# *Local Law Filing*

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231

**(Use this form to file a local law with the Secretary of State.)**

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED
SEP 26 2007
MISCELLANEOUS
& STATE RECORDS

~~County~~
~~City~~
**of** **CHAMPION**
**Town**
~~Village~~

**Local Law No.** **3** **of the year 2007**

**A local law** **A Local Law to amend the current Sewer Use Law of the Town of Champion**

**Be it enacted by** **Town Board** *(Name of Legislative Body)* **of the**
~~County~~
~~City~~
**of** **Town of Champion** **as follows:**
**Town**
~~Village~~

Article 1. - Authority. This local law shall be known as the "Amendment to the Current Sewer Use Law" which shall be amended as follows:

**See attached**

Article 2. - Severability. If any part of this Chapter shall be found to be void, voidable, or unenforceable for any reason whatsoever, it shall not affect the validity or enforceability of any remaining section or provision of this Chapter.

Article 3. - Effective Date. This local law shall take effect immediately upon filing with the Secretary of State.

**(If additional space is needed, attach pages the same size as this sheet, and number each.)**

**(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)**

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 2007 of the ~~(County)(City)~~(Town)~~(Village)~~ of Champion was duly passed by the Town Board on September 10, 2007, in accordance with the applicable
*(Name of Legislative body)* provisions of law.

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)**

I hereby certify that the local law annexed hereto, designated as local law No. ___ _____of 2007 of the (County)(City)(Town)(Village) of _____was duly passed by the _____on _____2007 , and was (approved)( not approved)
*(Name of Legislative Body)*
(repassed after disapproval) by the _____and was deemed duly adopted
*(Elective Chief Executive Officer)*
on _____2007 , in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2007 of the ~~(County)(City)~~(Town)~~(Village)~~ of _____Champion_____ _____was duly passed by the _____on , and was (approved)~~( not~~
~~*(Name of Legislative Body)*~~
~~approved) (repassed after disapproval)~~ by the _____ on .
*(Elective Chief Executive Officer*)*

Such local law was submitted to the people by reason of a (mandatory)~~(permissive)~~ referendum, and received the affirmative
vote of a majority of the qualified electors voting thereon at the (general) (special)(annual) election held on November 2, 2007 , in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. ___ _____of 2007 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____on 2007, and was (approved)( not approved) (repassed after disapproval)
*(Name of Legislative Body)* by the _____on _____2007 .
*(Elective Chief Executive Officer*)*[1]
Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____2007 , in accordance with the applicable provisions of law.

---

[1] 1* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none,
the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law No. ___ _____of 2007 of the Town of _____having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such town voting thereon at the (special)(general) election held on _____ _____2007 , became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. ___ _____of 2007 of the County of _____State of New York, having been submitted to the electors at the General Election of November _____, 20 , pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph __ _____, above.

Christina M. Vargulick

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

*Christina M. Vargulick*

*(Seal)*

Date: 9-21-07

**(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)**

STATE OF NEW YORK
COUNTY OF JEFFERSON

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Timothy A. Farley

Signature Timothy A. Farley
Title: Town Attorney
Town of Champion
Date: 9/24/07

**TOWN OF CHAMPION**
**SEWER USE LAW**

**LOCAL LAW #3 FOR 2007**
**ADOPTED 9/10/07**

(WHICH INCORPORATES FEDERAL PRETREATMENT LANGUAGE)

## GENERAL TABLE OF CONTENTS


| ARTICLE | TITLE | PAGE |
|---|---|---|
| 1 | SHORT TITLE AND PURPOSE | 1-1 |
| 2 | DEFINITIONS | 2-1 |
| 3 | USE OF PUBLIC SEWERS REQUIRED | 3-1 |
| 5 | NEW SEWERS or SEWER EXTENSIONS | 5-1 |
| 6 | BUILDING LATERALS, STREET LATERALS, CONNECTIONS, and FEES | 6-1 |
| 7 | INFLOW | 7-1 |
| 8 | TRUCKED AND HAULED WASTES | 8-1 |
| 9 | DISCHARGE RESTRICTIONS | 9-1 |
| 10 | DISCHARGE PERMITS and PRETREATMENT REQUIREMENTS | 10-1 |
| 11 | ENFORCEMENT and PENALTIES | 11-1 |
| 12 | CHARGES | 12-1 |
| 13 | PUBLIC DISCLOSURE of POTW OPERATION | 13-1 |
| 14 | CONFLICTS, SEVERABILITY, EFFECTIVE DATE AND APPLICABILITY | 14-1 |
| APPENDIX | TABLE OF PARAMETERS OF CONCERN | A-1 |

## SPECIFIC TABLE OF CONTENTS

ARTICLE 1 - Short Title and Purpose

Section 101 - Short Title
Section 102 - General Purpose
Section 103 - Specific Purposes
Section 104 - Replacement of Previous Sewer Use Law

ARTICLE 2 - Definitions

Section 201 - Defined Terms
Section 202 - Abbreviations
Section 203 - Undefined Terms

ARTICLE 3 - Use of Public Sewers Required

Section 301 - Waste Disposal Unlawful
Section 302 - Connecting Private Sewage System to Storm Sewer Unlawful
Section 303 - Discharge of Sewage into Well Prohibited
Section 304 - Wastewater Discharge Unlawful
Section 305 - Building Permit Allowed Only When Approved Wastewater Disposal Available
Section 306 - Private Wastewater Disposal Unlawful
Section 307 - Connection to Public Sewer Required
Section 308 - Limitation on Use of Public Sewers
Section 309 - Wastewater from Outside the POTW Service Area
Section 310 - Moratorium
Section 311 - Basis of Sewer Use Requirement

ARTICLE 5 - New Sewers or Sewer Extensions

Section 501 - Proper Design
Section 502 A - New Sewers Subject to Approval, Fees, Inspection, Testing, and Reporting
Section 502 B - Plans, Specification, and Pipe Test Results Required
Section 503 A - Sewer Pipe
Section 503 B - Safety and Load Factors
Section 503 C - Sewer Pipe installation
Section 503 D - Cleanout Installation
Section 504 - Manholes and Manhole Installation
Section 505 A - Infiltration/Exfiltration Testing
Section 505 B - Test Section
Section 505 C - Test Period
Section 505 D - Pipe Lamping
Section 505 E - Deflection Testing
Section 505 F - Air Testing Alternative
Section 505 G - Vacuum Testing Alternative
Section 506 A - Force Mains
Section 506 B - Force Main Testing
Section 507 - Final Acceptance and Warranty/Surety
Section 508 - Liability Insurance Coverage During Construction Period

ARTICLE 6 - Building Laterals, Street Laterals, Connections, and Fees

Section 601 A - Permit Required for Sewer Connections
Section 601 B - Inflow/Infiltration Prohibited
Section 602 - Sewer Lateral Permits
Section 603 A - New Building Laterals
Section 603 B - Laterals Serving Several Buildings
Section 603 C - Laterals Serving Complexes
Section 603 D - Dry Sewers
Section 604 - Using Existing Building Laterals
Section 605 - Lateral Pipe Materials
Section 606 A - Street Lateral to Public Sewer Connection
Section 606 B - Future Connection Locations; As-Built Drawings
Section 606 C - Special Manhole Requirements
Section 607 - Laterals At and Near Buildings
Section 608 - Sewage Lifting
Section 609 - Lateral Pipe Installation
Section 610 A - Watertight Joints
Section 610 B - Cast Iron Pipe Poured Joints
Section 610 C - Cast Iron Push Joints

Section 610 D - PVC Push Joints
Section 611 A - Building Lateral/Street Lateral Connection
Section 611 B - Cleanout Repair/Replacement
Section 611 C - Street Lateral Replacement; Ownership
Section 612 - Testing
Section 613 A - Connection Inspection
Section 613 B - Trench Inspections
Section 614 - Public Safety Provisions Required; Restoration of Disturbed Areas
Section 615 - Interior Clean-Out
Section 616 - Costs Borne by Owner

ARTICLE 7 - Inflow

Section 701 - New Inflow Sources Prohibited
Section 702 - Existing Inflow Sources Disconnected
Section 703 - Existing Inflow Sources Disconnected When Property Sold
Section 704 - No Re-connection of Inflow Source Allowed
Section 705 - Charges for Inflow

ARTICLE 8 - Trucked or Hauled Waste

Section 801 - Licenses and Application
Section 802 - Concurrent Requirements
Section 803 - Dumping Location and Timing
Section 804 - Notification of Dumping

ARTICLE 9 - Discharge Restrictions

Section 901 - Pretreatment Standards
Section 902 - General Prohibitions
Section 903 - Concentration Based Limitations
Section 904 - Mass Discharge Based Limitations
Section 905 - Modification of Limitations
Section 906 - Access to User's Records
Section 907 - Dilution
Section 908 - Grease, Oil, and Sand Interceptors
Section 909 - Solid Waste Grinders
Section 910 - Rejection of Wastewater

ARTICLE 10 - Discharge Permits and Pretreatment Requirements

Section 1001 - Wastewater Discharge Reports
Section 1002 - Notification to Industrial Users
Section 1003 A - Wastewater Discharges
Section 1003 B - Wastewater Discharge Permits Required For Significant Industrial Users
Section 1003 C - Other Industrial Users
Section 1003 D - Discharge Permits to Storm Sewers Not Authorized
Section 1004 A - Application for Wastewater Discharge Permits
Section 1004 B - Permit Modifications
Section 1004 C - Permit Conditions
Section 1004 D - Permit Duration
Section 1004 E - Permit Reissuance
Section 1004 F - Permit Transfer
Section 1004 G - Permit Revocation
Section 1004 H - Public Notification
Section 1005 - Reporting Requirements for Permittee
Section 1006 - Flow Equalization
Section 1007 - Monitoring Stations (Control Manholes)
Section 1008 - Proper Design and Maintenance of Facilities and Monitoring Stations
Section 1009 - Vandalism, Tampering with Measuring Devices
Section 1010 - Sampling and Analysis
Section 1011 - Accidental Discharges; SPCC Plan
Section 1012 - Posting Notices
Section 1013 - Sample Splitting
Section 1014 - Public Access to Information Maintained by the District Operator
Section 1015 A - Access to Property and Records
Section 1015 B - Access to Easements
Section 1015 C - Liability of Property Owner
Section 1016 - Special Agreements

ARTICLE 11 - Enforcement and Penalties

Section 1101 - Enforcement Response Plan

ADMINISTRATIVE REMEDIES
Section 1102 - Notification of Violation
Section 1103 - Consent Orders
Section 1104 - Administrative or Compliance Orders

Section 1105 - Administrative Fines
Section 1106 - Cease and Desist Orders
Section 1107 - Termination of Permit
Section 1108 - Water Supply Severance
Section 1109 - Show Cause Hearing
Section 1110 - Failure of User to Petition the District Operator
Section 1111 - Notice
Section 1112 - Right to Choose Multiple Remedies

JUDICIAL REMEDIES
Section 1113 - Civil Actions for Penalties
Section 1114 - Court Orders
Section 1115 - Criminal Penalties
Section 1116 - Injunctive Relief
Section 1117 - Summary Abatement

MISCELLANEOUS
Section 1118 - Delinquent Payments
Section 1119 - Performance Bonds
Section 1120 - Liability Insurance
Section 1121 - Informant Rewards
Section 1122 - Public Notification
Section 1123 - Contractor Listings

ARTICLE 12 - Charges

Section 1201 - Normal Sewage Service Charges
Section 1202 - Surcharge for Abnormal Sewage
Section 1203 - Total Sewer Service Charge
Section 1204 - Segmenting the POTW
Section 1205 - Measurement of Flow
Section 1206 - Billing Period
Section 1207 - Pretreatment Program Costs
Section 1208 - Charges for Trucked or Hauled Waste
Section 1209 - Capital Recovery
Section 1210 - Collection of Charges
Section 1211 - Fiscal Year for System
Section 1212 - Impact Fees
Section 1213 - Use of Revenues
Section 1214 - Records and Accounts
Section 1215 - Rates

ARTICLE 13 - Public Disclosure of POTW Operations

Section 1301 - POTW Operations Open to the Public
Section 1302 - Procedural Requirements Available
Section 1303 - Validity through Public Inspection

ARTICLE 14 - Conflicts, Severability, Effective Date and Applicability

Section 1401 - Conflicts
Section 1402 - Severability
Section 1403 - Effective Date
Section 1404 - Applicability

APPENDIX - Parameters of Concern

Class A - Halogenated Hydrocarbons
Class B - Halogenated Organics (Other than Hydrocarbons)
Class C - Pesticides (Includes Herbicides, Algaecides, Biocides, Slimicides and Mildewcides)
Class D - Aromatic Hydrocarbons
Class E - Tars
Class F - Subsituted Aromatics (Other than Hydrocarbons and Non-Halogenated)
Class G - Miscellaneous
Class M - Metals and their Compounds

END OF TABLE OF CONTENTS

ARTICLE 1

SHORT TITLE AND PURPOSE

Section 101 - Short Title
Section 102 - General Purpose

Section 101 - Short Title

For brevity and ease of communication, this Law may be cited as the Town of Champion Sewer District #2 Sewer Use Law.

Section 102 - General Purpose

The purpose of this Law is to provide for the maximum possible beneficial public use of the Town wastewater facilities and prevent public health problems through regulation of sewer construction, sewer use and wastewater discharges. This Law shall also provide for procedures for complying with the requirements contained herein and penalties for violation thereof. The provisions of this Law shall apply only to the discharge of wastewater facilities within Champion Sewer District #2. This Law provides for use of the Town wastewater facilities, regulation of sewer construction, control and assurance that existing customers' capacity will not be preempted, approval of sewer construction, construction plans, separate contracts for significant industrial users, minimum sewer connection standards and conditions, and penalties and other procedures in cases of violation of this Law. Notwithstanding anything contained herein to the contrary, the provisions of this Law are to apply to only within Champion Sewer District #2, and not to any other sewer district now or later formed by the Town of Champion unless specific reference is made to this Law as relates to such now or later formed sewer districts.

END OF ARTICLE 1

ARTICLE 2

DEFINITIONS

Section 201 - Defined Terms
Section 202 - Abbreviations
Section 203 - Undefined Terms

Section 201 - Defined Terms

Unless otherwise stated in the section where the term is used in this Law, the meaning of terms used in this Law shall be as stated below. When not inconsistent with the context, the present tense shall include the future, and words used in the plural shall include the singular and vice versa. Furthermore, a masculine pronoun shall include the feminine. Shall is mandatory; may is permissive.

Abnormal Sewage - Sewage whose concentration of one or more characteristics of normal sewage exceeds the maximum concentrations of the characteristics of normal sewage. See normal sewage.

Act or "The Act" - The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et seq., as may be amended.

Administrator - The Regional Administrator of the U. S. Environmental Protection Agency (USEPA), Region 2.

Ammonia - The result obtained, using an approved laboratory procedure, to determine the quantity of ammonia in a sample, expressed as milligrams of nitrogen per liter.

Applicant - That person who makes application for any permit. The applicant may be an owner, new or old, or his agent.

Approval Authority - The USEPA, or the New York State Department of Environmental Conservation (NYSDEC), in the event the NYSDEC is delegated approval authority responsibility by the USEPA.

Approved Laboratory Procedure - The procedures defined as 'Standard Methods' in this article, or other procedures approved by the District Operator, for flow measurement or determination of the concentration of pollutants or their surrogates in waters, wastewaters, and/or sludges.

ASTM, denoting American Society for Testing and Materials - The latest edition of any ASTM specification, when stipulated in this Law.

Authorized Representative of the Industrial User - An authorized representative of the industrial user may be:

(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;

(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.

BOD, denoting Biochemical Oxygen Demand - The result obtained when using an approved laboratory procedure to determine the quantity of oxygen utilized in the aerobic biochemical oxidation of organic matter or in a sample, expressed in milligrams per liter.

Builder - Any person who undertakes to construct a building or any part of a building, either under contract or for resale.

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

Chlorine Demand - The result obtained when using an approved laboratory procedure to determine the difference between the amount of chlorine added to a sample and the amount of chlorine remaining in the sample at the end of a specified contact time at room temperature, expressed in milligrams per liter.

COD, denoting Chemical Oxygen Demand - The result obtained when using an approved laboratory procedure to measure the oxygen requirement of that portion of matter, in a sample, that is susceptible to oxidation, by a specific chemical oxidant, expressed in milligrams per liter.

Color - The optical density at the visual wave length of maximum absorption, relative to distilled water. One hundred percent (100%) transmittance is equivalent to zero (0.0) optical density.

Composite Sample - The sample resulting from the combination of individual samples of wastewater taken at selected intervals, for a specified time period. The individual samples may have equal volumes or the individual volumes may be proportioned to the flow at the time of sampling.

Connection - Attachment of one user to a sewer. (See Extension).

