

CHAPTER 15 SEWER REGULATIONS

1500 Purpose

The rules and regulations herein set forth for the maintenance and operations of the Exeter Municipal Sewer System established by the Selectmen of the Town of Exeter as necessary or desirable for the efficient operation of said Exeter Municipal Sewer System and for accomplishing the purposes of NH RSA 231, as amended, and for the protection of the health and safety of the people of Exeter and for accomplishing the purposes of NH RSA 147, as amended.

Pursuant to NH RSA 149-1, and every other authority thereto enabling, the Selectmen of Exeter to enact and ordain the following Rules and Regulations by the Selectmen pursuant to NH RSA 147.

Definitions – Unless the context specifically and clearly indicates otherwise, the meaning of terms and phrases used in this Ordinance shall be as follows:

"BOD" (denoting **Biochemical Oxygen Demand**) shall mean the quantity of oxygen expressed in milligrams per liter, utilized in the biochemical oxidation of organic matter under standard laboratory procedure (as prescribed in the latest edition of "Standard Methods of the Examination of Water and Wastewater") in five (5) days at 20 degrees Centigrade.

"Building Sewer" shall mean the connection between the tap at the Town main and the owner's source of sewage, and shall include all the pipe fittings and couplers necessary to make the connections (including those portions located in the public right of way.)

"Cleanout" shall mean a means for inserting cleaning tools, for flushing, or for inserting an inspection light into sewers at bends.

"Combined Sewers" shall mean a sewer intended to receive both wastewater and storm or surface water.

"Commission" shall mean the New Hampshire Water Supply and Pollution Control Commission.

"Director" shall mean the Public Works Director for the Town of Exeter.

"Domestic Wastewater or Sanitary Sewage" shall mean normal water-carried household and toilet wastes or waste from sanitary conveniences, excluding ground, surface or storm waters.

"E.P.A." shall mean the United States Environmental Protection Agency.

"Easements" shall mean an acquired legal right for the specific use of land owned by others.

"Excessive" shall mean amounts or concentrations or a constitution of a wastewater which, in the judgment of the Director:

- a. will cause damage to the Town wastewater treatment process;
- b. will be harmful to a wastewater treatment process;
- c. cannot be removed in the Town treatment works to the degree required to meet the limiting stream classification standards of the receiving water and/or EPA effluent standards;
- d. can otherwise endanger life, limb or public property;
- e. can constitute a nuisance.

"Floatable Oil" is oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pre-treatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

"Garbage" shall mean animal and vegetable waste from the domestic and commercial handling, preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

"Improved Property" shall mean any property located within the Town of Exeter upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure Sanitary Sewage and/or Industrial Wastes shall be or may be discharged.

"Industrial Establishment" shall mean any room, group of rooms, building or other enclosure used or intended for use in the operation of one (1) business enterprise for manufacturing, processing, cleaning, laundering or assembling any product, commodity or article and from which any process waste, as distinct from Sanitary Sewage, shall be discharged.

"Industrial Wastes" shall mean any and all wastes discharged from any Industrial Establishment, other than Sanitary Sewage.

"Living Unit" shall mean any portion of a dwelling consisting as a minimum: kitchen facilities, sanitary facilities and sleeping quarters for one family or user.

"Natural Outlet" shall mean any outlet of surface or groundwater into a watercourse, pond, ditch, lake or other body.

"Owner" shall mean any person vested with ownership, legal or equitable, sole or partial, or possession of any improved property.

"Person" shall mean any individual, partnership, company, association, society, corporation or other legal entity.

"pH" shall mean the logarithm of the reciprocal of the hydrogen ion concentration, in grams per liter of solution. (This is a measure of Acidity with pH 7 being neutral.)

"Pollutants" shall include, but not be limited to, the materials identified in Section 1506 of these ordinances.

"Private Sewer" shall mean any collector system installed in a private road (not Town accepted) and/or as part of a private subdivision. "Private Sewers" remain the property of the developers, other private parties or their assigns. Until they are accepted by the Town through acceptance of the private party who caused it to be constructed or his successors. "Private Sewers" shall be constructed according to the Public Works Department's "Specifications for the Construction of Water, Sewage and Drainage Facilities."

"Properly Shredded Garbage" shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.

