes which May be discharged into the Sewer in question, and any other pertinent information or conditions. Permits Shall not be transferable or assignable by the permittee.

### **7.09 Permits To Be On Premises**

Permits Shall be kept on the premises at all times where, and at all times when, work is in progress and Shall be shown to any proper Person asking to see the same. All Persons operating under such permits Shall be held responsible for conformity to the requirements thereof and of these Rules and Regulations.

### **7.10 Revocation of Permit**

Any permit May be suspended, canceled or terminated by the WPCA on written notice to the permittee for violation of the conditions thereof or for violation of the requirements of these Rules and Regulations or of the standards and specifications established by said WPCA for such work as provided by these Rules and Regulations, or for other reasons in the public interest. Suspension, cancellation or termination of a permit May cover all or any portion of the work contemplated thereunder as the WPCA May direct. Suspension, cancellation or termination of a permit Shall not entitle the permittee to any compensation or reimbursement from the Town or its agents for any alleged loss or expense incurred thereby, and permits Shall be issued only on this condition.

### **7.11 Permit Fees**

The WPCA Shall establish a schedule of permit fees. No Sewer permits will be issued unless the Person applying for the permit has deposited a check or cash payment to the WPCA in the amount determined by the WPCA.

## **SECTION 8 APPEAL AND GENERAL PROVISIONS**

### **8.00 Interpretation of Requirements**

The provisions of these Rules and Regulations, with respect to the computation and levying of Service Charges, the meaning of technical terms and phrases, the classifications of different kinds and types of Sewers, the restrictions as to what wastes May be discharged into Sewers, and the regulations with respect to making and using connections to Sewers Shall be interpreted and administered by the WPCA Enforcement Official, acting on behalf of the WPCA. Details as to Service Charges, Sewer use, Sewer connections and other matters concerning the Sewage Works not otherwise regulated or described by the provisions of these Rules and Regulations, Shall continue as heretofore established by local custom and practice, as interpreted by the WPCA Enforcement Official, acting on behalf of the WPCA, and any other applicable provisions of local, state or federal law.

### **8.01 Appeal From Service Charges, Requirements and Related Interpretations**

Any Person who is aggrieved by and seeks rescission or modification of any Service Charge levied through an invoice issued by the WPCA or by the WPCA's interpretation and requirements imposed through an order or other Written WPCA Notice issued by the WPCA pursuant to these Rules and Regulations, other than a final WPCA decision or order approving a citation pursuant to Article IV of the Town Ordinances, May appeal the WPCA's Service Charges, requirements and related interpretations by submitting a written request to the WPCA at its offices in Town Hall, within ten (10) days of receiving the subject invoice or Written WPCA Notice, stating the relief sought and basis for the request, in reasonable detail and completeness. If included in such person's written request, the WPCA Shall allow the person to appear before the WPCA; in which case, the WPCA Enforcement Official shall send notice, in writing, to the aggrieved person seeking relief of the date, time and place of such proceeding. At this WPCA proceeding, the aggrieved person seeking relief and any other interested persons may present questions, comments, and additional records and information related to the Service Charges, requirements, and related interpretations for the WPCA's consideration, subject to any deadlines for submission of additional records and information set forth in the WPCA's notice or otherwise established by the WPCA. The WPCA may, in its sole discretion, consolidate this proceeding with its proceedings considering any appeal requested on a citation pursuant to Article IV of the Town Ordinances. After considering the written request and any other relevant records or information presented to the WPCA in accordance with these procedures, the WPCA shall decide whether the subject invoice or Written WPCA Notice should be approved, with or without modifications, or rescinded. The WPCA's decision shall be reduced to writing, which the WPCA Enforcement Official shall issue to the aggrieved person submitting the request. Unless and until such time as said WPCA Shall have received and considered an appeal and Shall have voted to rescind or modify the subject invoice or Written WPCA Notice, such invoice or Written WPCA Notice and all Service Charges, interpretations, orders or requirements of the subject invoice or Written WPCA Notice Shall be observed and remain in full force and effect.