Connection Charge (Tap Fee) - The one time application fee to offset Town expenses to process an application for a connection of a building/street lateral to the public sewer. The fee also covers plan review, permit issuance, street repair cost, and inspection costs. The fee may be scaled to the amount of work involved, or to the size of the public sewer involved.

Control Authority - The term shall refer to "Approval Authority", or to the District Operator when Town has an approved pretreatment program under the provisions of 40 CFR 403.11.

Control Manhole - A manhole accessible to the Control Authority in or upstream of the street lateral, such that samples collected from the manhole represent the discharge to the POTW.

Conventional Pollutant - A pollutant that the POTW treatment plant was designed to treat, defined in accordance with the Act.

Cooling Water - The water discharged from any system of condensation, air conditioning, refrigeration, or other sources. It shall contain no polluting substances which would produce COD or suspended solids in excess of five (5) milligrams per liter, or toxic substances, as limited elsewhere in this Law.

County - The County in which the Town is located.

CVT - A symbol used in this model law to designate the municipality as the City, Town, or Town, whichever is appropriate.

Developer - Any person who subdivides land for the purpose of constructing, or causing to be constructed, buildings for which wastewater disposal facilities are required.

Direct Discharge - The discharge of treated or untreated wastewater directly to the Waters of the State of New York. (For reference, see Indirect Discharge.)

Domestic Wastes - see Sewage, Domestic.

Dry Sewers - The sanitary sewer installed in anticipation of future connection to a POTW but which is not used, in the meantime, for transport of storm or sanitary sewage.

End of Pipe - For the purpose of determining compliance with limitations prescribed by Article 9, end of pipe shall mean the control manhole, provided the samples collected from the control manhole are representative of the discharge to the POTW.

End of Pipe Concentration - The concentration of a substance in a sample of wastewater at end of pipe.

End of Process Concentration - see National Categorical Pretreatment Standard.

Easement - An acquired legal right for the specific use of land owned by others.

EPA, USEPA, or U.S. Environmental Protection Agency - The agency of the federal government charged with the administration and enforcement of federal environmental laws, rules, and regulations. Also may be used as a designation for the Administrator or other duly authorized official of this Agency.

Extension - Attachment of a sewer line, with more than one user, to an existing sewer line.

Facility - All buildings, other structures, grounds and contiguous property at any locations related to or connected with a user at the user's location.

Floatable Oil - Oil, grease, or fat in a physical state such that it will separate by gravity from wastewater by treatment in a wastewater treatment facility.

Flow Rate - The quantity of liquid or waste that flows in a certain period of time.

Garbage - The solid wastes from the preparation, cooking, and dispensing of food, from the handling, storage, and sale of produce, and from the packaging and canning of food.

Grab Sample - A single sample of wastewater representing the physical, chemical, and biological characteristics of the wastewater at one point and time.

ICS Form - The form used by the NYSDEC to survey industries to perform and update the Industrial Chemical Survey.

Indirect Discharge - The introduction of wastewater into a POTW for treatment and ultimate discharge of the treated effluent to the State's Waters.
(For reference, see Direct Discharge)

Industrial - Meaning or pertaining to industry, manufacturing, commerce, trade, business, or institution, and is distinguished from domestic or residential.

Industrial Chemical Survey (ICS) - The survey of industries in New York State, initiated by the NYSDEC, to determine chemical usage and storage by those industries.

Industrial User - See User, Industrial

Industrial Wastes - The liquid or liquid-carried solid, liquid and/or gaseous wastes from industrial manufacturing processes, trade, service, utility, or business, as distinct from sanitary sewage.

Infiltration - Water, other than wastewater, that enters a sewer system (excluding building drains) from the ground through such means as defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from, inflow. Infiltration is inadvertent, that is, not purposely designed or built into the sewer or drain.

Inflow - Water, other than wastewater, that enters a sewer system (including building drains) from sources such as, but not limited to, roof leaders, cellar 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, foundation drains, swimming pools, surface runoff, street wash waters, or drainage. Inflow does not include, and is distinguished from, infiltration. Inflow is purposely designed and/or built into the sewer or drain.

Interference - A discharge which, alone or in conjunction with discharges by other sources,

(a) inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and

(b) therefore is a cause of a violation of any requirement of the Town POTW's SPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal by the POTW in accordance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations):

i-Section 405 of the Clean Water Act,ii-the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act - RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to Subtitle D or the SWDA), iii-Clean Air Act, iv-Toxic Substance Control Act, and v-Marine Protection Research and Sanctuaries Act.

Lateral, Building - The sewer extension from the building drain to the Street Lateral or other place of wastewater disposal.

Lateral, Street - The sewer extension from the public sewer to the property line.

National Categorical Pretreatment Standard, or Categorical Standard - Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307 (B) and (C) of the Act (22 U.S.C. 1347), which applies to a specific category of industrial users. These standards apply at the end of the categorical process ("end of process").

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

National Prohibitive Discharge Standard, or Prohibitive Discharge Standard - Any regulation developed under the authority of Section 307 (B) of the Act, and 40 CFR, Section 403.5.

Natural Outlet - Any outlet, including storm sewers and combined sewer overflows, to State's Waters.

New Owner - That individual or entity who purchased property within the Service Area of the Town after the effective date of this law.

New Source - Any source, the construction of which is commenced after the publication of the proposed regulation prescribing a Section 307 (C) (33 U.S.C 1317) Categorical Pretreatment Standard which will be applicable to such source, if such standard is thereafter promulgated.

New User - A discharger to the POTW who commences discharge after the effective date of this Law.

Normal Sewage - see Sewage, Normal.

Nuisance - The use or lack of use of the POTW in such a manner so as to endanger life or health, give offense to the senses, or obstruct or otherwise interfere with the reasonable use or maintenance of the POTW.

Oil and Grease - The result obtained when using an approved laboratory procedure to determine the quantity of fats, wax, grease, and oil, in a sample, expressed in milligrams per liter.

Old Owner - That individual or entity who owns or owned a property, within the Service Area of the POTW, purchased prior to the effective date of this Law, who or inherited the property at any time and intends to sell the property, or has sold the property to a new owner, also the agent of the old owner.

Other Wastes - Garbage (shredded or unshredded), refuse, wood, egg shells, coffee grounds, sawdust, shavings, bark, sand, lime, ashes, and all other discarded matter not normally present in sewage or industrial wastes. Also, the discarded matter not normally present in sewage or industrial waste.

Pass Through - The discharge which exits the Town POTW into waters of the State in quantities, which, alone or in conjunction with Discharges from other sources, is a cause of a violation of any requirement of the POTW's SPDES permit (including an increase in the magnitude or duration of a violation).

Permit - A temporary revocable written document allowing use of the POTW for specified wastes over a limited period of time, containing sampling locations and reporting frequencies, and requiring other actions as authorized by this Law.

Person - Any individual, public or private corporation, political subdivision, Federal, State, or local agency or entity, association, trust, estate or any other legal entity whatsoever.

pH - The logarithm (base 10) of the reciprocal of the weight of hydrogen ions, in gram moles per liter of solution. A pH value of 7.0, the pH scale midpoint, represents neutrality. Values above 7.0 represent alkaline conditions. Values below 7.0 represent acid conditions.

Phosphorus, total - See total phosphorus.

Pollutant - Any material placed into or onto the State's waters, lands and/or airs, which interferes with the beneficial use of that water, land and/or air by any living thing at any time.

Pollution - The man-made or man-induced alteration of the chemical, physical, biological, and/or radiological integrity of the State's waters, lands, and/or airs resulting from the introduction of a pollutant into these media.

Pretreatment (Treatment) - 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 POTW. The reduction or alteration can be achieved by physical, chemical, or biological process, process changes, or by other means,
except as prohibited by 40 CFR, Section 403.6 (D).

Pretreatment Requirements - Any substantive or procedural requirement related to pretreatment, other than a National
Pretreatment Standard imposed on an industrial user.

Pretreatment Standard or National Pretreatment Standard - Any Categorical Standard or Prohibitive Discharge Standard.

Priority Pollutants - The most recently revised or updated list, developed by the EPA, in accordance with the Act.

Prohibitive Discharge Standard - see National Prohibitive
Discharge Standard.

Properly Shredded Garbage - 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, and with no particle having a dimension greater than one-half (1/2) inch in any dimension.

POTW Treatment Plant - That portion of the POTW designed to provide treatment to wastewater, and to treat sludge and residuals derived from such treatment.

Publicly Owned Treatment Works (POTW) - A treatment works, as defined by Section 212 of the Act, (33 U.S.C 1292), which is owned, in this instance, by Town. This definition includes any sewers and appurtenances that transport wastewater to the POTW treatment plant, but does not include pipes, sewers, or other conveyances not connected directly or indirectly to a facility providing treatment.

Receiving Waters - A natural water course or body of water (usually Waters of the State) into which treated or untreated sewage is discharged.

Records - Shall include, but not be limited to, any printed, typewritten, handwritten or otherwise recorded matter of whatever character (including paper or electronic media), including but not limited to, letters, files, memoranda, directives, notes and notebooks, correspondence, descriptions, telephone call slips, photographs, permits, applications, reports, compilations, films, graphs and inspection reports. For the purposes of this law, records shall mean records of and relating to waste generation, reuse and disposal, and shall include records of usage of raw materials.

Roof Drain - A drain installed to receive water collecting on the surface of a roof for disposal.

Septage - All liquids and solids in and removed from septic tanks, holding tanks, cesspools, or approved type of chemical toilets, including but not limited to those serving private residences, commercial establishments, institutions, and industries. Also, sludge from small sewage treatment plants. Septage shall not have been contaminated with substances of concern or priority pollutants.

Septic Tank - A private domestic sewage treatment system consisting of an underground tank (with suitable baffling), constructed in accordance with any and/or all local and State requirements.

Service Area of the POTW - The legally defined bounds of real property from which wastewater may be discharged into the POTW. The bounds shall be established, altered, changed, modified, reduced, enlarged, combined, or consolidated by action of the Town Board.

Sewage - A combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, and such ground, surface, and storm water as may be inadvertently present. The admixture of sewage, as defined above, with industrial wastes and other wastes shall also be considered "sewage", within the meaning of this definition.

Sewage, Domestic (Domestic Wastes) - Liquid wastes from the non-commercial preparation, cooking, and handling of food, liquid wastes containing human excrement and similar matter from the sanitary conveniences in dwellings, commercial buildings, industrial buildings, and institutions, or liquid wastes from clothes washing and/or floor/wall washing. Therefore, domestic sewage includes both black water and grey water. (See Sewage, Sanitary)

Sewage, Normal - Sewage, industrial wastes, or other wastes, which show, by analysis, the following characteristics:

(a) B.O.D. (Five Day) - 2090 lbs. per million gallons (250 milligrams per liter), or less.

(b) Suspended Solids - 2500 lbs. per million gallons (300 milligrams per liter), or less.

(c) Phosphorus - 125 lbs. per million gallons (15 milligrams per liter), or less.

(d) Ammonia - 250 lbs. per million gallons (30 milligrams per liter), or less.

(e) Total Kjeldahl Nitrogen - 417 lbs. per million (50 milligrams per liter), or less.

(f) Chlorine Demand - 209 lbs. per million gallons (25 milligrams per liter), or less.

(g) Chemical Oxygen Demand - 2920 lbs. per million gallons (350 milligrams per liter), or less

(h) Oil and Grease - 830 lbs. per million gallons (100 milligrams per liter), or less.

In spite of satisfying one or more of these characteristics, if the sewage also contains substances of concern, it may not be considered normal sewage.

Sewage, Sanitary - Liquid wastes from the sanitary conveniences of dwellings (including apartment houses and hotels), office buildings, factories, or institutions, and free from storm water, surface water, industrial, and other wastes. (See Domestic Wastes).

Sewage Treatment Plant (Water Pollution Control Plant) - see POTW Treatment Plant.

Sewage, Unusual Strength or Character - Sewage which has characteristics greater than those of Normal Sewage and /or which contains Substances of Concern.

Sewer - A pipe or conduit for carrying or transporting sewage.

Sewer, Combined - A sewer designed to receive and transport both surface runoff and sewage.

Sewer, Public - A sewer in which all abutting property owners have equal rights, and the use of which is controlled by the Town.

Sewer, Sanitary - A sewer which carries sewage, and to which storm, surface, and ground waters are not intentionally admitted.

Sewer, Storm (Storm Drain) - A sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastewaters, other than cooling waters and other unpolluted waters.

Sewerage System (also POTW) - All facilities for collecting, regulating, pumping, and transporting wastewater to and away from the POTW treatment plant.

Sewerage Surcharge - The demand payment for the use of a public sewer and/or sewage treatment plant for the handling of any sewage, industrial wastes, or other wastes accepted for admission thereto in which the characteristics thereof exceed the maximum values of such characteristics in normal sewage. (See Volume Charge.)

Significant Industrial User - see User, Significant Industrial

Significant Non-Compliance (SNC) - A User is in significant non- compliance if its violation(s) meet(s) one or more of the following criteria:

(a) Chronic violations of wastewater discharge limits, defined here as those, in sixty-six (66) percent or more of all of the measurements taken during a six-month period, which exceed (by any magnitude) the daily maximum limit or average limit for the same pollutant parameter;

(b) Technical Review Criteria (TRC) violations, defined here as those, in which thirty-three (33) percent or more of all of the measurements for each pollutant parameter taken during a six-month period, which equal or exceed the product of the daily maximum limits multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil and grease; TRC = 1.2 for all other pollutants);

(c) Any other violation of a pretreatment effluent limit (daily maximum or long-term average) that the District Operator determines has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of POTW personnel or the general public);

(d) Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the District Operator's exercise of its emergency authority under Article 11 of this Law;

(e) Failure to meet, within 90 days after the schedule date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance;

(f) Failure to provide, within 30 days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self- monitoring reports, and reports on compliance with compliance schedules;

(g) Failure to report accurately any non-compliance;

(h) Any other violation which the District Operator determines will adversely affect the implementation or operation of the local pretreatment program.

Slug - A substantial deviation from normal rates of discharge or constituent concentration (see normal sewage) sufficient to cause interference. In any event, a discharge which, in concentration of any constituent or in quantity of flow, that exceeds, for any period of duration longer than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hour concentration or flow during normal user operations, shall constitute a slug.

Standard Industrial Classification (SIC) - A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972, and subsequent revisions.

Standard Methods - Procedures contained in the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, procedures established by the Administrator, pursuant to Section 304 (G) of the Act and contained in 40 CFR, Part 136, and amendments thereto. (If 40 CFR, Part 136 does not include a sampling or analytical technique for the pollutant in question, then procedures set forth in EPA publication, "Sampling and Analysis Procedures for Screening of Industrial Effluents for Priority Pollutants", April 1977, and amendments thereto, shall be used.), any other procedure approved by the Administrator, or any other procedure approved by the District Operator, whichever is the most conservative.

State - State of New York.

State's Waters - See Waters of the State.

Storm Water - Any flow occurring during or following any form of natural precipitation; also the flow resulting therefrom.

Substances of Concern - Those compounds which the New York State Department of Environmental Conservation has determined may be harmful to man or the environment.

Sump Pump - A mechanism used for removing water from a sump or wet well.

District Operator - That individual nominated by the Town Supervisor and confirmed by the Town Board, as the District Operator of Water and Wastewater. Such an individual shall be licensed to practice engineering in the State, and otherwise qualified to oversee water treatment and distribution and POTW operations. This definition shall also include his authorized deputy, agent, or representative.

Suspended Solids - The result obtained, using an approved laboratory procedure, to determine the dry weight of solids, in a sample, that either float on the surface of, or are in suspension, or are settleable, and can be removed from the sample by filtration, expressed in milligrams per liter.

Total Kjeldahl Nitrogen (TKN) - The result obtained, using an approved laboratory procedure, to determine the quantity of ammonia in a sample and released during the acid digestion of organic nitrogen compounds, expressed as milligrams of nitrogen per liter.

Total Phosphorus - The result obtained, using an approved laboratory procedure, to determine the total quantity of orthophosphate, in a sample of wastewater, following the hydrolysis of phosphorus compounds, expressed as milligrams of phosphorus per liter of sample.

Town - The Town of Champion, Jefferson County, New York.

Toxic Substances - Any substance, whether gaseous, liquid, or solid, that when discharged to a public sewer in sufficient quantities may be hazardous to POTW operation and maintenance personnel, tend to interfere with any biological sewage treatment process, or to constitute a hazard to recreation in the receiving waters, due to the effluent from a sewage treatment plant or overflow point. Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the EPA under provisions of CWA 307 (A), or other Acts.

User - Any person who contributes, causes, or permits the contribution of wastewater into the POTW.

User, Existing - A discharger to the POTW who is discharging on or before the effective date of this Law.

User, Industrial - A discharger to the POTW who discharges non-domestic wastewaters.