"Public Sewer" shall mean a common sewer controlled by a governmental agency or public utility.

"Receiving Waters" shall mean any watercourse, river, pond, ditch, lake, aquifer or other body of surface or groundwater receiving discharge of wastewater.

"Sanitary Sewage" shall mean normal water-carried household and toilet wastes discharged from any Improved Property, including ground, surface or storm water.

"Sewer" shall mean any pipe or conduit constituting a part of the Sewer System used or usable for sewage collection purposes. While a sewer is generally dedicated for sanitary purposes, a combined sewer shall be considered as a sewer if the combined line was in use for this purpose before 1975.

"Sewer System" shall mean all facilities, as of any particular time, for collecting, pumping, transporting, treating and disposing of Sanitary Sewage and Industrial Wastes, situated in the Town of Exeter and owned, maintained and operated by the Town of Exeter.

"Significant Discharge" shall mean a user of the Town's wastewater treatment

system who flow 25,000 gallons per day or whose waste contains incompatible or toxic pollutants.

"Slug" shall mean any discharge of water, wastewater or industrial waste which, in concentration of any given constituent or if 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, and which shall adversely affect the collection system and/or performance of the wastewater treatment facility.

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

"Suspended Solids" shall mean total suspended matter that either floats on the surface of, or is in suspension in, water, sewage or other liquids and that is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater" and that is referred to as that fraction of sewage not soluble in water.

"Town" shall mean the Town of Exeter, Rockingham County, New Hampshire, a municipality of the State of New Hampshire, acting by and through its Selectmen or in appropriate cases, acting by and through its authorized representatives.

"Wastewater" shall mean a combination of the water-carried wastes from residences, business building, institutions and industrial establishments, together with such ground, surface and storm waters as may be present. The alternate term is sewage.

"Wastewater Treatment Facility" shall mean any arrangement of devices and structures used for treating wastewater.

"Unpolluted Water" is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

1501 Use of Public Sewers Required

Pursuant to the provisions of NH RSA 147:8, 147:11, and 149-G:1, V, and any other authority thereto enabling, the owner of any Improved Property benefited, improved, served or accommodated by any Sewer, or to which any Sewer is available, shall connect such Improved Property thereto in such manner as the Town may require, within ninety (90) days after notice to such Owner from the Town to make such connection, for the purpose of discharge of all Sanitary Sewage and Industrial Wastes from such Improved Property into the Sewer System, subject to such limitations and restrictions as shall be established herein

or otherwise shall be established by the Town from time to time. Each such Owner shall, within the same time limit, cease and desist from all further discharge of Sanitary Sewage and/or Industrial Wastes into any other conduit or pre-existing system whether privately or publicly owned.

1501.1 All Sanitary Sewage and Industrial Wastes from any Improved Property, after connection of such Improved Property with a Sewer as required under Section 1501, shall be conducted into a Sewer, subject to such limitations and restrictions as shall be established by this ordinance or otherwise shall be established by the Town, from time to time.

1501.2 No person shall place or deposit, or permit to be placed or deposited, upon public or private property within the Town of Exeter, any Sanitary Sewage or Industrial Wastes in violation of Section 1501.

No person shall discharge or permit to be discharged to any natural outlet within the Town, any sanitary sewage, industrial waste, and/or pollutant in violation of Section 1501, except where suitable treatment has been provided which is satisfactory to the Town, and the Commission.

1501.3 No privy vault, cesspool, sinkhole, septic tank or similar receptacle shall be used and maintained at any time upon any Improved Property which has been connected to a Sewer or which shall be required under Section 1501 to be connected to a Sewer.

1501.4 No privy vault, cesspool, sinkhole, septic tank or similar receptacle at any time shall be connected with a Sewer.

1502 Building Sewers and Connections

Except as otherwise provided in this Section, (1502), each Improved Property shall be connected separately and independently with the Sewer system through a Building Sewer. Grouping of more than one Building Sewer shall not be permitted, except under special circumstances and for good sanitary reasons or other good cause shown, and then only after special permission of the Director, in writing, shall have been secured and subject to such files, regulations, and specifications governing such grouping as may be prescribed by the Director.