### **8.02 Amendment**

These Rules and Regulations May be amended in the manner prescribed by law.

### **8.03 Validity of Provisions**

If any provisions, requirement or section of these Rules and Regulations, or any interpretation thereof by the WPCA, Shall be adjudged invalid or unenforceable by

reason of conflict with some other provision of law, such adjudication Shall not affect the validity of any other provision hereof, but all other provisions, sections and requirements of these Rules and Regulations Shall be deemed valid and effective and Shall remain in full force and effect.

## **SECTION 9 SANITARY SEWER EASEMENTS**

When a public Sanitary Sewer line is located or is proposed to be located across privately-owned property, execution of acquisition of a Sanitary Sewer line easement will be made if an existing easement is not recorded between the Town (Grantee) and the private Property Owner (Grantor). The width of the easement Shall be a minimum of 20-foot permanent easement. The purpose of this easement will be to provide the Grantee the perpetual right, liberty and easement, in and through a portion of the premises of the Grantor for the purpose of entering, cleaning, digging, laying, constructing, servicing, repairing, replacing or otherwise maintaining a Sanitary Sewer pipe or any material connected therewith, together with the right to enter upon the land adjacent to said easement at any time.

Existing and proposed easements Shall not be encroached upon by the Grantor so as to restrict the Grantee's full access and maintenance rights. These encroachments include, but are not limited to the following:

- A. Additions to existing buildings or structures;
- B. Porches or decks;
- C. Sheds, garages, or out buildings;
- D. Swimming pools;
- E. Trees and large bushes;
- F. Place or store any material on, grade, excavate, fill or flood;
- G. Any other structures or limiting activities encumbering the Grantee's rights.

The Grantee Shall not be responsible for replacement of any plantings or structures in the defined easement as a results of operation and maintenance or construction.

Should the Grantor cause or have caused such encroachments or restrictions, then the Town Shall have the authority and justification to require the Grantor to remove such. Should the Grantor fail to remove such encroachments within the specified time-frame, as set forth by the WPCA, then the WPCA Shall have the right to seek court orders requiring removal of the encroachments. In emergency situations the WPCA Shall have the right to move/remove encroachments in order to gain access to the Sewage Works.

## SECTION 10 SEWER USER RATES AND CHARGES

### 10.00 Purpose

The purpose of this section is to establish fair and equitable charges for use of the Town's Sewage Works that comply with applicable requirements arising under Town, state and federal law and that allow the Operation and Maintenance of said Sewage Works to be self-supporting. Operation and Maintenance shall include the replacement of publicly-owned Sewage Works and to promote self-sufficiency of said Sewage Works with respect to Operation and Maintenance.

### 10.01 Sewer Use Charge

All Users shall pay a basic User Charge and, if applicable, a User Surcharge as determined through the methods set forth in Section 10.01 or through an alternative method that has been established in a Written WPCA Notice and that complies with all applicable requirements arising under Town, state and federal law.

#### A. **Basic User Charge Accounts**

Each basic User Charge shall be based on the rate computed and established in accordance with this Section 10.01 and the User's volume of Sewage flow, as measured by facilities and procedures approved in a Written WPCA Notice or, if no such facilities and procedures have been approved in a Written WPCA Notice, as determined through the applicable methods set forth in this Section 10.01. The rates and methods for determining the basic User Charges set forth in this Section 10.01 are based on the assumption that the volume and strength of all affected User discharges are relatively equal to those in the predominant User class, Residential.