User, New - A discharger to the POTW who initiates discharge after the effective date of this Law.

User, Significant Industrial (SIU) - An industrial user of the Town's POTW who is:

(a) Subject to National Categorical Pretreatment Standards promulgated by the EPA,

(b) Having substantial impact, either singly or in combination with other industries, on the operation of the treatment works,

(c) Using, on an annual basis, more than 10,000 lbs or 1,000 gallons of raw material containing priority pollutants and/or substances of concern and discharging a measurable quantity of these pollutants to the sewer system,

(d) Discharging more than five percent (5%) of the flow or load of conventional pollutants received by the POTW treatment plant.

*Note: A user discharging a measurable quantity of a pollutant may be classified as non-significant if, at the influent to the POTW treatment plant, the pollutant is not detectable.

Volume Charge (User Charge) - The demand sewer use charge which is based, in part or wholly, on the volume of normal sewage discharged into the sewage collection system (there may be surcharges, as provided for in Article 12). The volume charge shall be based on a specific cost per 1,000 gallons. The specific charge shall be subject to approval by the Town Board. The moneys so obtained shall be used for charges incurred for disposal to the Joint Village Wastewater Treatment Plant, for retirement of bonded indebtedness, and for funding of capital projects a separate charge will be assessed as outlined in Article 12.

Wastewater - The liquid and water-carried industrial or domestic wastewaters from dwellings, commercial establishments, industrial facilities, and institutions, together with any groundwater, surface water, and storm water that may be present, whether treated or untreated, which is contributed into or permitted to enter the POTW.

Wastewater Discharge Permit - A permit as set forth in Article 10 of this Law.

Wastewater, Unusual Strength or Character - see Sewage, Unusual Strength or Character.

Waters of the State (State's Waters) - All streams, lakes, ponds, marshes, water courses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State or any portion thereof.

Section 202 - Abbreviations

The following abbreviations shall have the designated meanings:

ANSI-American National Standards InstituteASTM-American Society for Testing and MaterialsAWWA-American Water Works AssociationBOD-Biochemical Oxygen DemandCFR-Code of Federal RegulationsCPLR-Code of Public Law and RulesCOD-Chemical Oxygen DemandEPA-Environmental Protection AgencyL-LiterMg-MilligramMg/l-Milligrams per literNCPI-National Clay Pipe InstituteNPDES-National Pollutant Discharge Elimination SystemNYSDEC-New York State Department of Environmental ConservationNYSDOH-New York State Department of HealthNYSDOT-New York State Department of TransportationP-Total PhosphorusPSI-Pounds per Square InchPOTW-Publicly Owned Treatment WorksPPM-Parts per Million, weight basisSIC-Standard Industrial ClassificationSPDES-State Pollutant Discharge Elimination SystemSWDA-Solid Waste Disposal Act, 42 U.S.C. 690 L, et seq.U.S.C.-United State Code of LawsUSEPA-United State Environmental Protection AgencyTSS-Total Suspended Solids

Section 203 - Undefined Terms

Terms not defined in this article, or terms found to be ambiguous or improperly defined in this article, shall be defined by the Act, or Regulations, pursuant thereto.

END OF ARTICLE 2

Article 3

USE OF PUBLIC SEWERS REQUIRED

Section 301 - Waste Disposal Unlawful

Section 302 - Connecting Private Sewage System to Storm Sewer Unlawful

Section 303 - Discharge of Sewage into Well Prohibited

Section 304 - Wastewater Discharge Unlawful

Section 305 - Building Permit Allowed Only When Approved Wastewater Disposal Available

Section 306 - Private Wastewater Disposal Unlawful
Section 307 - Connection to Public Sewer Required
Section 308 - Limitation on Use of Public Sewers
Section 309 - Wastewater from Outside the POTW Service Area
- Inter-municipal Agreements
Section 310 - Moratorium
Section 311 - Basis of Sewer Use Requirement

Section 301 - Waste Disposal Unlawful

It shall be unlawful for any person to place, deposit, or permit to be deposited, in any unsanitary manner, on public or private property, within the Town or in any area under the jurisdiction of the said municipality, any human or animal excrement, garbage, or objectionable waste. Also, no person shall discharge domestic sewage onto the surface of the ground or discharge it in a way that permits it to come to the surface of the ground.

Section 302 - Connecting Private Sewage system to Storm Sewer Unlawful

No person shall connect a private sewage system so that sewage flows into a storm sewer or into a drain intended exclusively for storm water.

Section 303 - Discharge of Sewage into Well Prohibited

No person shall discharge sewage into a well.

Section 304 - Wastewater Discharge Unlawful

It shall be unlawful to discharge to any natural outlet, within Town or in any area under the jurisdiction of the said municipality, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Law.

Section 305 - Building Permit Allowed Only When Approved Wastewater Disposal Available

No property owner, builder, or developer shall be issued a building permit for a new dwelling or structure requiring sanitary facilities unless a suitable and approved method of wastewater disposal, conforming to this Law, is available. All housing construction or building development which takes place after this Law is enacted shall provide for an approved system of sanitary sewers.

Section 306 - Private Wastewater Disposal Unlawful

Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, cesspool, septic tank, or other facility intended or used for disposal of wastewater. Maintenance and upkeep of any and all private systems permitted for private use shall be the sole responsibility of the Owner.

Section 307 - Connection to Public Sewer Required for New Buildings

The owner(s) of all new houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the District and abutting on any street, alley, or right-of-way in which there is now located or may, in the future, be located a public sewer, is hereby required, at the owner's expense to install suitable sanitary facilities therein, and to connect such facilities directly with the proper public sewer, in accordance with the provisions of this law, within ninety (90) days after official notice to do so, provided that said public sewer is within one hundred (100) feet (30.5 meters) of the property line.

Section 308 - Limitation on Use of Public Sewers

The use of the Town public sewers shall be strictly limited and restricted, except as provided in Section 307, to receive and accept the discharge of sewage and other wastes generated on or discharged from real property within the bounds of the Service Area of the POTW.

Section 309 - Wastewater from Outside the POTW Service Area
- Inter-municipal Agreements

The Town Board, on the recommendation of the a professional engineer shall have the authority to enter into agreements to accept sewage and other wastes, including industrial wastes, generated by or discharged from persons outside the service area of the POTW. The Town is a party to a certain Inter-Municipal Agreement with the Towns of Rutland, LeRay and Pamelia, and the Town of Black River creating the Route 3 Sewer Board has contracted with the Development Authority of the North Country (DANC) to discharge it's wastewater in the DANC Fort Drum line for delivery to the City of Watertown Wastewater Pollution Control Facility for treatment.

If the person is a municipality, that municipality shall have enacted a Sewer Use Law as restrictive on the discharge of sewage and other wastes as the restrictions contained in this Law.

If the person is not a municipality the acceptance shall be made only with the expressed written consent of the Town Board setting forth the terms and conditions of such a acceptance.

Section 310 - Moratorium

At the recommendation of the District Operator, who determines that:

(1) one or more segments of the POTW is exceeding its hydraulic capacity at any time

(2) any specific purpose of this Law is being violated

The Town Board shall have the authority to limit or deny new connections to the POTW until the conditions leading to the moratorium are corrected. Such correction may be by:

(1) construction of new facilities
(2) enlarging existing facilities
(3) correction of inflow and infiltration
(4) cleaning and repairing of existing facilities

Section 311 - Basis of Sewer Use Requirement

All requirements, directives, and orders calling for mandatory use of the sewers, within the Service Area of the POTW, for the proper discharge of sewage and other wastes, including industrial wastes, shall be established and given by the Town Board, NYSDEC, USEPA, and/or other such State or Federal agencies, which have enforcement powers.

END OF ARTICLE 3

Article 5

NEW SEWERS or SEWER EXTENSIONS

Section 501 - Proper Design
Section 502 A - New Sewers Subject to Approval, Fees, Inspection, Testing, and Reporting
Section 502 B - Cost of Installation
Section 502 C - Plans, Specification, and Pipe Test Results Required
Section 503 A - Sewer Pipe
Section 503 B - Safety and Load Factors
Section 503 C - Sewer Pipe installation
Section 503 D - Cleanout Installation
Section 504 - Manholes and Manhole Installation
Section 505 A - Infiltration/Exfiltration Testing
Section 505 B - Test Section
Section 505 C - Test Period
Section 505 D - Pipe Lamping
Section 505 E - Deflection Testing
Section 505 F - Air Testing Alternative
Section 505 G - Vacuum Testing Alternative
Section 506 A - Force Mains
Section 506 B - Force Main Testing
Section 507 - Final Acceptance and Warranty/Surety
Section 508 - Liability Insurance Coverage During Construction Period

Section 501 - Proper Design

New sanitary sewers and all extensions to sanitary sewers owned and operated by the Town shall be designed, by a professional licensed to practice sewer design in the State, in accordance with the Recommended Standards for Sewage Works, as adopted by the Great Lakes - Upper Mississippi River Board of State Sanitary Engineers ("Ten State Standards"), and in strict conformance with all requirements of the NYSDEC. Plans and specifications shall be submitted to, and written approval shall be obtained from the District Operator, the New York State Health Department - Watertown Office, and the NYSDEC, before initiating any construction. The design shall anticipate and

allow for flows from all possible future extensions or developments within the immediate drainage area.

If, however, there is inadequate capacity in any sewer which would convey the wastewater or if there is insufficient capacity in the POTW treatment plant to treat the wastewater properly, the application shall be denied. Sewer line and POTW treatment plant current use shall be defined as the present use and the unutilized use which has been committed, by resolution, to other users by the Town Board.

Section 502 A - New Sewers Subject to Approval, Fees, Inspection, Testing, and Reporting

When a property owner, builder, or developer proposes to construct sanitary sewers or extensions to sanitary sewers in an area proposed for subdivision, the plans, specifications, and method of installation shall be subject to the approval of the District Operator, and the New York State Health Department - Watertown Office, in accordance with Section 501. Said property owner, builder, or developer shall pay for the entire installation, including a proportionate share of the treatment plant, intercepting or trunk sewers, pumping stations, force mains, and all other Town expenses incidental thereto. Each street lateral shall be installed and inspected pursuant to Article 6, and inspection fees shall be paid by the applicant prior to initiating construction. Design and installation of sewers shall be as specified in Section 503, and in conformance with Paragraphs 3 through 6 of ASTM Specification C-12. The installation of the sewer shall be subject to periodic inspection by the District Operator, without prior notice. The District Operator shall determine whether the work is proceeding in accordance with the approved plans and specifications, and whether the completed work will conform with the approved plans and specifications. The sewer, as constructed, must pass the infiltration test (or the exfiltration test, with prior approval), required in Section 505, before any building lateral is connected thereto. The District Operator shall be notified 30 days in advance of the start of any construction actions so that such inspection frequencies and procedures as may be necessary or required, may be established. No new sanitary sewers will be accepted by the Town Board until such construction inspections have been made so as to assure the Town Board of compliance with this Law and any amendments or additions thereto. The District Operator has the authority to require such excavation as necessary to inspect any installed facilities if the facilities were covered or otherwise backfilled before they were inspected so as to permit inspection of the construction. The District Operator shall report all findings of inspections and tests to the Town Board.

Section 502 B - Cost of Installation

1. Building sewers shall originate from a lateral from the main line sewer or pump station wherever one is available. The Town shall be responsible for the lateral main to the street right-of-way. The Town is also responsible right-of-way limit to the building for those laterals installed at the time of initial construction of the system by the Town. Thereafter the owner shall be responsible. When one is not available the Town

District Operator will install one and charge the homeowners for all required work at 100% of the cost to the Town. The sewer lateral will be placed on the property line closest to the existing sewage collection pipes in the Town Right-Of-Way. Prior to installation of the lateral, the Home owner is expected to execute an easement granting the Town right of access for installation and maintenance.

2. All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner unless part of the initial construction of the system. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Section 502 - Plans, Specification, and Pipe Test Results Required

Plans, specifications, and methods of installation shall conform to the requirements of this Article. Components and materials of wastewater facilities not covered in this Law, such as pumping stations, lift stations, or force mains shall be designed in accordance with Section 501, and shall be clearly shown and detailed on the plans and specifications submitted for approval. Force main details are covered in Section 506. When requested, the applicant shall submit, to the District Operator and to the New York State Health Department - Watertown Office, all design calculations and other pertinent data to supplement review of the plans and specifications. Results of manufacturer's tests on each lot of pipe delivered to the job site shall also be furnished, upon request.

Section 503 A - Sewer Pipe

(1) Sewer pipe material shall be:

(a) Polyvinyl Chloride (PVC) Pipe - Heavy Wall

Pipe shall be made from Class 12454-B materials or better in accordance with ANSI/ASTM Specification D-1784
Pipe and accessories shall conform to the requirements of the following, with a minimum pipe stiffness of 46 PSI at a maximum deflection of five percent (5%).

ANSI/ASTM D 3034 (4" - 15")
ASTM F 679 Type I (18" - 27")

(b) Other pipe materials

Other pipe materials require prior written approval of the District Operator before being installed.

(2) The minimum internal pipe diameter shall be eight (8) inches for gravity sewers and four (4) inches for low pressure sewers.

(3) Joints for the selected pipe shall be designed and manufactured such that "O" ring gaskets of the "snap-on" type are used.

(4) Gaskets shall be continuous, solid, natural or synthetic rubber, and shall provide a positive compression seal in the assembled joint, such that the requirements of Section 505 are met.

(5) Joint preparation and assembly shall be in accordance with the manufacturer's recommendations.

(6) Wye branch fittings, as approved by the District Operator, shall be installed, for connection of street laterals, in accordance with Section 606.

Section 503 B - Safety and Load Factors

Selection of pipe class shall be predicated on the following criteria:

Safety factor-1.5Load factor-1.7Weight of soil-120 lbs/cu. ft. Wheel loading-16,000 lbs.

Utilizing the foregoing information, design shall be made as outlined in Chapter IX of the Water Pollution Control Federation Manual of Practice No. 9, latest edition, "Design and Construction of Sanitary and Storm Sewers", and the pipe shall have sufficient structural strength to support all loads to be placed on the pipe, with a safety factor as specified above.

PVC pipe shall not be encased in concrete due to their different coefficients of linear thermal expansion.

Section 503 C - Sewer Pipe Installation

(1) Local utilities shall be contacted to verify construction plans and to make arrangements to disconnect all utility services, where required to undertake the construction work. The utility services shall later be reconnected. The work shall be scheduled so that there is minimum inconvenience to local residents. Residents shall be provided proper and timely notice regarding disconnection of utilities.

(2) The construction right-of-way shall be cleared only to the extent needed for construction. Clearing consists of removal of trees which interfere with construction, removal of underbrush, logs, and stumps, and other organic matter, removal of refuse, garbage, and trash, removal of ice and snow, and removal of telephone and power poles, and posts. Any tree which will not hinder construction shall not be removed, and shall be protected from damage by any construction equipment. Debris shall not be burned, but hauled for disposal in an approved manner.

(3) The public shall be protected from personal and property damage as a result of the construction work.

(4) Traffic shall be maintained at all times in accordance with applicable highway permits. Where no highway permits are required, at least 1/2 of a street shall be kept open for traffic flow.

(5) Erosion control shall be performed throughout the project to minimize the erosion of soils onto lands or into waters adjacent to or affected by the work. Erosion control can be effected by limiting the amount of clearing and grubbing prior to trenching, proper scheduling of the pipe installation work, minimizing time of open trench, prompt grading and seeding, and filtration of drainage.

(6) The trench shall be excavated only wide enough for proper installation of the sewer pipe, manhole, and appurtenances. Allowances may be made for sheeting, de-watering, and other similar actions to complete the work. Roads, sidewalks, and curbs shall be cut, by sawing or by other methods as approved by the District Operator, before trench excavation is initiated.

(7) Under ordinary conditions, excavation shall be by open cut from the ground surface. However, tunneling or boring under structures other than buildings may be permitted. Such structures include crosswalks, curbs, gutters, pavements, trees, driveways, and railroad tracks.

(8) Open trenches shall be protected at all hours of the day with barricades, as required.

(9) Trenches shall not be open for more than 30 feet in advance of pipe installation nor left unfilled for more than 30 feet in the rear of the installed pipe, when the work is in progress, without permission of the District Operator. When work is not in progress, including over night, weekends, and holidays, the trench shall be backfilled to ground surface.

(10) The trench shall be excavated approximately six (6) inches deeper than the final pipe grade. When unsuitable soils are encountered, these shall be excavated to a maximum depth of 2-1/2 feet below the final pipe invert grade and replaced with select materials.

(11) Ledge rock, boulders, and large stones shall be removed from the trench sides and bottom. The trench shall be over-excavated at least 12 inches for five (5) feet, at the transition from rock bottom to earth bottom, centered on the transition.