1502.1 The Owner will, at his expense, initially construct each Building Sewer, and all costs and expenses of construction of the Building Sewer, including connection to the structures served, shall be borne by the Owner of the Improved Property to be connected; and such Owner shall indemnify and save harmless the Town, its officers and agents, from all loss or damage that may be occasioned, directly or indirectly, as a result of construction of a Building Sewer on his premises or its connection to the Sewer System. After the initial construction of the Building Sewer, the Owner shall thereafter be obligated to pay all costs and expenses of operation, repair and maintenance and of reconstruction (if needed) of the Building Sewer beginning at the main

of the Sewer System and ending at the building.

- 1502.2 A Building Sewer shall be connected to the Sewer System at the place designated by the Town.

The invert of a Building Sewer at the point of connection shall be at the same or a higher elevation than the invert of the Sewer System. A smooth, neat joint shall be made and the connection of a building Sewer to the Sewer System shall be made secure and watertight and shall be acceptable to the Town.

- 1502.3 Any person proposing a new discharge into the system or a substantial change in the volume or character of pollutants that are being discharged into the system shall notify and obtain written approval from the Director at least sixty (60) days before the proposed change or connection. Proposed new discharges from residential or commercial sources involving loading exceeding 5000 gallons per day average flow or any increase in industrial discharge must be approved by the commission.

- 1502.4 Old building sewers may be used in connection with new buildings when they are found, on examination by the Town, to meet all requirements of these ordinances.

1503 Permits and Fees

- 1503.1 No person shall uncover, repair, connect, make any opening into or use, alter or disturb in any manner any Sewer or any part of the Sewer System without first executing an "Application for Sewer Service Work" from the Public Works Department and paying all applicable fees. All work must be performed and completed in accordance with all applicable regulations by persons who are: 1) certified and employed by firms that hold a valid "Utility Pipe Installers" license, or 2) with special permission of the Public Works Director, a residential building owner doing work for themselves, at their residence. Utility pipe installers shall maintain minimum insurance coverage in accordance with Selectmen's Policy 96-05.

- 1503.2 There shall be charges in all areas of the Town for a sewer tie-in or connection permit for single and multi-residential living units; for commercial establishments; and for establishments producing industrial wastes, except that separate rates of sewer charges may be imposed for single and multi-residential living units, for commercial establishments, and establishments producing industrial waste tied into, or the waste from which is caused to flow into sewers lying east of Little River Bridge on Kingston Road and tributary to the Front Street pumping station at Westside Manor. These separate rates shall be differentiated between the rate for users serviced by Town sewers lying west of the Little River Bridge on Kingston Road and the rate for users serviced July 23, 1979. In either case, application for a permit must be made

at the office of the Water and Sewer Billing during its normal working hours. A permit fee shall be paid for a single residential and commercial service and higher permit fee shall be paid for multi-dwelling or industrial service. These fees will be charged in accordance with a Schedule of Charges for Sewer Service which the Town may adopt from time to time.

- 1503.3 A permit fee shall be paid for each sewer service connection permit in those instances where the Town has already installed the building sewer to the street line. This charge will be charged in accordance with a schedule of Charges for Sewer Service which the Town may adopt from time to time. In all other cases, the full cost of the connection shall be borne by the applicant.

Permits will be issued only to qualified utility pipe installers licensed to lay pipes in the Town, and homeowners qualified under section 1503.1. Permits are not transferable.

Permits will not be issued until the applicant has filed a layout plan showing the location of existing service connection, house location and route of sewer service, and said layout has been approved by the Town.

Permits shall be subject to revocation when any of the rules and regulations contained herein are not being followed.

If the work under the permit is not completed within ninety (90) days, renewal of the permit must be obtained at the then-in-effect fee for the permit, less any amount previously paid

- 1503.4 Licenses to connect building sewers to the Sewer System will be issued to experienced and competent contractors. Licenses must be renewed annually on January 1. The fee for such license will be in accordance with such schedule of charges as the Selectmen may adopt from time to time and shall be payable to the Town. Said licenses shall be obtained at the office of the Public Works Director.

No person, firm or corporation shall excavate any town-maintained street, roadway, sidewalk, parking lot, or right-of-way without a valid digging permit (Town Ordinance 504). An individual permit is required for each road cut.