1. **Unit Method Basis – Residential.** For purposes of computing the basic User Charge, each Residential dwelling unit shall be considered to use 71,175 gallons per year (195 gpd/unit) of water, based upon a typical occupancy of three (3) persons for a single dwelling unit. The types of single-family, two-family, multi-family, and other dwelling units and the definition of a family shall be as provided in the Town's Zoning Regulations. Where occupancy of a dwelling exceeds or is reasonably likely to exceed the level set forth for a single family, as defined in the Zoning Regulations, the WPCA may adjust the property's assumed number of dwelling units and water consumption to reflect the number of persons residing or reasonably likely to reside in the dwelling. The WPCA shall consider 67 gallons per day to be the water consumption for each additional person beyond a single family in the adjustments that it makes for such a dwelling.
2. **Unit Method Basis – Non-Residential.** Commercial, Industrial and other non-Residential Users are assumed to have the strength of a Residential User except for such Users subject to a User Surcharge under this Section 10.01 of these Rules and Regulations. Except for flow volumes determined through water consumption measurements in accordance with this Section 10.01, Commercial, Industrial and other non-Residential Users shall have their flow apportionment based upon the number of employees, fixture units, and other appropriate factors that equate the flow and strength returned from non-Residential Users to that of Residential Users. Users that use well water or other non-municipal sources of water in place of or to supplement their municipal water needs shall have their usage adjusted to reflect the discharge volume.

corresponding to such water consumption. Assignment of units to Users Shall be increments no less than 0.25 units above the initial first unit. Rounding of computations shall be to the nearest 0.25 units. A minimum of one (1) unit Shall be assigned to each User. The following tables Shall be used in estimating the number of fixture units for a User or flow based upon establishment types. One (1) fixture unit equates to 5,600 gallons per year of water usage.

<b>Fixture Type</b>	<b>Fixture Unit</b>
1 bathroom group consisting of tank operated water closet,	6
Bathtub (with or without overhead shower)	2
Bidet	3
Combination sink and tray	3
Combination sink and tray with food disposal unit	4
Dental unit or cuspidor	1
Dental lavatory	1
Drinking fountain	0.5
Dishwasher, domestic	2
Floor drains	1
Kitchen sink, domestic	2
Kitchen sink, domestic, with food waste grinder	3
Lavatory	1
Lavatory, barber, beauty parlor	2
Lavatory, surgeons	2
Laundry tray (1 or 2 compartments)	2
Shower stall, domestic	2
Showers (group) per head	3
Sinks	
Surgeon's	3
Flushing rim (with valve)	8
Service (Trap standard)	3
Service (P trap)	2
Pot, scullery, etc...	4
Urinal, pedestal, siphon jet, blowout	8
Urinal, wall lip	4
Urinal stall, washout	4
Urinal trough (each 2 ft section)	2
Wash sink (circular or multiple) each set of faucets	2
Water closet, tank operated	4
Water closet, valve operated	8

Type of Establishment	Flow, gpd/person or unit
Commercial:	
Stores, offices, and small businesses	12-25
Hotels	50-100
Boarding houses	50
Lodging houses and tourist homes	40
Motels, without kitchens, per unit	100-150
Camps:	
Pioneer type	25
Children's, central toilet and bath	40-50
Day, no meals	15
Luxury, private bath	75-100
Labor	35-50
Trailer with private toilet and bath, per unit (2½ persons)*	125-150
Restaurants (including toilet):	
Average	7-10
Kitchen wastes only	2½-3
Short order	4
Short order, paper service	1-2
Bars and cocktail lounges	2
Average type, per seat	35
Average type, 24 hour, per seat	50
Tavern, per seat	20
Service area, per counter seat (toll road)	350
Service area, per table seat (toll road)	150
Institutions:	
Average type	75-125
Hospitals	150-250
Schools:	
Day, with cafeteria or lunch room	10-15
Day, with cafeteria and showers	15-20
Boarding	75
Theatres:	
Indoor, per seat, two showings per day	3
Outdoor, including food stand, per car (3½ persons)	3-5

3. **Water Consumption Measurement Method Basis.** To the extent water consumption measurements are available for Commercial, Industrial and other non-Residential Users, Users Shall be charged their equitable share for use of the Sewage Works related to and based upon such measured water consumption, including any measurements of non-municipal water sources obtained through use of meters and procedures approved by the WPCA.