(12) Maintenance of grade, elevation, and alignment shall be done by some suitable method or combination of methods.

(13) No structure shall be undercut unless specifically approved by the District Operator.

(14) Proper devices shall be provided, and maintained operational at all times, to remove all water from the trench as it enters. At no time shall the sewer line be used for removal of water from the trench.

(15) To protect workers and to prevent caving, shoring and sheeting shall be used, as needed. Caving shall not be used to backfill the trench. Sheeting shall not be removed but cut off no lower than one foot above the pipe crown nor no higher than one foot below final grade, and left in the trench, during backfill operations.

(16) The pipe barrel shall be supported, along its entire length, on a minimum of six (6) inches of crusher run max. 1/2 inch stone free of organic material. This foundation shall be firmly tamped in the excavation.

(17) Bell holes shall be hand excavated, as appropriate.

(18) Pipe shall be laid from low elevation to high elevation. The pipe bell shall be up-gradient; the pipe spigot shall be down-gradient.

(19) Joint preparation and assembly shall be in accordance with the manufacturer's written instructions.

(20) The grade and alignment shall be checked and made correct. The pipe shall be in straight alignment. Any negotiation of curves shall be at manholes, except when site conditions require alternative pipe laying procedures. These alternative procedures, including bending the pipe barrel, deflecting the joint, and using special fittings, shall require prior written approval of the plans and also written confirmation approval of need by the District Operator after examination of the site conditions.

(21) When a smaller sewer joins a larger one the invert of the larger sewer shall be lowered sufficiently to maintain the same hydraulic gradient. An approximate method which may be used for securing this result is to place the 0.8 depth of both sewers at the same elevation.

(22) Crushed stone shall be placed over the laid pipe to a depth of at least six (6) inches. The embedment of thermoplastic pipe shall be in accordance with ASTM D2321 using class 1A or 1B backfill materials. Care shall be exercised so that stone is packed under the pipe haunches. Care shall be exercised so that the pipe is not moved during placement of the crushed stone.

(23) The migration of fines from surrounding backfill or native soils shall be restricted by gradation of embedment materials or by use of suitable filter fabric.

(24) The remaining portion of the trench above the pipe embedment shall be backfilled in foot lifts which shall be firmly compacted. Compaction near/under roadways, driveways, sidewalks, and other structures shall be to 95 % of the maximum moisture-density relationship, as determined by ASTM Specification D 698, Method D. Ice, snow, or frozen material shall not be used for backfill.

Section 503 D - Cleanout Installation

(1) Cleanouts for low pressure sewers shall be placed at intervals of approximately 400 to 500 feet, at major changes of direction, where one collection main joins another main and at the upstream end of each main branch.

(2) The design of the cleanouts shall be as approved by the District Operator.

Section 504 - Manholes and Manhole Installation

(1) Design of all manholes shall be submitted to the District Operator and shall receive approval prior to placement.

(2) Manholes shall be placed where there is a change in slope or alignment, and at intervals not exceeding 400 linear feet except as authorized by the District Operator.

(3) Manhole bases shall be constructed or placed on a minimum of six (6) inches of crusher run max. 1/2 inch stone free of organic materials.

(4) Manhole bases shall be constructed of 4,000 psi (28 day) concrete 8 inches thick, or shall be precast bases properly bedded in the excavation. Field constructed bases shall be monolithic, properly reinforced, and extend at least 6 inches beyond the outside walls of lower manhole sections. Precast manhole bases shall extend at least 6 inches beyond the outside walls of lower manhole sections.

(5) All new sewer piping shall be marked with metallic locating tape located directly over the new sewer lateral or main.

(6) Manholes shall be constructed using precast minimum 4 foot diameter concrete manhole barrel sections, and an eccentric top section, conforming to ASTM Specification C-478, with the following exceptions on wall thickness:

| Manhole Diameter Feet | Wall Thickness Inches |
|---|---|
| 4 | 5 |
| 5 | 6 |
| 6 | 7 |
| 6-1/2 | 7-1/2 |
| 7 | 8 |

All sections shall be cast solid, without lifting holes.

Flat top slabs shall be a minimum of 8 inches thick and shall be capable of supporting an H-20 loading.

(6) All joints between sections shall be sealed with an "O" ring rubber gasket, meeting the same specifications as pipe joint gaskets, or butyl joint sealant completely filling the joint.

(7) All joints shall be sealed against infiltration. All metal parts shall be thickly coated with bitumastic or elastomeric compound to prevent corrosion.

(8) No steps or ladder rungs shall be installed in the inside or outside manhole walls at any time.

(9) No holes shall be cut into the manhole sections closer than 6 inches from joint surfaces.

(10) Manholes which extend above grade shall not have an eccentric top section. The top plate shall be large enough to accommodate the cover lifting device and the cover.

(11) The elevation of the top section shall be such that the cover frame top elevation is 0.5 foot above the 100-year flood elevation (in a field), 0.5 foot above a lawn elevation, or at finished road or sidewalk grade.

(12) When located in a traveled area (road or sidewalk), the manhole frame and cover shall be heavy duty cast iron. When located in a lawn or in a field, the manhole frame and cover may be light duty cast iron. The cover shall be 36 inches, minimum, in diameter. The minimum combined weight of the heavy duty frame and 36 inch cover shall be 735 +/- 5% lbs. The minimum combined weight of the light duty frame and 36 inch cover shall be 420 +/- 5% lbs. The mating surfaces shall be machined, and painted with tar pitch varnish. The cover shall not rock in the frame. Infiltration between the cover and frame shall be prevented by proper design and painting. Covers shall have "Sanitary Sewer" cast into them. Covers shall have lifting holes suitable for any lifting/jacking device. The lifting holes shall be designed so that infiltration is prevented.

(13) A drop of at least 0.1 foot shall be provided between incoming and outgoing sewers on all junction manholes and on manholes with bends greater than 45 degrees.

(14) Inverts and shelves/benches shall be placed after testing the manholes and sewers.

(15) Benches shall be level and slope to the flow channel at about 1 inch per foot.

(16) The minimum depth of the flow channel shall be the nominal diameter of the smaller pipe. The channel shall have a steel trowel finish. The flow channel shall have a smooth curvature from inlet to outlet.

(17) Manhole frames, installed at grade, shall be set in a full bed of mortar with no less than two nor more than four courses of brick underneath to allow for later elevation adjustment. In lieu of brick, grade rings may be used for elevation adjustment. Grade rings shall not exceed 6 inches in depth. The total number of grade rings shall not exceed 12 inches in height, however, in no event shall more than 3 grade rings be used.

(18) Manholes which extend above grade shall have the frames cast into the manhole top plate. The top plate shall be securely anchored to the manhole barrel, by a minimum of six 1/2 inch corrosion resistant anchor bolts, to prevent overturning when the cover is removed. The anchor bolts shall be electrically isolated from the manhole frame and cover.

(19) Internal drop pipes and fittings shall be PVC plastic sewer pipe in compliance with ASTM D2241. Corrosion resistant anchors shall be used to attach the drop pipe to the inside surface of the manhole barrel.

Section 505 A - Infiltration/Exfiltration Testing

All sanitary sewers or extensions to sanitary sewers, including manholes, shall satisfy requirements of a final infiltration test before they will be approved and wastewater flow permitted by the Town. The infiltration rate shall not exceed 25 gallons per 24 hours per mile per nominal diameter in inches. An exfiltration test may be substituted for the infiltration test; the same rate shall not be exceeded. The exfiltration test shall be performed by the applicant, under the supervision of the District Operator, who shall have the responsibility for making proper and accurate measurements required. The exfiltration test consists of filling the pipe with water to provide a head of at least 5 feet above the top of the pipe or 5 feet above groundwater, whichever is higher, at the highest point under test, and then measuring the loss of water, from the pipe section under test, by the amount of water which must be added to maintain the original level. However, under no circumstances shall the head at the downstream manhole exceed ten (10) feet or fill to within six (6) inches of the top of the downstream manhole. Should this condition prevail, the testing methods in Sections 504 F and/or 504 G shall be utilized. In this test, the test section must remain filled with water for at least 24 hours prior to taking any measurements. Exfiltration shall be measured by the drop of water level in a standpipe with a closed bottom end, or in one of the sewer manholes serving the test section. When a standpipe and plug arrangement is used in the upper manhole in the test section, there shall be some positive method for releasing entrapped air prior to taking any measurements.

Section 505 B - Test Section

The test section shall be as ordered or as approved, but in no event longer than 1,000 feet. In the case of sewers laid on steep grades, the test length may be limited by the maximum allowable internal pressure on the pipe and joints at the lower end of the test section. For purposes of determining the leakage rate of the test section, manholes shall be considered as sections of 48-inch diameter pipe, 5 feet long. The maximum allowable leakage rate for such a section is 1.1 gallons per 24 hours. If leakage exceeds the allowable rate, then necessary repairs or replacements shall be made, and the section retested.

Section 505 C - Test Period

The test period, during which the test measurements are taken, shall not be less than two (2) hours.

Section 505 D - Pipe Lamping

Prior to testing, the section shall be lamped. Any length of pipe out of straight alignment shall be realigned.

Section 505 E - Deflection Testing

Also prior to testing, all plastic pipe, in the test section, shall be tested for deflection. Deflection testing shall involve the pulling of a rigid ball or mandrel, whose diameter is 95 percent of the pipe inside diameter, through the pipe. Any length of pipe with a deflection greater than 5 percent shall be replaced. The test section shall be flushed just prior to deflection testing. The test shall not be performed with a mechanical pulling device.

Section 505 F - Low Pressure Air Testing Alternative

In lieu of hydrostatic testing (exfiltration or infiltration), low pressure air testing may be employed. Low pressure air tests shall conform to ASTM Specification C 828. All sections to be tested shall be cleaned and flushed, and shall have been backfilled, prior to testing. Air shall be added until the internal pressure of the test section is raised to approximately 4.0 PSIG. The air pressure test shall be based on the time, measured in seconds, for the air pressure to drop from 3.5 PSIG to 2.5 PSIG.

Acceptance is based on limits tabulated in the "Specification Time Required for a 1.0 PSIG Pressure Drop" in the Uni-Bell PVC Pipe Association "Recommended Practice For Low-Pressure Air Testing of Installed Sewer Pipe".

Before pressure is applied to the line all connections shall be firmly plugged. Before the test period starts, the air shall be given sufficient time to cool to ambient temperature in the test section.

If the test section is below groundwater, the test pressure shall be increased by an amount sufficient to compensate for groundwater hydrostatic pressure, however, the test pressure shall not exceed 10 PSI, or a lower pressure as required by the District Operator.

The pressure test gauge shall have been recently calibrated, and a copy of the calibration results shall be made available to the District Operator prior to testing.

Section 505 G - Vacuum Testing Alternative

In lieu of hydrostatic testing (exfiltration or infiltration), vacuum testing may be employed for testing of sewer lines and manholes. Sewer lines and manholes shall be tested separately. All sewer lines to be tested shall be cleaned and flushed, and shall have been backfilled, prior to testing. The vacuum test shall be based on the time, measured in seconds, for the vacuum to decrease from 10 inches of mercury to 9 inches of mercury for manholes, and from 7 inches of mercury to 6 inches of mercury for sewers.

Acceptance of manholes is based on the following:

| Manhole Depth | Manhole Diameter | Time to Drop 1" Hg (10" to 9") |
|---|---|---|
| 10 ft or less | 4 ft | 120 seconds |
| 10 ft to 15 ft | 4 ft | 150 seconds |
| 15 ft to 25 ft | 4 ft | 180 seconds |

For 5 ft diameter manholes, add 30 seconds to the times above.
For 6 ft diameter manholes, add 60 seconds to the times above.

If the test on the manhole fails (the time is less than that tabulated above), necessary repairs shall be made and the vacuum test repeated, until the manhole passes the test.

Acceptance of sewers (7" Hg to 6" Hg) is based on the time tabulated in the "Specification Time Required for a 0.5 PSIG Pressure Drop" in the Uni-Bell PVC Pipe Association "Recommended Practice For Low-Pressure Air Testing of Installed Sewer Pipe".

The vacuum test gauge shall have been recently calibrated, and a copy of the calibration results shall be made available to the District Operator prior to testing.

Section 506A - Force Mains

Force mains serving sewage lifting devices, such as grinder pumps and pump stations, shall be designed in accordance with Section 501. Additional design requirements are:

(1) Force main pipe material shall be:

(a) Polyvinyl Chloride (PVC) Plastic Pipe
Pipe shall conform to ASTM D2241. Materials used in the manufacture of PVC pipe shall meet ASTM c1784. The minimum wall thickness shall be SDR-21. Fittings shall conform to ASTM D2241. Joints and gaskets shall conform to ASTM D2241, D1869, and F477.

(b) Other pipe materials

Other pipe materials require prior written approval of the District Operator and the Town Board before being installed.

(2) Trenching, bedding, and backfilling shall be in accordance with Section 503 C.

(3) Joint preparation and assembly shall be in accordance with the manufacturer's written instructions.

(4) Anchorages, concrete blocking, and/or mechanical restraint shall be provided when there is a change of direction of 7-1/2 degrees or greater.

(5) Drain valves shall be placed at low points.

(6) Automatic air relief valves shall be placed at high points and at 400 ft intervals, on level force main runs.

(7) Air relief and drain valves shall be suitably protected from freezing.

(8) When the daily average design detention time, in the force main, exceeds 20 minutes, the manhole and sewer line receiving the force main discharge or the sewage shall be treated so that corrosion of the manhole and the exiting line are prevented. The corrosion is caused by sulfuric acid biochemically produced from hydrogen sulfide anaerobically produced in the force main.

(9) The force main shall terminate, in the receiving manhole, at a PVC plastic sewer pipe "T". The vertical arms of the "T" shall be twice the diameter of the force main. The upper arm shall be at least 4 feet long; the lower arm shall terminate in a PVC plastic sewer pipe 90 degree elbow in a flow channel directed to the manhole exit pipe. The "T" and its arms shall be securely fastened to the inside surface of the manhole wall using corrosion resistant anchors.

Section 506B - Force Main Testing

All force mains shall be subjected to hydrostatic pressure of 150 percent of the normal operating pressure. The duration of the test, at pressure, shall be at least 2 hours. Before conducting the test, the pipe shall be filled with water and all air shall be expelled. During the test, water shall be added, as needed, to maintain the test pressure. The amount of water added shall be recorded so as to calculate leakage. Leakage shall not exceed 25 gallons per day per mile per inch nominal pipe diameter. During the test, the owner and the District Operator shall walk the route of the force main and examine the exposed pipe and the ground covering any backfilled pipe to discover leaks. Leakage in excess of that specified above shall be corrected with new material at the owner's expense and the test repeated. Any observed leaks shall be repaired at the owner's expense. Each test section length shall be as approved by the District Operator, but in no event longer than one thousand (1,000) feet.

Section 507 - Final Acceptance and Warranty/Surety

All sanitary sewers and extensions to sanitary sewers constructed at the applicant's expense, after final approval and acceptance by the District Operator, and concurrence by the Town Board, shall become the property of the Town, and shall thereafter be operated and maintained by the Town. No sanitary sewer shall be accepted by the Town until four (4) copies of as-built drawings have been so filed with the District Operator and the District Operator has approved the submitted drawings. Said sewers, after their acceptance by the Town, shall be guaranteed against defects in materials or workmanship for one (1) year, by the applicant. The guarantee shall be in such form and contain such provision as deemed necessary by the Town Board, secured by a surety bond or such other security as the Town Board may approve.

Section 508 - Liability Insurance Coverage During Construction Period

(1) All contractors engaged in connecting house laterals with sanitary sewers, who perform any work within the Right of Way of any highway, shall file a bond in the amount of Five Thousand Dollars ($5,000.00) with the Town Clerk to indemnify the Town against loss, cost, damage or expense sustained or recovered on account of any negligence, omission or act of the applicant for such a permit, or any of his, or their agents arising or resulting directly or indirectly by reason of such permit or consent, or of any act, construction or excavation done, made or permitted under authority of such permit or consent. All bonds shall contain a clause that permits given by the Town may be revoked at any time for just cause.

(2) Before commencing work, the above contractor shall file insurance certificates with the Town Clerk for the following:

(a) Workman's Compensation and Employer's Liability Insurance as required by the laws of the State covering the contractor;

(b) Personal Injury Liability having limits of not less than $500,000 each occurrence and $500,000 aggregate(completed operations/products, personal injury);

(c) Property Damage Liability having limits of not less than $500,000 for all damages arising during the life of the contract; and shall include, but not be limited to, the following designated hazards:

i-Premises and Operations; ii-Independent Contractors; iii-Completed operations and products; iv-Property Damage; and v-Explosions, collapse and underground;

(d) Comprehensive automobile liability (including non-owned and hired automobiles) having limits of not less than:

i - Bodily injury - each person $300,000
each occurrence $500,000
ii - Property damage - each occurrence $500,000

(e) Business Excess Liability Insurance in the amount of $2,000,000.