1504 Connections to Sewer Main & Pipe

- 1504.1 Pipe and fittings to be used in the work shall be either poly-vinyl chloride (PVC) ring tight joints, extra-heavy cast-iron soil pipe or vitrified clay, (4 inches or more in diameter for single family residence and small commercial uses; 6 inches minimum for multifamily use and larger commercial uses; size shall be approved by the Director.)

In general, sewer services will not be allowed to have more than two (2) angle points, or a total angular deviation of 180 degrees, unless a variance is granted by the Town. Cleanout shall be installed at each angle point and/or every one hundred (100) ft. length where the sewer service extends more than 300 feet. The Town may require the installation of manholes subject to its approval.

All Building Sewers shall be laid in an envelope of washed screened gravel with not less than 6 inches of said materials all around the barrel of the pipe. Maximum stone size shall be 3/4 inch. The Town strongly recommends the installation depth to be minimum of 4.0 feet from finished grade. All pipe and fittings shall be laid to a minimum slope of 1/4 inch per foot unless otherwise approved by the Town. The Town strongly recommends the use of a backwater/one-way valve in the building sewer and requires them if the slope of the building sewer is less than the required minimum slope.

Line and grade of the pipe and fittings shall be controlled by the use of a transit or by the use of batter boards and string lines set for this purpose. Batter boards shall not exceed a distance of 30 feet apart unless otherwise allowed by the Town. Line and grade are to be established by the contractor subject to the approval of the Town.

Whenever possible, the building sewer should be brought to the building at an elevation above the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain may be lifted by a Town approved means at the owner's expense and discharged to the building sewer.

No person shall make connection of roof downspouts, foundation drains, areaway drains, or other surface runoff or ground water to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer unless such connection is approved by the Town for purposes of disposal of polluted surface drainage.

No person shall connect a building sewer to a manhole unless permission is granted, in writing, from the Director.

- 1504.2 When ledge is encountered in the excavations, a permit must be obtained for the use of explosives from the Town of Exeter Fire Department.

All blasting shall be done in accordance with the requirements of the appropriate authorities; and by a person licensed in accordance with state laws.

- 1504.3 Trenches shall be backfilled and compacted and the street surface repaired in accordance with requirements specified by the Town's "Procedures and Specifications for Excavations on Town Streets or within Rights-of-Way."

Power shovels, bulldozers, loaders, trucks and other equipment shall not be operated on or across sidewalks, beams, curbing, etc., until they have been properly protected from damage by planking or other approved means. All damage resulting from the utility pipe layer's operations shall be repaired by him.

In or adjacent to State Highways the owner shall obtain necessary permits from the appropriate State Authority before the issuance, by the Town, of a sewer connection permit. All work shall then be done in accordance with the requirements set forth in the permit from the appropriate State Authority. Any costs in connection with obtaining permits shall be borne by the applicant.

- 1504.4 The owner shall notify the Town when the building sewer is ready for inspection and connection to the lateral sewer (see Section 1504.5). The connection and testing shall be made under the supervision of the Director or his representatives. Requests for inspections of sewer service connections shall be made to the Town forty-eight (48) hours in advance of backfilling, and only during normal working hours.

Inspections will ordinarily be made only during the normal working hours of the Town.

An additional charge may be made for inspections required after normal working hours.

Services in excess of 100 feet in length are subject to review and such other requirements as may be found necessary to assure a functional connection.

In new construction, and where practicable in existing buildings when the common sewer is sufficiently deep, service shall be laid directly, without deflections, from the house plumbing vent stack to the connection provided at the common sewer.

Tunneling will not be allowed unless special permission for same is given.

Connection made to the building plumbing system shall be upstream of any septic tanks or cesspools.

Upon connection of the building plumbing system to the common sewers, existing septic tanks and cesspools shall be completely filled with suitable material to the satisfaction of the Town.

- 1504.5 No Building Sewer shall be covered until it has been inspected and approved by the Town. If any part of the Building Sewer is covered before so being inspected and approved, it shall be uncovered for inspection if deemed necessary at the cost and expense of the Owner of the Improved Property to

be connected to the Sewer System.