4. **Adjustment to account for sewage discharge.** All users that are not metered for their actual sewage flow and where flows are being estimated based upon water consumption Shall use the following multipliers to adjust their water consumption accounting for system losses:
  - a. Residential, Commercial and Municipal or Public buildings – 90%
  - b. Industrial – 75%
  
5. **Computation of Rates.** The charge per gallon Shall be determined by dividing the total Operation and Maintenance costs, minus funds from other sources, if any, by the total adjusted water consumption and dividing the results by the collectable yearly billings, if not already included as a line item in the budget. The total OPERATION and MAINTENANCE costs Shall include the cost to maintain the conveyance and treatment infrastructure, cost of treatment including baseline strength parameters and debt service and any other incidental costs associated with providing sewer use to its customers. The WPCA May opt to set minimum charges for use of the Sewage Works.
  
6. **Establishment of Procedures and Rates.** A public hearing as mandated by Section 7-255 of the Connecticut General Statutes Shall be held on any proposed revisions to the procedures for computing User Charge rates under this Section 10.01 and before using such rates to impose or revise User Charges.
  
- B. **Properties to be Charged.** All properties which are connected to the Sewage Works Shall be charged for the use of said Sewage Works for the period as determined by the billing cycle. Those properties already connected to the Sewer that have been deemed uninhabitable by the Town Building Department, where utility services have been temporarily suspended until such time as repairs can be made to the building and the new certificate of occupancy issued, May request temporary relief through the appeal procedures outlined in Section 8.01 for service inactivity greater than one (1) month. The WPCA May limit any such relief to the portion of User Charges applicable to future periods and past periods during the fiscal year in which the User commenced its appeal. If relief from User Charges is granted for a period greater than three (3) months, the Building Connector Shall be sealed as defined in Section 5.13.
  
- C. **Surcharge.** In any instance in which the WPCA determines that the Biochemical Oxygen Demand (BOD), Suspended Solids (SS) or other pollutant concentration in a User's waste or wastewater exceeds the range of concentration of these pollutants in normal Sewage, as defined in Section 6.04, the WPCA Shall increase the User Charge to fully cover the cost of collecting, treating, disposing and otherwise handling said Sewage, including but not limited to fair and equitable charges based on any additional amounts of BOD and/or SS in said Sewage in comparison to normal Sewage.
  
- D. **Relief From Metered Water Consumption.** Where metered water consumption is not indicative of the flow discharged to the Sewage Works, in the case of large Commercial, Industrial and non-Residential Users, the User May opt to use the appeal procedures outlined in Section 8.01 to request relief. The WPCA May request from the User, proof of discharge volume and order the User to meter the flows for each billing period in order to substantiate the change in flow request. The cost of metering , as well as regular maintenance and calibration of the



meter, Shall be the sole responsibility of the User. In order to be eligible for relief, the User Shall supply the WPCA the certified meter records for each billing period. Residential Users Shall not qualify for flow reduction of this type.

#### **10.02 Computation Cycle**

Sewer user charges Shall be computed on a quarterly basis. In some cases where a User discharges large flows, generally greater than 5,000,000 gallons per year, a monthly basis for billing May be applied. The decision to bill monthly will be at the discretion of the WPCA.

#### **10.03 Liability of the Owner**

The Owner of record at the time of billing of each period for the property on which a building is located Shall be liable for the payment of the Sewer User Charges.

#### **10.04 Lien and Collection**

Sewer use charges, together with interest thereon, Shall constitute a lien upon the property on which the building is located, and such lien May be foreclosed and such charges May be collected in the manner provided in Section 7-258 of the general statutes and other applicable statutes.