(f) All insurance policies must provide for five (5) business days notice to the Town before cancellation and must cover all liabilities of the Town and be in a form approved by the Town Board and be in a satisfactory form approved by the Board.

(g) The minimum insurance limits stated above shall be subject to periodic review by the Town Board and adjustments made, by resolution, as appropriate.

(3) Where it is necessary to enter upon or excavate any highway or cut any pavement, sidewalk or curbing, permission must be obtained from the Town District Operator if a Town Highway is involved, from the County Department of Public Works if a County Highway is involved, and/or the New York State Department of Transportation if a State Highway is involved.

(4) The minimum insurance limits above shall be as established by the Town Board and shall be subject to periodic review and adjustment, as appropriate, by the Town Board.

END OF ARTICLE 5

Article 6

BUILDING LATERALS, STREET LATERALS
CONNECTIONS, and FEES

Section 601 A - Permit Required for Sewer Connections
Section 601 B - Inflow/Infiltration Prohibited
Section 602 - Sewer Lateral Permits
Section 603 A - New Building Laterals
Section 603 B - Laterals Serving Several Buildings
Section 603 C - Laterals Serving Complexes
Section 603 D - Dry Sewers
Section 604 - Using Existing Building Laterals
Section 605 - Lateral Pipe Materials
Section 606 A - Street Lateral to Public Sewer Connection
Section 606 B - Future Connection Locations; As-Built Drawings
Section 606 C - Special Manhole Requirements
Section 607 - Laterals At and Near Buildings
Section 608 - Sewage Lifting
Section 609 - Lateral Pipe Installation
Section 610 A - Watertight Joints
Section 610 B - Cast Iron Pipe Poured Joints
Section 610 C - Cast Iron Push Joints
Section 610 D - PVC Push Joints
Section 611 A - Building Lateral/Street Lateral Connection
Section 611 B - Cleanout Repair/Replacement
Section 611 C - Street Lateral Replacement; Ownership
Section 612 - Testing
Section 613 A - Connection Inspection
Section 613 B - Trench Inspections
Section 614 - Public Safety Provisions Required; Restoration of Disturbed Areas
Section 615 - Interior Clean-Out
Section 616 - Costs Borne by Owner

Section 601 A - Permit Required for Sewer Connections/Approved Contractors

No unauthorized person shall uncover, make any connection with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the District Operator. The District will provide a list of approved contractors authorized to work on the District system to the new user.

Section 601 B - Inflow/Infiltration Prohibited

No person shall discharge or cause to be discharged any storm, cooling water or unpolluted industrial waters to any sanitary sewer. Swimming pool drains shall not be connected to any sanitary sewer.

Section 602 - Sewer Lateral Permits

There shall be two classes of sewer lateral permits:

(1) For residential, commercial, and institutional service,

(2) For service to establishments producing industrial wastes.

In either case, a permit application shall be submitted to the Town. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent, in the judgement of the District Operator. A fee, for residential, commercial, institutional and industrial users, as established by the Town Board, shall accompany the application.

Connections to existing manholes shall be made as directed by the District Operator.

Section 603 A - New Building Laterals

A separate and independent building lateral shall be provided for every building requiring sanitary facilities. When, however, there is a building behind a front building, the second building may use the front building's building lateral, if there is no other way to provide sanitary service to the back building.

New street laterals and/or building laterals shall not go under building basements. In like fashion, a building shall not be constructed over an existing lateral; the lateral shall be relocated after the District Operator has approved plans showing the relocation. If relocation is not physically possible then the lateral shall be

(1) exposed and totally encapsulated in not less than three inches of concrete, or

(2) exposed and walled and the building rooms above positively ventilated outdoors.

All existing manholes in or under the basement shall be sealed air-tight in a manner acceptable to the District Operator. No new manholes shall be constructed on the portion of the lateral under the building.

Section 603 B -Laterals Serving Several Buildings

When building laterals are to serve multiple dwelling structures, the building lateral shall be sized in accordance with the metered water use and with sound professional engineering judgement.

Section 603 C - Laterals Serving Complexes

Where a lateral sewer is to serve a complex of industrial, commercial, institutional, or dwelling structures, special design of the building lateral system shall be required. Such lateral sewer shall be connected to the public sewer through a manhole. The District Operator shall determine if and where this connection to the public sewer is required. If required, a new manhole shall be installed in the public sewer pursuant to Section 503 D and 1007 and the lateral connection made and tested as directed by the District Operator. Plans and specifications shall be prepared and submitted for approval pursuant to this Law.

Section 603 D - Dry Sewers

Dry Sewers shall be designed and installed in accordance to this Law.

Section 604 - Using Existing Building Laterals

Existing building laterals may be used in connection with new buildings only when they are found, on examination by the District Operator, to meet all requirements of this local Law.

Section 605 - Lateral Pipe Materials

Building and street lateral pipe materials shall be one of the following:

(1) Polyvinyl chloride (PVC) pipe and fittings conforming to ASTM Specification D-3034-73, "SDR-35 Polyvinyl Chloride (PVC) Sewer Pipe and Fittings". All pipe shall be suitable for gravity sewer service. Provisions shall be made for contraction and expansion at each joint with a rubber ring. The bell shall consist of an integral wall section stiffened with two PVC retainer rings which securely lock the solid cross-section ring into position. Minimum "Pipe Stiffness" (F/Y) at five percent (5%) deflection shall be 46 PSI when tested in accordance with ASTM Specification D-2412.

Any part of the building or street lateral that is located within five (5) feet of a water main or water service shall be constructed of cast iron soil pipe. Cast iron soil pipe may be required by the District Operator where the building or street lateral is likely to be damaged by tree roots. If installed on fill or unstable ground, the building or street lateral shall be of cast iron soil pipe, although other pipe material may be permitted if such pipe is uniformly supported on a poured concrete cradle approved by the District Operator. The distance between consecutive joints, as measured along the centerline of the installed pipe, shall not be less than ten (10) feet, except under abnormal circumstances, in which case this dimension may be diminished, if approved by the District Operator. The size and slope of building and street laterals shall be subject to approval by the District Operator, but in no event shall the internal pipe diameter be less than 4 inches, nor shall the pipe slope be less than 1/4 inch per foot.

The street lateral shall include a full port curb stop with flow- through diameter equal to that of the lateral. A curb box shall be installed.

Section 606 A - Street Lateral to Public Sewer Connection

At the point of connection of a street lateral to a main sewer, a standard wye fitting and sufficient one-eighth (45 degree) bend fittings shall be used. The wye fittings shall be installed so that flow in the "arm" shall transition smoothly into the flow in the public sewer. No lateral connection shall be made to the public sewer which permits the flow into the public sewer from the lateral to enter at right angles.

The inside diameter of the fittings shall be same diameter as the street lateral inside diameter.

Section 606 B - Future Connection Locations; As-Built Drawings

The street lateral, including the wye and eighth bend fittings, shall be connected to the main sewer at the time of constructing the main sewer, for each proposed lot for either immediate or future development. Laterals installed for future development shall be fitted a standard plug approved for use by the District Operator. All sewer connections shall be via a properly installed saddle on the main sewer pipe. No portion of the lateral pipe shall protrude into the main sewer pipe. The location of all lateral connections shall be field marked with a 2 inch by 6 inch corrosion and rot resistant board. The marker board shall extend from the depth of the lateral to a minimum of two (2) feet above grade. The location of all lateral connections shall be indicated on a drawing with a minimum of three (3) tie lines indicated. Four (4) copies of this drawing, showing the as-built location of these connections, shall be furnished to the District Operator. A refundable deposit shall be placed with Town to assure receipt of these as-builts. The deposit shall be placed when application is made; the amount of the deposit shall be $100 per sheet of plans showing locations of lateral connections. No sanitary sewer shall be accepted by Town until four (4) copies of this record drawing have been so filed with the District Operator and the

District Operator has approved the submitted drawings.

Section 606 C - Special Manhole Requirements

When any street lateral is to serve a school, hospital, or similar institution, or public housing, or is to serve a complex of industrial or commercial buildings, or which, in the opinion of the District Operator, will receive wastewater or industrial wastes of such volume or character that frequent maintenance of said building or street lateral is anticipated, then such street lateral shall be connected to the public sewer through a manhole. The District Operator shall determine if and where this type of connection to the public sewer is required. Connections to existing manholes shall be made as directed by the District Operator. If required, a new manhole shall be installed in the public sewer pursuant to Sections 504 and 1007, and the lateral connection made thereto as directed by the District Operator.

Section 607 - Laterals At and Near Buildings

Building laterals laid parallel to a bearing wall shall not be installed closer than three (3) feet to such wall. The building lateral shall enter the basement through the basement wall no less than twelve (12) inches above the basement floor. In no event shall any building lateral be placed below the basement floor, except with the expressed written approval of the District Operator.

The building lateral shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipe and fittings. Changes of direction of 90 degrees or greater shall be made with a cleanout which extends to grade, terminating in a terminal box set in concrete. In building laterals, said cleanouts shall be provided such that the maximum distance between cleanouts is 75 feet. The ends of all building or
street laterals, which are not connected to the interior plumbing of the building, for any reason, shall be sealed against infiltration by a suitable stopper, plug, or by other approved means.

Section 608 - Sewage Lifting

In all buildings in which any building drain is too low to permit gravity flow to the public sewer, wastewater carried by such drain shall be lifted by mechanical means and discharged to the building lateral, on approval of the District Operator. The installation, operation and maintenance of any pumping operations shall be the responsibility of the building owner. The type, make and model of the pumping station shall be approved by the District Engineer.

Section 609 - Lateral Pipe Installation

All excavations required for the installation of a building or street lateral shall be open trench work unless otherwise approved by the District Operator. Pipe laying and

backfilling, regardless of pipe material used, shall be performed in general accordance with paragraphs 3 through 6 of ASTM Specification C-12, except that trench width, measured at the top of the installed pipe, shall not exceed the outside pipe diameter plus 14 inches and, except that no backfill shall be placed until the work has been inspected. The depth of cover over the pipe shall be sufficient to afford protection from frost, but no in any case shall such depth be less than four (4) feet. Where it is physically impossible to provide cover of four (4) feet, the depth may be reduced to a minimum of two (2) feet and the pipe shall be insulated, as approved by the District Operator.

Section 610 A - Watertight Joints

All joints and connections shall be made watertight.

Section 610 B - PVC Push Joints

Joints for PVC sewer pipe shall follow the manufacturer's recommendations, using properly designed couplings and rubber gaskets pursuant to the published information relating thereto, and conforming to the applicable ASTM specification identified in Section 605.

Section 611 A - Building Lateral/Street Lateral Connection

(1) The connection of the building lateral to an existing street lateral shall be made at the property line. Except as provided under Section 502, if a street lateral has not previously been provided, the street lateral will be constructed from the existing public sewer to the property line, by a licensed plumber, at the owner's expense. The street lateral shall be installed with a properly sealed and covered clean-out to grade located at the property line. The clean-out shall terminate in a metal box imbedded in concrete.

(2) The cost of constructing the street lateral from the existing public sewer to the property line shall be at the property owner's expense; all subsequent costs and expense incidental to the installation and connection of the building lateral shall also be borne by the owner.

(3) The property owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building lateral.

(4) The Town shall be responsible for the maintenance, repair, or replacement of all building laterals as needed provided, however, that the cost of the same may be passed on to the property owner if it appears the damage to the building lateral was caused by the negligent, reckless or intentional acts of the owner. The Town Board retains the right to determine and judge the cause and responsibility for any and all repairs.

(5) The method of connection of the building lateral to the street lateral will be dependent upon the type of sewer pipe material, and, in all cases, shall be approved by the District Operator. After installation of the street lateral has been approved by the District Operator, the new street lateral shall become the property of the Town. Any subsequent repairs to the new street laterals shall be made by the Town at the Town's expense.

Section 611 B - Cleanout Repair/Replacement

If, in the judgement of the District Operator, it is determined that a building lateral, without a property line clean-out, needs repair or replacement, the Town may install a clean-out at the property line, at the property owner's expense, such that the street lateral can be maintained independently of the building lateral.

Section 611 C - Street Lateral Replacement; Ownership

Any existing street lateral which, upon examination by the District Operator, is determined to be in need of replacement will be replaced with a new street lateral with a property line clean-out. The replacement street lateral shall be constructed by a qualified contractor. The cost of constructing the replacement street lateral and clean-out shall be at the property owner's expense. Once the replacement street lateral and clean-out have been constructed and approved by the District Operator, the new street lateral shall become the property of the Town. Any repairs to new street laterals shall be made by the Town at the Town's expense.

Section 612 - Testing

The street lateral, building lateral, or the combined lateral shall be tested for infiltration/exfiltration by

(a) any full pipe method described in Section 505, or

(b) by a suitable joint method, with the prior written approval of the District Operator.

Section 613A - Connection Inspection

The applicant for the building lateral permit shall notify the District Operator when the building lateral is ready for inspection and connection is to be made to the street lateral. The connection shall be made under the supervision of the District Operator.

The applicant for the street lateral permit shall notify the District Operator when the street lateral is ready for inspection and connection is to be made to the main sewer. The connection shall be made under the supervision of the District Operator.

Section 613 B - Trench Inspections

When trenches are excavated for the laying of building lateral pipes or for laying of street lateral pipes, such trenches shall be inspected by the District Operator. Before the trenches are backfilled, the person performing such work shall notify the District Operator when the laying of the building lateral is completed, and no backfilling of trenches shall begin until approval is obtained from the District Operator.

Section 614 - Public Safety Provisions Required; Restoration of Disturbed Areas

All excavations for constructing building laterals shall be adequately protected with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed, in the course of the work, shall be restored in a manner satisfactory to the District Operator. When installation requires disturbance of paved public roads and shoulders, restoration shall involve backfilling to road grade. Shortly thereafter the Town Highway Department shall complete road and shoulder restoration to the Town Standards. The cost for such final road and shoulder restoration by the Highway Department shall be included with the fees paid with the application for the permit required in Section 602.

Section 615 - Interior Clean-Out

An interior clean-out fitting shall be provided for each building lateral at a readily accessible location, preferably just inside the basement wall. The fitting shall contain a 45-degree branch with removable plug or test tee, and so positioned that sewer cleaning equipment can be inserted therein to clean the building lateral.

Section 616 - Potable Water Meter Required

All buildings receiving new lateral connections shall be equipped with a potable water meter acceptable to the District operator suitable for billing purposes.

The cleanout diameter shall be no less than the building lateral diameter.

Section 617 - Costs Borne by Owner

All costs associated with the provisions of this Article shall be borne by the property owner unless specifically stated or agreed to be a cost borne by the Town. The property owner shall indemnify the Town from any loss or damage that may be directly or indirectly occasioned by the installation of the building and street laterals, and connections and appurtenances. Other fees and impact charges may be assessed as per Article 12.

END OF ARTICLE 6

# ARTICLE 7

# INFLOW

Section 701 - New Inflow Sources Prohibited
Section 702 - Existing Inflow Sources Disconnected
Section 703 - Existing Inflow Sources Disconnected When Property Sold
Section 704 - No Re-connection of Inflow Source Allowed
Section 705 - Charges for Inflow

## Section 701 - New Inflow Sources Prohibited

No connections shall be made to a sanitary or to a combined sewer which connections are intended to discharge inflow. Such prohibited connections include, but are not limited to, footing drains, roof leaders, roof drains, cellar drains, sump pumps, catch basins, uncontaminated cooling water discharges, or other sources of inflow.

## Section 702 - Existing Inflow Sources Disconnected

For properties where separate storm sewers are available within 100 feet of the property line or where, in the judgement of the District Operator, sufficient natural drainage is available, connections which contribute inflow to the sanitary sewers must be disconnected in a fashion approved by the District Operator, prior to the sale of the property.

## Section 703 - Existing Inflow Sources Disconnected When Property Sold

Upon notice from the Tax Assessor, the District Operator shall inspect any newly sold property for the purpose of determining if storm sewers or natural drainage is available, and, if so, if all connections which contribute inflow have been disconnected.

## Section 704 - No Re-connection of Inflow Source Allowed

It shall be a willful violation of this Law for any person to reconnect any inflow source which has been disconnected pursuant to this Article.

## Section 705 - Charges for Inflow

The District Operator is enabled to take whatever action is necessary to determine the amount of inflow including the requirement for installation of a control manhole. The property from which the inflow originated shall be billed for inflow according to Article 12, however, the Town Board may cause a surcharge at a rate not to exceed five (5) times that for normal sewage volume charge.