1505 Powers of Assessment and Collection

1505.1 The assessment and collection of the expense of operating and maintaining the Sewer System shall be governed by the provisions of NHRSA 149-I: 7-18, inclusive, and any other applicable general laws. The Selectmen of the Town shall have all the powers granted to Mayors and Boards of Aldermen thereunder with reference to establishing and assessing sewer charges and/or rentals. These charges will be in accordance with such Schedule of Charges for Sewer Service as the Selectmen may adopt from time to time. This schedule may include special charges for wastewater flows from private property where such flows do not originate from the Water System or are subject to a surcharge. If wastewater discharged to the sewer is significantly greater than the water consumed, the owner shall be required to install a recording flow meter. If wastewater discharged to the sewer is significantly less than the water consumed, the owner may be required to install a recording flow meter. The water consumption rate will be computed by using the Town water meters quantity readings. If the user has a special circumstance where he uses excessive amounts of water that will not be disposed of to the sewer system, he may request, in writing to the Director, permission to install a second meter as approved by the Director to accurately measure the amount of discharge into the sewer. If a sewer utilizes a source of water other than the Town's system, he may either 1) pay the rate designated for such use in the Schedule of Charges for Sewer Service adopted by the Selectmen, or 2) request, in writing, permission to install a meter on that source of water to measure the amount of discharge. Such installation shall have the prior approval of the Director, and any retrofitting of plumbing to prepare a place for a meter to be installed shall be at the sewer user's expense.

1506 Restrictions on Discharge to Sewers

1506.1 No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

1506.2 Stormwater and all other unpolluted drainage shall be discharged to storm sewers, if available, or to a natural outlet approved by the Town. Unpolluted industrial cooling water or unpolluted process waters may be discharged, on approval of the Town, the Commission and E.P.A. to a storm sewer, if available, or an approved natural outlet.

1506.3 No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- a. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
 - b. (b) Any waters or wastes that contain toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, that constitute a hazard to humans or animals, that create a public nuisance, or that create any hazard at the sewage treatment plant, including but not limited to heavy metals, strong acids, basic wastes and cyanides in excess of 0.004 mg/l as CN in the waste is discharged to the public sewer.
 - c. Any waters or wastes having pH lower than 5.5, or higher than 8.5, having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
 - d. Solid or viscous substances in quantities or of such size capable of causing obstruction to tub flow in sewers, or other interference with the proper operation of the sewage works, such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, whole blood, paunch manure, hair and fleshings, entrails, and paper dishes, cups milk containers, etc., either whole or ground by garbage grinders.
- 1506.4 No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Town that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming such opinion as to the acceptability of these wastes, the Town will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials used in the construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, and other pertinent factors. The substances prohibited are:
- a. Any liquid or vapor having a temperature higher than one hundred ten (110) degrees F (43) C.
 - b. 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) and one hundred ten (110) degrees Fahrenheit (0 to 43 degrees Centigrade.)
 - c. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Town.

- d. Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- e. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Town for such materials.
- f. Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Town as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies having jurisdiction over such discharge to the receiving waters.
- g. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established in compliance with applicable State or Federal regulations.
- h. Materials which exert or cause:
 - 1. Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulphate.)
 - 2. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions.)
 - 3. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 - 4. Unusual volume use of flow or concentration of wastes or both constituting slugs widely variant from the normal or average.
 - 5. Any water or wastes having a five (5) day BOD greater than 300 milligrams per liter.
 - 6. Any water or wastes containing more than 300 milligrams per liter of total suspended solids.
 - 7. Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids interfering with the collection system, or create a condition deleterious to structures and wastewater treatment processes.

- i. 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 treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
 - j. Wastewater containing more than 25 milligrams per liter of petroleum oil, non-biodesnadable cutting oils, or product of mineral oil origin.
 - k. Any wastes which violate federal, state or local pre-treatment standards.
 - l. Any wastes which cause the treatment plant to violate its NPDES (Nat'l Pollutant Discharge Elimination System) permit.
- 1506.5 All "significant dischargers" must have a discharge permit issued by the Town, prior to commencing wastewater discharge. The fee for this permit is established by the Selectmen's tables of fees and charges. All permittees will, in accordance with the permit conditions, pay all Town costs to test, monitor, and report to the E.P.A. and Commission as required by law for said permit conditions and requirements. Said discharge permit shall state as a minimum, the conditions under which discharges shall be made; maximum permissible concentrations of pollutants; sampling analysis and reporting frequency and procedures; and expiration date of said permit. Every significant discharger shall file a periodic Discharge Report at such intervals as are designated by the Town. The Town may require any other industrial users discharging or proposing to discharge into the treatment system to file such periodic reports.