#### **10.05 Collections and Deposits**

User Charges, User Surcharges, and other service charges and revenue produced from the use of the Sewage Works or related WPCA services Shall be collected by the WPCA and deposited in a special non-lapsing account, designated the "Enterprise Fund". This fund Shall be used for operation, maintenance and administration of the Sewage Works and for payment of debt service and principal and interest on bonds and notes of the Town issued for construction of Sewage Works. Fiscal year-end balances in the Enterprise Fund Shall be used for no other purpose than those designated herein. Monies which have been transferred from other sources to meet temporary shortages in the Enterprise Fund Shall be returned to their respective accounts upon appropriate adjustment of the User Charge rates for operation, maintenance and replacement. The User Charge rate(s) Shall be adjusted such that the return of transferred monies to their respective accounts Shall commence no later than the next fiscal year after the monies were first transferred into the Enterprise Fund.

## SECTION 11 SEWER ASSESSMENTS

### 11.00 Purpose

The purpose of Assessments is for the payment of acquisition and construction costs and repayment of loans or bonds or any other borrowing of money required for the installation of new or replacement Sewer and related pumping and conveyance systems including but not limited to construction costs, interest, legal, fiscal and administrative costs, design, inspection and other applicable costs associated with the complete installation and acceptance of the Sewage Works.

### 11.01 Determination of Assessment

- A. **Basis of Assessment.** The method of Assessment Shall be on an equivalent unit basis on a property by property basis for each Owner benefiting from the construction of a Sewer. An equivalent unit Shall be based upon the basis of water consumption per unit at the time of initial Assessment. The Assessment per unit Shall be determined by the WPCA and Shall be based on the net cost of providing the Sewer. The formulation of the Assessment May include a connection charge and a benefit Assessment as part of the total cost in order to provide for a more equitable distribution of costs to Users. The net cost of the Sewer construction Shall include the total cost of preliminary studies and surveys, design, detailed working plans and specifications, acquiring necessary land or property or any interest therein, damage award, interest charges during construction, legal and other administrative fees or costs, outlet benefits or deferred Assessments, or any other expense incidental to the completion of the work, in addition to the cost of construction of a local Sanitary Sewer less any grants or other funds received by the WPCA or the Town for such purposes less the cost of the Connection Fee.
- B. **Modification of Assessment.** The Assessment to building owners on a particular Sewer project Shall be adjusted accordingly each year as properties are developed or taken out of service. Credits and Debits Shall be issued to building owners who have paid their Assessments in full and adjustments in the yearly payment for those building owners who have chosen to make payments over the life of the loan or designated period. New buildings connected to the Sewer for a particular project Shall be assessed their proportionate share of the initial expenses to be paid for in full or over the remaining number of payments remaining in the schedule.

### 11.02 Collection and Payment of Charges

- A. **Notification of Assessments.** After the acceptance of any public Sewer improvement, the WPCA Shall give notice by publication that benefits assessed therefore are due and payable. It Shall send notices to each of the Owners whose properties have been so assessed, stating the amount of the Assessment and when the same is due and payable.
- B. **Installment Payment for Assessment.** The WPCA May provide for the payment of an Assessment in substantially equal annual installments, not exceeding forty (40), and May provide for interest charges applicable to such deferred payments, provided the last installment of any Assessment Shall be due not later than one year prior to the date of the last maturity of any bonds or notes issued by the Town to finance the acquisition or construction of the sewage system or portion thereof in respect to which the Assessment was levied, and provided further that such interest charges May not exceed the maximum rate of interest which the Town is obligated to pay on such bonds or notes.

The first installment Shall be paid within thirty (30) days after the same is declared by publication to be due and payable and if so paid, the installment Shall be without the addition of any interest charge. Each installment thereafter for the period of years established Shall be due and payable on the dates stipulated by the WPCA.

The WPCA Shall cause the Town clerk to record on the land records a certificate, signed by the WPCA, of such facts. Such certificate Shall operate as notice of the existence of any plan for payment of such Assessment by installments and the Town clerk Shall cancel or remove the same within seven (7) calendar days after the last installment due has been satisfied, or the total Assessment together with all interest, fees and charges has been paid in full and after receiving notification from the WPCA that such payment has been made.