END OF ARTICLE 7

# ARTICLE 8

# TRUCKED OR HAULED WASTE

Section 801 - Licenses and Application
Section 802 - Concurrent Requirements
Section 803 - Dumping Location and Timing
Section 804 - Notification of Dumping

## Section 801 - Licenses and Application

The discharge of trucked or hauled wastes into the Town sewer system and public sewers tributary thereto will be permitted only with the written approval (license) of the Town Board. Applicants for such license shall apply on a form provided by the District Operator. These forms may require information such as vehicle specifications, vehicle license number, vehicle color, NYSDEC permits issued under 6 NYCRR Part 364, approximate annual septage volume expected, service area, and any other information that the District Operator may require, to determine whether the trucked or hauled wastes could adversely impact the POTW. The application shall be accompanied by a fee prescribed by the Town Board, not to exceed $100.

The licensee of trucked or hauled wastes will also be charged a fee for each dumping, in accordance with Article 12. The dumping fee shall be paid prior to dumping.

## Section 802 - Concurrent Requirements

The applicant for a license to truck or haul wastes shall be the owner of the vehicle or vehicles to be used for such discharge. Any false or misleading statement, in any license application, shall be grounds for invalidating the license. All licenses, issued by the District Operator, as approved by the Town Board, for this purpose, shall be for one (1) year. The licensee shall also be duly permitted by the NYSDEC under 6 NYCRR Part 364 ("364 permit"). If, for any reason, the 364 permit is revoked, the 364 permit lapses or becomes invalid then the license issued under this Article shall become invalid immediately. All acts performed in connection with the license shall be subject to the inspection and regulations, as established by the Town Board, the terms and conditions of the license and all local and general laws, ordinances, and regulations which are now or may come into effect, and such license may be suspended or revoked, at any time, by the District Operator for willful, continued, or persistent violation thereof.

## Section 803 - Dumping Location and Timing

The District Operator may require discharging at only certain locations within the POTW, and only at certain times, and on only certain days of the week, or seasons of

the year as shall be stated on said license or as may be relocated by the District Operator, after appropriate notice. The time and conditions for permissible discharge shall be as set forth on the license, or as may be revised by the Town Board, after appropriate notice.

Section 804 - Notification of Dumping

Each discharge of trucked or hauled wastes shall be made only with the approval of the District Operator. The District Operator may require inspection, sampling, and analysis of each load prior to the discharge of a load. Any extra costs associated with such inspection, sampling, and analysis shall be paid by the licensee.

END OF ARTICLE 8

## ARTICLE 9

## DISCHARGE RESTRICTIONS

Section 901 - Pretreatment Standards
Section 902 - General Prohibitions
Section 903 - Concentration Based Limitations
Section 904 - Mass Discharge Based Limitations
Section 905 - Modification of Limitations
Section 906 - Access to User's Records
Section 907 - Dilution
Section 908 - Grease, Oil, and Sand Interceptors
Section 909 - Solid Waste Grinders
Section 910 - Rejection of Wastewater

### Section 901 - Pretreatment Standards

All users of the Town POTW will comply with all standards and requirements of the Act and standards and requirements promulgated pursuant to the Act, including but not limited to 40 CFR Parts 406 - 471.

### Section 902 - General Prohibitions

No user shall contribute or cause to be contributed, in any manner or fashion, directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the POTW. These general prohibitions apply to all such users of a POTW whether or not the user is subject to National Categorical Pretreatment Standards, or any other National, State, or Local Pretreatment Standards or Requirements.

Without limiting the generality of the foregoing, a user may not contribute the following substances to the POTW:

(1) Any solids, liquids, or gases which, by reason of their nature or quantity, are or may be sufficient, either alone or by interaction with other substances, to cause a fire or an explosion or be injurious, in any way, to the POTW, or to the operation of the POTW. At no time shall both of two successive readings on a flame type explosion hazard meter, at the point of discharge into the system (or at any other point in the system) be more than 25% nor any single reading be more than 40% of the lower explosive limit (LEL) of the meter. Unless explicitly allowable by a written permit, prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, carbides, hydrides, and sulfides, and any other substance which the

Town, the State, or the EPA has determined to be a fire hazard, or hazard to the POTW.

(2) Solid or viscous substances which may cause obstruction to the flow in a sewer or otherwise interfere with the operation of the wastewater treatment facilities. Unless explicitly allowable by a written permit, such substances include, but are not limited to, grease, garbage with particles greater than one-half (1/2) inch in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar asphalt residues, residues from refining or processing fuel or lubricating oil, mud, or glass or stone grinding or polishing wastes.

(3) Any wastewater having a pH less than 5.0 or greater than 10.0, unless the POTW was specifically designed to manage such wastewater, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or POTW personnel.

(4) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants (including heat), to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW, or to exceed the limitation set forth in a Categorical Pretreatment Standard.

A toxic pollutant shall include, but not be limited to, any pollutant identified pursuant to Section 307(A) of the Act.

(5) Any noxious or malodorous solids, liquids, or gases which either singly or by interaction with other wastes are sufficient to create a public nuisance or a hazard to life or are sufficient to prevent entry into the sewers for their maintenance or repair.

(6) Oils and grease - Any commercial, institutional, or industrial wastes containing fats, waxes, grease, or oils which become visible solids when the wastes are cooled to ten (10) degrees centigrade (50 degrees fahrenheit); any petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in excess of 100 mg/l or in amounts that will cause interference or pass through.

(7) Any wastewater which will cause interference or pass through.

(8) Any wastewater with objectionable color which is not removed in the treatment process, such as, but not limited to, dye wastes, and vegetable tanning solutions.

(9) Any solid, liquid, vapor, or gas having a temperature higher than 65 degrees C (150 degrees F); however, such materials shall not cause the POTW treatment plant influent temperature to be greater than 40 degrees C (104 degrees F). The District

Operator reserves the right, in certain instances, to prohibit or limit the discharge of wastes whose maximum temperatures are lower than 65 degrees C.

(10) Unusual flow rate or concentration of wastes, constituting slugs, except by Industrial Wastewater Permit.

(11) Any wastewater containing any radioactive wastes except as approved by the District Operator, and in compliance with applicable State and Federal regulations.

(12) Any wastewater which causes a hazard to human life or which creates a public nuisance, either by itself or in combination, in any way, with other wastes.

(13) Any wastewater with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test methods specified in 40 CFR Part 261.21.

(14) Any pollutants which result in the presence of toxic gases, vapors or fumes within the POTW in a quantity that may cause acute worker health and safety problems.

Section 903 - Concentration Based Limitations

No person shall discharge, directly or indirectly, into the POTW, wastewater containing any of the following substances in concentrations exceeding those specified below on either a daily or an instantaneous basis, except by permit or as provided for in Section 904. Concentration limits are applicable to wastewater effluents at the point just prior to discharge into the POTW ("end of pipe" concentrations).

EFFLUENT CONCENTRATION LIMIT - mg/l

| Substance (1) | Allowable Average Daily | Allowable Maximum Instantaneous |
|---|---|---|
| Arsenic | 0.20 | 0.4 |
| Cadmium | 0.04 | 0.05 |
| Chlorine | 50.00 | 60.00 |
| Chromium (hex) | 0.20 | 0.40 |
| Chromium (tot) | 4.00 | 5.00 |
| Copper | 0.80 | 1.00 |
| Cyanide (complex) | 0.40 | 0.50 |
| Cyanide (free) | 1.60 | 2.00 |
| Fluorides | 12.00 | 14.00 |
| Gold | 0.20 | 0.40 |
| Manganese | 4.00 | 5.00 |
| Mercury | 0.20 | 0.40 |
| Nickel | 4.00 | 5.00 |
| Phenols, total | 4.00 | 6.00 |
| Silver | 0.20 | 0.40 |
| Sulfides | 6.00 | 8.00 |
| Tin | | |
| Zinc | 1.20 | 1.60 |

(1) Except for chromium (hex), all concentrations listed for metallic substances shall be as "total metal", which shall be defined as the value measured in a sample acidified to a pH value of 2 or less, without prior filtration.

(2) As determined on a composite sample taken from the User's daily discharge over a typical operational and/or production day.

(3) As determined on a grab sample taken from the User's discharge at any time during the daily operational and/or production period.

(4) Any liquid or vapor having a temperature higher than one hundred fifty degrees F (150oF), (65oC), or in such quantities that the temperature at the treatment works influent exceeds 104oF, (40oC).

(5) Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100) mg/1 or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) degrees F, (0 to 65oC).

(6) Any waters or wastes containing strong acid iron pickling wastes or concentrated plating solutions whether neutralized or not.

(7) Any waters or wastes containing a toxic or poisonous substance sufficient quantity to injure or interfere with any sewage treatment process, or constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.

(8) Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the District Operator 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.

(9) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District Operator in compliance with applicable State of Federal regulations.

(10) Any Waters or wastes having a pH in excess of 9.0 or less than 6.0.

(11) 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 sulfate.

2. Any odor or color exceeding concentration limits which may established by the Town for purposes of meeting the Town's National Pollution Discharge Eliminations Systems Permit.

3. Unusual BOD, chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.

4. Unusual volume of flow or concentration of wastes constituting "slugs", as defined herein.

(14) Other substances which may be limited are:

alkanes, alkenes and alkynes
aliphatic and aromatic alcohols and acids
aliphatic and aromatic aldehydes and ketones
aliphatic and aromatic esters
aliphatic and aromatic halogenated compounds
aliphatic and aromatic nitro, cyano and amino compounds
aluminum, antimony, barium, beryllium, bismuth, bromine
chlorides, cobalt, iodine, iron, lead, molybdenim, selenium, sulfates, tin, titanium, vanadium

antibiotics
benzene derivatives
chemical compounds which, upon acidification,
alkalinization, oxidation or reduction, in the
discharge or after admixture with wastewater and its components in the POTW, produce toxic, flammable, or explosive compounds
pesticides, including algicides, fungicides, herbicides, insecticides, rodenticides
phthalates
polyaromatic and polynuclear hydrocarbons
total toxic organics, TTO, as defined in 40 CFR 433.11
toxic organic compounds regulated by Federal Pretreatment Standards
unsaturated aliphatics, including those with an aldehyde, ketone or nitrile functional group
viable pathogenic organisms from industrial processes
or hospital procedures

Section 904 - Mass Discharge Based Limitations

At no time shall the influent to the POTW contain quantities in excess of those specified in section 903.

The District Operator shall determine the total allowable influent load of each substance from significant industrial users. In determining the total load of each substance that significant industrial users shall be allowed to discharge, the District Operator shall consider: (1) the quantities of each substance that are uncontrollable because they occur naturally in wastewater, (2) the quantities of each substance that are anthropogenic but are nonetheless uncontrollable, (3) historical discharge trends, (4) past pollution control efforts of each significant industrial user as compared to other significant industrial dischargers of the same substance, (5) potential for growth in the POTW service area, (6) potential for more restrictive regulatory requirements to be placed on the POTW discharge or sludge disposal or sludge reuse method, and (7) treatability of the substance. The District Operator shall apply a minimum 15% safety factor to be protective of the POTW.

To assure that the total loads so calculated, for each substance, are not violated, the District Operator shall issue permits to significant industrial users limiting discharge loads.

Permits issued in accordance with this section may allow for discharges in excess of limitations set forth under section 903.

Section 905 - Modification of Limitations

Limitations on wastewater strength or mass discharge contained in this Law may be supplemented with more stringent limitations when, in the opinion of the District Operator:

(1) The limitations in this Law are not sufficient to protect the POTW,

(2) The limitations in this Law are not sufficient to enable the POTW treatment plant to comply with applicable water quality standards or the effluent limitations specified in the POTW's SPDES permit,

(3) The POTW sludge will be rendered unacceptable for disposal or reuse as the Town desires, as a result of discharge of wastewaters at the above prescribed concentration limitations,

(4) Municipal employees or the public will be endangered, or

(5) Air pollution and/or groundwater pollution will be caused.

The limitations on wastewater strength or mass discharge shall be recalculated not less frequently than once every five (5) years. The results of these calculations shall be reported to the Town Board. This Law shall then be amended appropriately. Any issued industrial wastewater discharge permits, which have limitations, based directly on any limitations, which were changed, shall be revised and amended, as appropriate.

Section 906 - Access to User's Records

The District Operator shall have the authority to copy any record related to wastewater discharges to the POTW.

Section 907 - Dilution

Except where expressly authorized to do so by an applicable Pretreatment Standard, no user shall ever increase the use of process water or, in any other way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a Pretreatment Standard.

Dilution flow shall be considered to be inflow.

Section 908 - Grease, Oil, and Sand Interceptors

Grease, oil and sand interceptors shall be provided as they are necessary for the proper handling of wastewater containing excessive amounts of grease, flammable substances, sand or other harmful substances; except that such interceptors shall not be required for private living quarters or living units. Grease interceptors shall be installed in all commercial kitchen facilities. All interceptors shall be of type and capacity approved by the District Operator and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned and repaired regularly, as needed, by the owner, at his expense.

Grease Interceptors

a) All food service establishments shall have grease-handling facilities approved by the District Operator. Establishments that do not adequately prevent floatable oils, fat or grease from entering the sewerage system shall be notified in writing and will be required to provide specific corrective actions that will be taken to eliminate such discharges and a schedule whereby corrections will be completed.

b) All food service establishments' grease-handling facilities are subject to review, evaluation and inspection by the District Operator during normal working hours. Results of inspections will be made available to the facility owner.

c) All grease traps/interceptors shall be designed in accordance with NYS Department of Environmental Conservation "Design Standards for Wastewater Treatment Works Intermediate Sized Sewerage Facilities", 1998 Edition or DEC recognized design standard.

d) All grease traps/interceptors shall be designed and installed to allow for complete access for inspection and maintenance of the inner chamber(s) and viewing and sampling of effluent wastewater discharged to the sewer.

e) Food service establishments receiving two (2) consecutive unsatisfactory evaluations or inspections are in non-compliance with the Sewer Use Law and are subject to fines. Continued violation may result in termination of sewer service.

f) Food service establishments that cause or allow excessive grease to discharge or accumulate in the collection system may be liable for all costs related to service calls for line blockages, line cleanings, line and pump repairs, etc. including but not limited to labor, materials, and equipment. Failure to pay all service-related charges will result in suspension of service.

g) Regularly scheduled maintenance of grease-handling facilities and equipment is required. The owner is responsible for removing and disposing of all materials that are collected in an interceptor prior to wastewater entering the municipal system. The owner shall maintain on-site records of the means of disposal, date of disposal and amount disposed. Records shall be maintained for a period of three (3) years.

h) The owner shall be responsible for ensuring that no waste or wastewater pumped from the grease interceptor/grease trap is reintroduced back into the interceptor.

i) Any food service establishment with wastewater discharges that cause interference in the conveyance or operation of the sewerage system, as determined by the District Operator, may be required to perform analytical tests on grease trap discharges to characterize the wastewater. Sampling requirements will be directed by the municipality and all costs associated with analytical testing will be at the owner's expense.

j) Food service establishments shall adopt procedures for handling sources of floatable oils, fats or grease originating within their facility. A notice shall be permanently posted at a prominent place in the facility advising employees of the procedures to be followed.

Food service establishments shall develop and implement a Waste Minimization Plan pertaining to the disposal of grease, oils and food particles.

Section 909 - Solid Waste Grinders

a) Solid waste grinders at or serving commercial establishments, institutions or industries shall not discharge into the Town POTW if there is a combined sewer overflow (CSO) on the sewer lines conveying the waste to the POTW treatment plant. Solid waste grinders for these purposes shall be permitted only upon consent of a Professional Engineer.

b) Solid waste grinders serving residential users shall be permitted only with consent of a professional engineer.

c) All grinder pump installations will be in conformity with and coordinated by the operator of the sewer system. Grinder pumps will be installed in accordance with the municipality's standard equipment specifications and will become property of the municipality after installation. All costs associated with the purchase, installation, and electrical costs to operate the grinder pump will be the responsibility of the property owner. The municipality shall be responsible for the maintenance of the grinder pump from the installation forward. Property owners that are found to be negligent in compliance with discharge requirements or that fail to notify the Town of Champion a malfunction with their grinder pump shall be responsible for any and all associated repair costs.

Section 910 - Rejection of Wastewater

The Town Board may reject a User's wastewater, on recommendation of the District Operator, when it is has been determined that the wastewater contains substances or possesses characteristics which have a deleterious effect on the POTW and its processes, or on the receiving water, or which constitute a public nuisance or hazard. See Section 1016.