The discharge report shall include, but, in discretion of the Town, shall not be limited to, nature of process, volume use, rates of flow, mass emission rate, production quantities, hours of operation, concentrations of controlled pollutants or other information which relates to the generation of waste. Such reports may also include the chemical constituents and quantity of liquid materials stored on site even though they are not normally discharged. In addition to discharge reports, the Town may require information in the form of Industrial Discharge Permit Applications and self-monitoring reports.

- 1506.6 If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 1504.6 of this Article, and which in the judgment of the Town, 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 Town may:
- a. Reject the waste;

- b. Require pretreatment to an acceptable condition for discharge to the public sewers. If applicable or required, such pretreatment requirements will conform to the requirements of the E.P.A.;
- c. Require control over the quantities and rates of discharge, and/or;
- d. Require payment to cover the added cost of handling and treating the wastes.

1506.7 Where pretreatment or equalization of wastewater flows prior to discharge into any part of the wastewater treatment system is required, plans, specifications and other pertinent data or information relating to such pretreatment of flow-control facilities shall first be submitted to the Town for review and approval. Such approval shall not exempt the discharge or such facilities from compliance with any applicable code, ordinance, rule, regulation or order of any governmental authority. Any subsequent alterations or additions to such pretreatment or flow-control facilities shall not be made without due notice to and prior approval of the Town.

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

1506.8 Grease, oil, and sand traps shall be provided when, in the opinion of the Town, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, as described in 1506.4, or any flammable wastes, sand or other harmful ingredients as described in 1506.3 except that such traps shall not be required for private living quarters or dwelling units. All traps shall be of a type and capacity approved by the Town, and shall be located so as to be readily and easily accessible for cleaning by the owner and inspection by the Town.

1506.9 When required by the Town, the Owner of any property serviced by a Building Sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the Building Sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the Town. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

1506.10 All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no

special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the Building Sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence 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's are determined from periodic grab samples). The duration of the period for the composite sample shall be determined by the Town based on the operating cycle of the industrial concern.

All industries discharging into a public sewer shall perform such monitoring of their discharges as the Town may reasonably require including installation, use and maintenance of monitoring equipment, keeping records and reporting the results of such monitoring to the Town. Such records shall be made available upon request by the Town to other agencies having jurisdiction over discharges to the receiving waters.

The Town, with the advice of a consulting engineer, shall determine the quantity and quality of all industrial wastes which can be properly taken into the sewerage system and treated at the wastewater treatment facility, in addition to the sanitary wastewater from the Town.

The Town shall be notified by the owner at least sixty (60) days before any new discharges or substantial change in volume or character of an existing discharge is commenced. Before commencing said discharge, the Owner shall obtain written approval from the Director.

- 1506.11 Each industrial user shall provide protection from accidental discharge of prohibited materials or other wastes regulated by this Ordinance. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the Owner or Operator's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection and conforming to the spill prevention control regulations of the E.P.A. shall be submitted to the Town for review. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify his facility as necessary to meet the requirements of this Ordinance.

If, for any reason, a facility does not comply with or will be unable to comply with any prohibition or limitations in this Ordinance, the facility responsible for such discharge shall immediately notify the Town so that corrective action may be taken to protect the treatment system. In addition, a written report

addressed to the Town detailing the date, time and cause of accidental discharges, the quantity and characteristics of the discharge, and corrective action taken to prevent future discharges, shall be filed by the responsible industrial facility within five (5) days of the occurrence of the non-complying discharge.

1506.12 No statement contained in this Article shall be construed as precluding any special agreement or arrangement between the Town and any Industrial Concern whereby an industrial waste of unusual strength or character may be accepted by the Town for treatment, subject to extra payment therefore, by the Industrial Concern, provided that such agreements do not contravene any requirements of existing Federal or State Laws, and/or regulations promulgated thereunder, and are compatible with any user charges and Industrial Cost Recovery System in effect.

1506.13 No septic tank wastes shall be disposed of in the wastewater treatment facility or related structures.

1506.14 No wastewaters, which otherwise will not meet the requirements of these regulations, shall be diluted with river water or other unpolluted waters in order to render the wastewater acceptable as meeting the requirements of these ordinances.