- C. ***Delinquent Assessments.*** Any Assessment of benefits or any installment thereof not paid within thirty (30) days after the due date, Shall be delinquent and Shall be subject to interest from such due date at the interest rate and in the manner provided by the general statutes for delinquent property taxes. Each addition of interest Shall be collectable as a part of such Assessment.

Whenever any installment of an Assessment becomes delinquent, the interest on such delinquent installment Shall be as provided above or five dollars (\$5.00), whichever is greater. Nothing herein Shall be construed to limit the WPCA's authority to determine, levy and collect Assessments pursuant to the Connecticut General Statutes

### **11.03 Liens and Collection**

Any unpaid Assessment and any interest due thereon Shall constitute a lien upon the real estate against which the Assessment was levied from the date of such levy. Each such lien May be continued, recorded and released in the manner provided by the general statutes for continuing, recording and releasing property tax liens. Each such lien Shall take precedence over all other liens and encumbrances except taxes and May be foreclosed in the same manner as property tax liens. The WPCA May collect such Assessments in accordance with any mandatory provision of the general statutes for the collection of property taxes and the Town May recover any such Assessment in a civil action against any Person liable therefor.

## **SECTION 12 ASSESSMENTS FOR WPCF AND OTHER SEWAGE WORKS INFRASTRUCTURE**

### **12.00 Basis of Design**

The WPCA Shall oversee the completion of the Town's Wastewater Facilities Plan updating the Modified Facilities Plan prepared for and filed with the WPCA on or about May 11, 2001 in accordance with the applicable terms and conditions of the Town's NPDES Permit, Regs. Conn. State Agencies §§ 22a-482-1 et seq., and Regs. Conn. State Agencies §§ 22a-430-1 et seq. The updated Wastewater Facilities Plan completed for and accepted by the WPCA Shall serve as the basis for construction of WPCF and other Sewage Works expansions and modifications. The plan Shall address the needs of the community for the 20 year planning period in conjunction with and taking into consideration the Town's plan of conservation and development adopted under Conn. Gen. Stat. § 8-23, any water pollution control plan completed under Conn. Gen. Stat. § 7-246(b), and other relevant planning considerations. Major contributors Shall be addressed and made part of the proposed plan. These preliminary and design plans, as well as subsequent construction plans, Shall be subject to the approval of the CTDEP.

### **12.01 Apportionment of Costs**

All Owners, Users and other Persons responsible for discharges into the Town's Sewers or WPCF Shall be responsible to pay their fair and equitable share of the capital cost of the Sewage Works infrastructure, including all modifications necessary to comply with the Town's NPDES permit or undertaken in accordance with the Town's Wastewater Facilities Plan. The WPCA May assess such capital costs apportioned amongst such Persons in the ratio of their respective percentage of design capacity based upon permitted average daily flows, except for such Persons that the WPCA has expressly permitted or is expressly permitting to discharge wastes or wastewaters pursuant to specific terms and conditions in a Written WPCA Notice issued in accordance with SECTION 6 of these Rules and Regulations. In any cases where the WPCA has so expressly permitted or is so expressly permitting the discharge of wastes or wastewaters, the WPCA May assess such Person's equitable share of such capital costs on the basis of flow and also BOD and SS as May be impacted. Payment of capital costs Shall be made as annual debt service payment for principal and interest due in accordance with a payment schedule. If payments are not made within one month of the due date, the payment Shall be deemed delinquent and subject to an interest penalty of 1-1/2 per month from the due date.

## **SECTION 13 EFFECT OF RULES AND REGULATIONS**

On their Effective Date, as defined in SECTION 2, these Rules and Regulations Shall amend, and replace in their entirety, all prior WPCA rules, regulations, and similar resolutions regulating use of and connection to the public Sewers or establishing or revising fees and charges for such uses and connections. Authority of the Town and its WPCA to enforce these Rules and Regulations Shall include, without limitation, issuance of written warnings, citations, decisions and orders, imposition of fines, termination of service and connection, and any other applicable provisions of Town Ordinance incorporating these Rules and Regulations or any portion hereof.