END OF ARTICLE 9

ARTICLE 10

DISCHARGE PERMITS AND PRETREATMENT REQUIREMENTS

Section 1001 - Wastewater Discharge Reports
Section 1002 - Notification to Industrial Users
Section 1003 A - Wastewater Discharges
Section 1003 B - Wastewater Discharge Permits Required For Significant Industrial Users
Section 1003 C - Other Industrial Users
Section 1003 D - Discharge Permits to Storm Sewers Not Authorized
Section 1004 A - Application for Wastewater Discharge Permit
Section 1004 B - Permit Modifications
Section 1004 C - Permit Conditions
Section 1004 D - Permit Duration
Section 1004 E - Permit Reissuance
Section 1004 F - Permit Transfer
Section 1004 G - Permit Revocation
Section 1004 H - Public Notification
Section 1005 - Reporting Requirements for Permittee
Section 1006 - Flow Equalization
Section 1007 - Monitoring Stations (Control Manholes)
Section 1008 - Proper Design and Maintenance of Facilities and Monitoring Stations
Section 1009 - Vandalism, Tampering with Measuring Devices
Section 1010 - Sampling and Analysis
Section 1011 - Accidental Discharges; SPCC Plan
Section 1012 - Posting Notices
Section 1013 - Sample Splitting
Section 1014 - Public Access to Information Maintained by the District Operator
Section 1015 A - Access to Property and Records
Section 1015 B - Access to Easements
Section 1015 C - Liability of Property Owner
Section 1016 - Special Agreements

Section 1001 - Wastewater Discharge Reports

As a means of determining compliance with this Law, with applicable SPDES permit conditions, and with applicable State and Federal law, each industrial user shall be required to notify the District Operator of any new or existing discharges to the

POTW by submitting a completed Industrial Chemical Survey (ICS) form and a completed Industrial Wastewater Survey (IWS) form to the District Operator. The Town Board may require any user discharging wastewater into the POTW to file wastewater discharge reports and to supplement such reports as the District Operator deems necessary. All information shall be furnished by the user in complete cooperation with the District Operator.

Section 1002 - Notification to Industrial Users

The District Operator shall, from time to time, notify each industrial user of applicable Pretreatment Standards, and of other applicable requirements under Section 204(B) and Section 405 of the Clean Water Act, and Subtitles C and D of RCRA.

Section 1003 A - Wastewater Discharges

No Significant Industrial User shall discharge wastewater to the POTW without having a valid Wastewater Discharge Permit, issued by the District Operator. Significant Industrial Users shall comply fully with the terms and conditions of their permits in addition to the provisions of this Law. Violation of a permit term or condition is deemed a violation of this Law.

Section 1003 B - Wastewater Discharge Permits Required For Significant Industrial Users

All Significant Industrial Users proposing to connect to or to discharge to the POTW shall obtain a Wastewater Discharge Permit before connecting to or discharging to the POTW. Existing significant industrial users shall make application for a Wastewater Discharge Permit within 30 days after the effective date of this Law, and shall obtain such a permit within 90 days after making application.

Section 1003 C - Other Industrial Users

The District Operator may issue Wastewater Discharge Permits to other industrial users of the POTW.

Section 1003 D - Discharge Permits to Storm Sewers Not Authorized

The Town does not have the authority to issue permits for the discharge of any wastewater to a storm sewer. This authority rests with the NYSDEC.

Section 1004 A - Application for Wastewater Discharge Permits

Industrial users required to obtain a Wastewater Discharge Permit shall complete and file with the District Operator an application in the form prescribed by the Town, the application shall be accompanied by a fee, as set forth in Section 1203. In support of

any application, the industrial user shall submit, in units and terms appropriate for evaluation, the following information:

(1) Name, address, and location (if different from the address).

(2) SIC code of both the industry and any categorical processes.

(3) Wastewater constituents and characteristics including but not limited to those mentioned in Article 10 of this Law and which are limited in the appropriate Categorical Standard, as determined by a reliable analytical laboratory approved by the NYSDOH. Sampling and analysis shall be performed in accordance with Standard Methods.

(4) Time and duration of the discharge.

(5) Average daily peak wastewater flow rates, including daily, monthly, and seasonal variations, if any.

(6) Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, sewer connections, and appurtenances.

(7) Description of activities, facilities, and plant processes on the premises, including all materials which are or could be discharged to the POTW.

(8) Each product produced by type, amount, process or processes, and rate of production.

(9) Type and amount of raw materials processed (average and maximum per day).

(10) Number and type of employees, and hours of operation, and proposed or actual hours of operation of the pretreatment system.

(11) The nature and concentration of any pollutants in the discharge which are limited by any County, State, or Federal Standards, and a statement whether or not the standards are being met on a consistent basis and if not whether additional Operation and Maintenance (O&M) and/or additional pretreatment is required for the user to meet all applicable Standards.

(12) If additional pretreatment and/or O&M will be required to meet the Standards, then the industrial user shall provide the shortest schedule to accomplish such additional treatment and/or O&M. The completion date in this schedule shall not be longer than the compliance date established for the applicable Pretreatment Standard. The following conditions shall apply to this schedule:

(a) The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and

operation of additional pretreatment required for the user to meet the applicable Pretreatment Standards (such events include hiring an engineer, completing preliminary plans, completing final plans, executing contracts for major components, commencing construction, completing construction, beginning operation, and beginning routine operation).

(b) No increment referred to in (a) above shall exceed 9 months, nor shall the total compliance period exceed 18 months.

(c) No later than 14 calendar days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the District Operator including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the user to return to the established schedule. In no event shall more than 9 months elapse between such progress reports to the District Operator.

(13) Any other information as may be deemed by the District Operator to be necessary to evaluate the permit application.

The District Operator will evaluate the data furnished by the industrial user and may require additional information. After evaluation and acceptance of the data furnished, the Town may issue a Wastewater Discharge Permit subject to terms and conditions provided herein.

Section 1004 B - Permit Modifications

Wastewater Discharge Permits may be modified by the District Operator, upon 30 days notice to the permittee, for just cause. Just cause shall include, but not be limited to:

(1) Promulgation of an applicable National Categorical Pretreatment Standard,

(2) Revision of or a grant of a variance from such categorical standards pursuant to 40 CFR 403.13,

(3) Changes in general discharge prohibitions and local limits as per Section 903 of this law,

(4) Changes in processes used by the permittee, or changes in discharge volume or character,

(5) Changes in design or capability of any part of the POTW,

(6) Discovery that the permitted discharge causes or contributes to pass through or interference, and

(7) Changes in the nature and character of the sewage in the POTW as a result of other permitted discharges.

Any changes or new conditions in the permit shall include a reasonable time schedule for compliance as set forth in Section 1004 A (12)(a).

Section 1004 C - Permit Conditions

Wastewater Discharge Permits shall be expressly subject to all the provisions of this Law, and all other applicable regulations, user charges and fees established by the Town. Permits may contain the following:

(1) Limits on the average and maximum rate and time of discharge, or requirements for flow regulation and equalization.

(2) Limits on the average and maximum wastewater constituents and characteristics, including concentration or mass discharge limits.

(3) The unit charge or schedule of user charges and fees for the management of the wastewater discharged to the POTW.

(4) Requirements for installation and maintenance (in safe condition) of inspection and sampling facilities.

(5) Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types, and standards for tests, and reporting schedules.

(6) Compliance schedules

(7) Requirements for submission of technical reports or discharge reports.

(8) Requirements for maintaining and retaining plant records relating to wastewater discharge, as specified by the Town, and affording the District Operator access thereto.

(9) Requirements for notification of the Town of any new introduction of wastewater constituents or of any substantial change in the volume or character of the wastewater constituents being introduced into the POTW.

(10) Requirements for the notification of the Town of any change in the manufacturing and/or pretreatment process used by the permittee.

(11) Requirements for notification of excessive, accidental, or slug discharges.

(12) Other conditions as deemed appropriate by the Town to ensure compliance with this Law, and State and Federal laws, rules, and regulations.

Section 1004 D - Permit Duration

Permits shall be issued for a specified time period, not to exceed five (5) years. A permit may be issued for a period less than five (5) years.

Section 1004 E - Permit Reissuance

The user shall apply for permit reissuance a minimum of 180 days prior to the expiration of the user's existing permit. The terms and conditions of the permit may be subject to modification, by the District Operator, during the term of the permit, as limitations or requirements, as identified in Section 1004 B, or other just cause exists. The User shall be informed of any proposed changes in his permit at least 30 days prior to the effective date of the change. Any changes or new conditions in the reissued permit shall include a reasonable time schedule for compliance as established in Section 1004 A (12)(a).

Section 1004 F - Permit Transfer

Wastewater Discharge Permits are issued to a specific User for a specific operation, or discharge at a specific location. A Wastewater Discharge Permit shall not be reassigned, transferred, or sold to a new owner, new User, different premises, or a new or changed operation.

Section 1004 G - Permit Revocation

Wastewater Discharge Permits may be revoked for the following reasons: falsifying self-monitoring reports, tampering with monitoring equipment, refusing to allow the District Operator timely access to the industrial premises, failure to meet effluent limitations, failure to pay fines, failure to pay user charges, and failure to meet compliance schedules.

Section 1004 H - Public Notification

The Town will publish in the Town official daily newspaper(s), informal notice of intent to issue a Wastewater Discharge Permit, at least 14 days prior to issuance.

Section 1005 - Reporting Requirements for Permittee

The reports or documents required to be submitted or maintained under this section shall be subject to:

(a) The provisions of 18 USC Section 1001 relating to fraud and false statements;

(b) The provisions of Sections 309(c)(4) of the Act, as amended, governing false statements, representation or certification; and

(c) The provisions of Section (c)(6) of the Act, as amended, regarding corporate officers.

(1) Baseline Monitoring Report

Within 180 days after promulgation of an applicable Federal Categorical Pretreatment Standard, a User subject to that standard shall submit, to the District Operator, the information required by paragraphs (8) and (9) of Section 1004 A.

(2) 90-Day Compliance Report

Within 90 days following the date for final compliance with applicable Pretreatment Standards, or, in the case of a New Source, following commencement of the introduction of wastewater into the POTW, any User subject to Pretreatment Standards and Requirements shall submit, to the District Operator, a report indicating the nature and concentration of all pollutants in the discharge, from the regulated process, which are limited by Pretreatment Standards and Requirements, and the average and maximum daily flow for these process units in the User's facility which are limited by such Pretreatment Standards and Requirements. The report shall state whether the applicable Pretreatment Standards and Requirements are being met on a consistent basis, and, if not, what additional O&M and/or pretreatment is necessary to bring the User into compliance with the applicable Pretreatment Standards or Requirements. This statement shall be signed by an authorized representative of the Industrial User, and certified to by a qualified professional.

(3) Periodic Compliance Reports

(a) Any User subject to a Pretreatment Standard, after the compliance date of such Pretreatment Standard, or, in the case of a New Source, after commencement of the discharge into the POTW, shall submit to the District Operator, during the months of June and December, unless required more frequently in the Pretreatment Standard or by the Town Board, a report indicating the nature and concentration of pollutants in the effluent which are limited by such Pretreatment Standards. In addition, this report shall include a record of all daily flows which, during the reporting period, exceeded the average daily flow reported in Section 1004 A. At the discretion of the District Operator, and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the District Operator may agree to alter the months during which the above reports are to be submitted, however, no fewer than two reports shall be submitted per year.

(b) The District Operator may impose mass limitations on Users, which are using dilution to meet applicable Pretreatment Standards or Requirements, or, in other cases

where the imposition of mass limitations are appropriate. In such cases, the report required by Section 1005 (3) (a) shall indicate the mass of pollutants regulated by Pretreatment Standards in the effluent of the User. These reports shall contain the results of discharge sampling and analysis, including the flow, and the nature and concentration, or production and mass, where requested by the District Operator, of pollutants contained therein, which are limited by the applicable Pretreatment Standard. All analyses shall be performed in accordance with Standard Methods, by a laboratory certified by NYSDOH to perform the analyses.

(4) Violation Report

If sampling, performed by the user, indicates a violation of this Law and/or the User's discharge permit, the User shall notify the District Operator within 24 hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the District Operator within 30 days after becoming aware of the violation. The User is not required to re-sample if the POTW performs monitoring of the User's discharge at least once a month for the parameter which was violated, or if the POTW performs sampling, for the parameter which was violated, between the User's initial sampling and when the User receives the results of this sampling.

(5) Other reports

The District Operator may impose reporting requirements equivalent to the requirements imposed by Section 1005(3) for users not subject to pretreatment standards.

Section 1006 - Flow Equalization

No person shall cause the discharge of slugs to the POTW. Each person discharging, into the POTW, greater than 100,000 gallons per day or greater than five percent (5%) of the average daily flow in the POTW, whichever is lesser, shall install and maintain, on his property and at his expense, a suitable storage and flow control facility to insure equalization of flow over a twenty-four (24) hour period. The facility shall have a capacity for at least fifty percent (50%) of the daily discharge volume and shall be equipped with alarms and a rate of discharge controller, the regulation of which shall be directed by the District Operator. A wastewater discharge permit may be issued solely for flow equalization.

Section 1007 - Monitoring Stations (Control Manholes)

(a) All Significant Industrial Users, and other Industrial Users whose industrial waste discharge has caused or may cause Interference or Pass-Through shall install and maintain a suitable monitoring station, on their premises at their expense, to facilitate the observation, sampling, and measurement of their industrial wastewater discharge.

(b) If there is more than one street lateral serving an Industrial User, the District Operator may require the installation of a control manhole on each lateral.

(c) The District Operator may require that such monitoring station(s) include equipment for the continuous measurement and recording of wastewater flow rate and for the sampling of the wastewater. Such station(s) shall be accessibly and safely located, and the Industrial User shall allow immediate access, without prior notice, to the station by the District Operator, or his designated representative.

Section 1008 - Proper Design and Maintenance of Facilities and Monitoring Stations

Preliminary treatment, and flow equalization facilities, or monitoring stations, if provided for any wastewater, shall be constructed and maintained continuously clean, safe, and continuously operational by the owner at his expense. Where an Industrial User has such treatment, equalization, or monitoring facilities at the time this Law is enacted, the District Operator may approve or disapprove the adequacy of such facilities. Where the District Operator disapproves of such facilities and construction of new or upgraded facilities for treatment, equalization, or monitoring are required, plans and specifications for such facilities shall be prepared by a licensed professional engineer and submitted to the District Operator. Construction of new or upgraded facilities shall not commence until written approval of the District Operator has been obtained.

Section 1009 - Vandalism, Tampering with Measuring Devices

No unauthorized person shall negligently break, damage, destroy, uncover, deface, tamper with, prevent access, or render inaccurate, or cause or permit the negligent breaking, damaging, destroying, uncovering, defacing, tampering with, preventing access, or rendering inaccurate to:

i - any structure, appurtenance, or equipment which is a part of the Town POTW, or

ii - any measuring, sampling, and/or testing device or mechanism installed pursuant to any requirement under this law except as approved by the Town Board under direction of the District Operator.

Section 1010 - Sampling and Analysis

Sampling shall be performed so that a representative portion of the wastewater is obtained for analysis.

All measurements, tests, and analyses of the characteristics of waters and wastes required in any section of this Law shall be carried out in accordance with Standard

Methods, by a laboratory certified by NYSDOH to perform the analyses. Such samples shall be taken at the approved monitoring stations described in Section 1007, if such a station exists. If an approved monitoring station is not required, then samples shall be taken from another location on the industrial sewer lateral before discharge to the public sewer. Unless specifically requested otherwise, or unless specifically not allowed in Federal regulation, samples shall be gathered as flow proportioned (where feasible) composite samples made up of individual samples taken not less than once per hour for the period of time equal to the duration of industrial wastewater discharge during daily operations (including any cleanup shift).

Section 1011 - Accidental Discharges; SPCC Plan

Each user shall provide for protection from accidental or slug discharges of prohibited materials or discharges of materials in volume or concentration exceeding limitations of this Law or of an Industrial Wastewater Discharge Permit. Users shall immediately notify the District Operator of the discharge of wastes in violation of this Law or any Permit. Such discharges may result from:

(1) Breakdown of pretreatment equipment
(2) Accidents caused by mechanical failure, or negligence
(3) Other causes.

Where possible, such immediate notification shall allow the District Operator to initiate appropriate countermeasure action at the POTW. The user shall prepare a detailed written statement following any accidental or slug discharge, which describes the causes of the discharge and the measures being taken to prevent future occurrences, within five (5) days of the occurrence, and the District Operator shall receive a copy of such report no later than the fifth calendar day following the occurrence. Analytical results and their interpretation may be appended to the report at a date not exceeding 45 calendar days after the occurrence.

When required by the District Operator, detailed plans and procedures to prevent accidental or slug discharges shall be submitted to the District Operator, for approval. These plans and procedures shall be called a Spill Prevention, Control, and Countermeasure (SPCC) Plan. The plan shall address, at a minimum, the following:

(a) Description of discharge practices, including non-routine batch discharges;

(b) Description of stored chemicals;

(c) Procedures for immediately notifying the POTW of any accidental or slug discharge. Such notification must also be given for any discharge which would violate any provision of the permit and any National Prohibitive Discharge Standard;

(d) Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage

areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response.