1507 Powers and Authority of Inspectors

1507.1 Duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurements, sampling, and testing pertinent to discharge to the Town Sewer system in accordance with the provisions of this Ordinance.

1507.2 Duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater Collection system. An industry may withhold information considered confidential. The industry must establish that the revelation to the public of the information in question might result in an advantage to competitors.

1507.3 While performing the necessary work on private properties referred to in Section 1507.1, above, duly authorized employees of the Town shall observe all safety rules applicable to the premises, and the owner shall be held harmless for injury or death to Town employees, and the Town shall indemnify the owner against loss or damage to its property by Town employees and against liability claims and demands for personal injury, or property damage asserted against the owner and growing out of the gauging and sampling operation, except as such may be pulsed by negligence or failure of the owner to maintain safe conditions as required in Section 1506.9

1508 Enforcement and Penalties

- 1508.1 The Town, upon being informed in writing of a possible violation of this Ordinance or on its own initiative, shall make or cause to be made an investigation of facts and an inspection of the premises where such violations may exist. When investigation reveals evidence of any violation, the Town shall give written notice, either hand delivered or by certified mail with receipt acknowledged, of such violation to the owner and the occupant of such premises. The Town shall demand in such notice that such violation be abated within some designated reasonable time. If, after such notice and demand, such violation has not been abated within the time specified, the Town shall institute appropriate action to prevent, correct, restrain or abate any violation of the Ordinance. The Town or its agents have the authority to enter the premises, cause the violation to be abated and recover any direct expenses.
- 1508.2 If the owner of any Improved Property located within the Town and benefited, improved, served or accommodated by any Sewer, or to which any Sewer is available, shall fail, after ninety (90) days notice from the Town, in accordance with Section 1501, to connect such Improved Property, as required, he shall be subject to the actions and penalties prescribed in NH RSA 149-I and NH RSA 147 and regulations issued pursuant thereto; or the Town may make such connection and may collect from such owner the costs and expenses thereof by such legal proceeding as may be permitted by law. The Town shall have full authority to enter on owner's property to do whatever is necessary to properly drain the Improved Property into the Lateral sewer.

Any person, firm, partnership, or corporation violating any of the provisions of this Ordinance shall become liable to the Town for any expense, loss or damage occasioned by the Town, by reason of such violations.

If any Person shall fail, or refuse, upon receipt of a notice of the Town, in writing, to remedy any unsatisfactory condition with respect to a Building Sewer, within forty-five (45) days of receipt of such notice, the Town may remedy any unsatisfactory condition with respect to a Building Sewer and may collect from the Owner the costs and expenses thereof by such legal proceedings as may be provided by law. The Town shall have full authority to enter on the Owner's property to do whatever is necessary to remedy the unsatisfactory condition. The 45-day notice period shall not apply to a condition that threatens public health and/or safety.

- 1508.4 Violation: With the exception of Section 1509 offenses, any person violating any provisions of this Chapter 1500 shall be guilty of a violation and shall be fined for each day of such violation in an amount of at least \$1,000 per day, but not to exceed \$10,000 per day. Each day in which any such violation shall continue shall be deemed a separate violation.

1509 Protection for Damage

No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is a part of the wastewater treatment facilities. Any person violating this provision shall be subject to immediate arrest under prevailing sections of the criminal code of the State of New Hampshire.

1510 Conflict of Ordinance

1510.1 If a provision of this Ordinance is found to be in conflict with any provision of zoning, building, safety, health or other ordinance or code of the Town, the State of New Hampshire, or the Federal Government existing on or subsequent to the effective date of this Ordinance, that provision, which in the judgment of the Town establishes the higher standard of safety and protection of health, shall prevail.

1510.2 The invalidity of any section, clause, sentence or provision of this Ordinance shall not affect the validity of any other part of this Ordinance, which can be given effect without such invalid part or parts.

1511 Modifications

The Town reserves the right to adopt, from time to time, additional rules and regulations as it shall deem necessary and proper relating to connections with a Sewer and the Sewer System, which additional rules and regulations, to the extent appropriate, shall be a part of these regulations.

**1512 Bell and Flynn Agreement
(Agreement terminated 12/19/94)****1513 Oak Haven Sewer District
(Agreement terminated 04/03/95)**