Section 1012 - Posting Notices

In order that the Industrial User's employees be informed of the Town requirements, a notice shall be permanently posted on appropriate bulletin boards within the user's facility advising employees of the Town requirements and whom to call in case of an accidental discharge in violation of this Law.

Section 1013 - Sample Splitting

When so requested in advance by an industrial user, and when taking a sample of industrial wastewater, the Town representative(s) shall gather sufficient volume of sample so that the sample can be split into two nearly equal volumes, each of size adequate for the anticipated analytical protocols including any Quality Control (QC) procedures. One of the portions shall be given to the representative of the industrial user whose wastewater was sampled, and the other portion shall be retained by the Town for its own analysis.

Section 1014 - Public Access to Information Maintained by the District Operator

When requested, the District Operator shall make available, to the public, for inspection and/or copying, information and data on industrial users obtained from reports, questionnaires, permit applications, permit and monitoring programs, and inspections, unless the Industrial User specifically requests, and is able to demonstrate to the satisfaction of the District Operator, that such information, if made public, would divulge processes or methods of production entitled to protection as trade secrets of the user. Wastewater constituents and characteristics, and reports of accidental discharges shall not be recognized as confidential.

Confidential information shall not be made available for inspection and/or copying by the public but shall be disclosed, upon written request, to governmental agencies, for uses related to this Law, or the SPDES Permit, providing that the governmental agency making the request agrees to hold the information confidential, in accordance with State or Federal Laws, Rules and Regulations. The District Operator shall provide written notice to the industrial user of any disclosure of confidential information to another governmental agency.

Section 1015A - Access to Property and Records

The District Operator and other authorized representatives of Town, representatives of EPA, NYSDEC, NYSDOH, and/or New York State Health

Department - Watertown Office, bearing proper credentials and identification, shall be permitted to enter upon all non-residential properties at all times for the purpose of inspection, observation, sampling, flow measurement, and testing to ascertain a user's compliance with applicable provisions of Federal and State law governing use of Town POTW, and with the provisions of this Law. Inspections of residential properties shall be performed in proper observance of the resident's civil rights. Such representative(s) shall have the right to set up, on the User's property or property rented/leased by the User, such devices as are necessary to conduct sampling or flow measurement. Guard dogs shall be under proper control of the User while the representatives are on the User's property or property rented/leased by the User. Such representative(s) shall, additionally have access to and may copy any records the User is required to maintain under this Law. Where a User has security measures in force which would require proper identification and clearance before entry into the premises, the user shall make necessary arrangements so that upon presentation of suitable identification, inspecting personnel will be permitted to enter, without delay, for the purpose of performing their specific responsibilities.

Section 1015 B - Access to Easements

The District Operator, bearing proper credentials and identification, shall be permitted to enter all private premises through which the Town holds an easement for the purpose of inspection, observation, measurement, sampling, repair, and maintenance of any portion of the Town public sewer system lying within the easement. All entry and subsequent work on the easement shall be done in accordance with the terms of the easement pertaining to the private premises involved.

Section 1015 C - Liability of Property Owner

During the performance, on private premises, of inspections, sampling, or other similar operations referred to in Sections 1014 A and 1014 B, the inspectors shall observe all applicable safety rules established by the owner or occupant of the premises. The owner and/or occupant shall be held harmless for personal injury or death of the inspector and the loss of or damage to the inspector's supplies and/or equipment; and the inspector shall indemnify the owner and/or occupant against loss or damage to property of the owner or occupant by the inspector and against liability claims asserted against the owner or occupant for personal injury or death of the inspector or for loss of or damage to the inspector's supplies or equipment arising from inspection and sampling operations, except as such may be caused by negligence or failure of the owner or occupant to maintain safe conditions.

Section 1016 - Special Agreements

Nothing in this Article shall be construed as preventing any special agreement or arrangement between the Town and any User of the POTW whereby wastewater of unusual strength or character is accepted into the POTW and specially treated, subject

to any payments or user charges, as may be applicable. In entering into such a special agreement, the Town Board shall consider whether the wastewater will:

(1) pass-through or cause interference
(2) endanger the public municipal employees
(3) cause violation of the SPDES Permit
(4) interfere with any Purpose stated in Section 102
(5) prevent the equitable compensation to the Town for wastewater conveyance and treatment, and sludge management and disposal

No discharge which violates the Federal Pretreatment Standards will be allowed under the terms of such special agreements.

No agreement shall be entered into without the user having been issued and presently having a permit to discharge wastes into the POTW for treatment and disposal. Additionally the user shall be in compliance with all conditions in the permit and shall not be in arrears in any charges due to the Town before the agreement is entered into. The Town Board may condition the agreement.

END OF ARTICLE 10

# ARTICLE 11

# ENFORCEMENT AND PENALTIES

Section 1101 - Enforcement Response Plan

ADMINISTRATIVE REMEDIES
Section 1102 - Notification of Violation
Section 1103 - Consent Orders
Section 1104 - Administrative or Compliance Orders
Section 1105 - Administrative Fines
Section 1106 - Cease and Desist Orders
Section 1107 - Termination of Permit
Section 1108 - Water Supply Severance
Section 1109 - Show Cause Hearing
Section 1110 - Failure of User to Petition the District Operator
Section 1111 - Notice
Section 1112 - Right to Choose Multiple Remedies

JUDICIAL REMEDIES
Section 1113 - Civil Actions for Penalties
Section 1114 - Court Orders
Section 1115 - Criminal Penalties
Section 1116 - Injunctive Relief
Section 1117 - Summary Abatement

MISCELLANEOUS
Section 1118 - Delinquent Payments
Section 1119 - Performance Bonds
Section 1120 - Liability Insurance
Section 1121 - Informant Rewards
Section 1122 - Public Notification
Section 1123 - Contractor Listings

## Section 1101 - Enforcement Response Plan

The District Operator shall prepare an Enforcement Response Plan. The Enforcement Response Plan, in a step-by-step fashion, shall outline the procedures to be followed to identify, document, and respond to violations by Users of the POTW. All violations by Users of the POTW shall be met with some type of enforcement response. The response shall be comprehensive and effective.

The Enforcement Response Plan shall:

(1) describe how the District Operator will investigate instances of non-compliance

(2) describe the types of escalated enforcement actions that the District Operator will take in response to all anticipated types of User violations and the time periods within which to initiate and follow-up these actions

(3) adequately reflect the Town Board's responsibility to enforce all applicable standards and requirements.

The Enforcement Response Plan shall contain:

(1) criteria for scheduling periodic inspection and/or sampling visits to POTW Users

(2) forms and guidelines for documenting compliance data in a manner which will enable the information to be used as evidence

(3) systems to track due dates, compliance schedule milestones, and pending enforcement actions

(4) criteria, responsible personnel, and procedures to select and initiate an enforcement action.

The range of appropriate enforcement actions shall be based on the nature and severity of the violation and other relevant factors, such as:

magnitude of the violation
duration of the violation
effect of the violation on the receiving water
effect of the violation on the POTW
effect of the violation on the health and safety of the POTW employees
compliance history of the User
good faith of the User

and shall promote consistent and timely use of enforcement remedies.

The Town Board shall approve the Enforcement Response Plan. The Enforcement Response Plan shall be reviewed at least every five years.

ADMINISTRATIVE REMEDIES

Section 1102 - Notification of Violation

Whenever the District Operator finds that any User has violated or is violating this Law, or any Wastewater Discharge Permit, order, prohibition, limitation, or requirement permitted by this Law, the District Operator may serve upon such person a written

notice stating the nature of the violation. Within ten (10) calendar days of the date the District Operator mails the notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof shall be submitted to the District Operator, by the User. The correction and prevention plan shall include specific actions. Submission of this plan in no way relieves the User of liability for any violations caused by the User before or after receipt of the Notice of Violation.

Section 1103 - Consent Orders

The District Operator is hereby empowered to enter into Consent Orders, assurances of voluntary compliance, or other similar documents establishing an agreement with the User responsible for the noncompliance. Such orders shall include specific action to be taken by the User to correct the noncompliance within a time period also specified by the order. Consent Orders shall have the same force and effect as an administrative order.

Section 1104 - Administrative or Compliance Orders

When the District Operator finds that a User has violated or continues to violate this Law or a permit or administrative order issued thereunder, he may issue an administrative order to the User responsible for the discharge directing that, following a specified time period, sewer service shall be discontinued, severed and abated unless the violation is corrected and that there is no reoccurrence of the violation. Administrative orders may also contain such other requirements as might be reasonably necessary and appropriate to address the noncompliance, including the installation of pretreatment technology, additional self-monitoring, and management practices.

The User may, within fifteen (15) calendar days of receipt of such order, petition the Town Board to modify or suspend the order. Such petition shall be in written form and shall be transmitted to the Town Board by registered mail. The Town Board shall then:

(1) Reject any frivolous petitions,

(2) Modify or suspend the order, or

(3) Order the petitioner to show cause in accordance with Section 1109 and may as part of the show cause notice request the User to supply additional information.

Section 1105 - Administrative Fines

Notwithstanding any other section of this Law, any User who is found to have violated any provision of this Law, or a wastewater discharge permit or administrative order issued hereunder, shall be fined in an amount not less than two hundred-fifty dollars ($250.00) and not to exceed one thousand dollars ($1,000.00) per violation.

Each day on which noncompliance shall occur or continue shall be deemed a separate and distinct violation.

The User may, within fifteen (15) calendar days of notification of the District Operator's notice of such fine, petition the Town Board to modify or suspend the order. Such petition shall be in written form and shall be transmitted to the Town Board by registered mail. The Town Board shall then:

(1) Reject any frivolous petitions,

(2) Modify or suspend the fine, or

(3) Order the petitioner to show cause in accordance with Section 1109 and may as part of the show cause notice request the User to supply additional information.

Section 1106 - Cease and Desist Orders

When the District Operator finds that a User has violated or continues to violate this Law or any permit or administrative order issued hereunder, the District Operator may issue an administrative order to cease and desist all such violations and direct those persons in noncompliance to:

(1) Comply forthwith

(2) Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations or terminating the discharge.

The User may, within fifteen (15) calendar days of the date the District Operator mails notification of such order, petition the Town Board to modify or suspend the order. Such petition shall be in written form and shall be transmitted to the Town Board by registered mail. The Town Board shall then:

(1) Reject any frivolous petitions,

(2) Modify or suspend the order,

(3) Order the petitioner to show cause in accordance with Section 1109 and may as part of the show cause notice request the User to supply additional information.

Section 1107 - Termination of Permit

Any User who violates the following conditions of this Law or a wastewater discharge permit or administrative order, or any applicable or State and Federal law, is subject to permit termination:

(1) Violation of permit conditions or conditions of an administrative order,

(2) Failure to accurately report the wastewater constituents and characteristics of its discharge,

(3) Failure to report significant changes in operations or wastewater constituents and characteristics,

(4) Refusal of reasonable access to the User's premises for the purpose of inspection, monitoring, or sampling, or

(5) Failure to pay administrative fines, fees or user charges.

Non-compliant industrial Users will be notified, by registered mail, of the proposed termination of their wastewater permit.

The User may, within fifteen (15) calendar days of the date the District Operator mails such notification, petition the Town Board to permit continued use of the POTW by the user. Such petition shall be in written form and shall be transmitted to the Town Board by registered mail. The Town Board shall then:

(1) Reject any frivolous petitions,

(2) Order the petitioner to show cause in accordance with Section 1109 and may as part of the show cause notice request the User to supply additional information.

Section 1108 - Water Supply Severance

Whenever a User has violated or continues to violate the provisions of this Law or an order or permit issued hereunder, water service to the User may be severed and service will only recommence, at the User's expense, after it has satisfactorily demonstrated its ability to comply.

The User may, within fifteen (15) calendar days of severance, petition the District Operator to reconnect water supply service. Such petition shall be in written form and shall be transmitted to the District Operator by registered mail. The District Operator shall then:

(1) Reject any frivolous petitions,

(2) Reconnect the water supply, or

(3) Order the petitioner to show cause in accordance with Section 1109 and may as part of the show cause notice request the User to supply additional information.

Section 1109 - Show Cause Hearing

The District Operator may order any User appealing administrative remedies for violations of this Law to show cause, before the Town Board, why an enforcement action, initiated by the District Operator, should not be taken. A notice shall be served on the User specifying the time and place of a hearing to be held by the Town Board regarding the violation, the reasons why the action is to be taken, the proposed enforcement action, and directing the User to show cause before the Town Board why the proposed enforcement action should not be taken. The notice of the hearing shall be served at least ten (10) calendar days before the hearing in accordance with Section 1111 of this Article. Service shall be made on any principal or executive officer of a User's establishment or to any partner in a User's establishment. The notice of the hearing shall be served at least ten (10) calendar days before the hearing, in accordance with Section 1111.

The Town Board may itself conduct the hearing, or may designate any of its members or any officer or employee of the Town to conduct the hearing:

(1) Issue, in the name of the Town Board, notices ofhearings requesting the attendance and testimony of witnesses, and the production of evidence relevant to any matter involved in such hearings,

(2) Take the evidence,

(3) Take sworn testimony,

(4) Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the Town Board for action thereon.

After the Town Board has reviewed the evidence and testimony, it may order the user to comply with the District Operator's order or fine, modify the District Operator's order or fine, or vacate the District Operator's order or fine.

Section 1110 - Failure of User to Petition the Town Board

In the event the District Operator issues any administrative order, terminates the User's permit, or makes any fine as set forth in this article, and the User fails, within the designated period of time set forth, to petition the Town Board, as provided in appropriate sections of this article, the User shall be deemed in default and its rights to contest the administrative order or fine shall be deemed waived.

Section 1111 - Notice

The notices, orders, petitions, or other notification which the User or District Operator shall desire or be required to give pursuant to any sections of this Law shall be in writing and shall be served personally or sent by certified mail or registered mail, return receipt requested, postage prepaid, and the notice, order, petition, or other communication shall be deemed given upon its mailing as provided herein. Any notice, administrative order, or communication mailed to the User pursuant to the sections of this Law shall be mailed to the User where the User's effluent is discharged into transmission lines to the Town's POTW. Any notice, petition, or other communication mailed to the District Operator shall be addressed and mailed to the Town Office.

Section 1112 - Right to Choose Multiple Remedies

The District Operator shall have the right, at the Town Board's sole discretion, to utilize any one or more appropriate administrative remedies set forth in this Article. The District Operator may utilize more than one administrative remedy established pursuant to this Article, and the District Operator may hold one show cause hearing combining more than one enforcement action.

JUDICIAL REMEDIES

Section 1113 - Civil Actions For Penalties

Any person who violates any of the provisions of or who fails to perform any duty imposed by this Law, or any administrative order or determination of the District Operator promulgated under this Law, or the terms of any permit issued hereunder, shall be liable to the Town for a civil penalty not less than two hundred-fifty dollars ($250.00) and not to exceed one thousand dollars ($1000) for each such violation, to be assessed after a hearing (unless the User waives the right to a hearing) held in conformance with the procedures set forth in this Article. Each violation shall be separate and distinct violation, and in the case of continuing violation, each day's continuance thereof shall be deemed a separate and distinct violation. Such penalty may be recovered in an action brought by the Town attorney, or his designated attorney, at the request of the District Operator in the name of the Town, in any court of competent jurisdiction giving preference to courts local to the Town. In addition to the above described penalty, the District Operator may recover all damages incurred by the Town from any persons or Users who violate any provisions of this Law, or who fail to perform any duties imposed by this Law or any administrative order or determination of the District Operator promulgated under this Law, or the terms of any permit issued hereunder. In addition to the above described damages, the District Operator may recover all reasonable attorney's fees incurred by the Town in enforcing the provisions of this Article, including reasonable attorney's fees incurred in any action to recover penalties and damages, and the District Operator may also recover court costs, and other expenses associated with the enforcement activities, including sampling and monitoring expenses.

In determining the amount of civil penalty, the court shall take into account all relative circumstances, including, but not limited to the extent of harm caused by the violation, the magnitude and duration, any economic benefit gained through the User's violation, corrective actions by the User, the compliance history of the User, and any other relative factors as justice may require.

Such civil penalty may be released or compromised by the District Operator before the matter has been referred to the Town attorney, and where such matter has been referred to the Town attorney, any such penalty may be released or compromised and any action commenced to recover the same may be settled and discontinued by the Town attorney, with the consent of the District Operator.

Section 1114 - Court Orders

In addition to the power to assess penalties as set forth in this Article, the District Operator shall have the power, following the hearing held in conformance with the procedures set forth in this Article, to seek an order:

(1) Suspending, revoking, or modifying the violator's Wastewater Discharge Permit, or

(2) Enjoining the violator from continuing the violation.

Any such court order shall be sought in an action brought by the Town attorney, at the request of the District Operator, in the name of the Town in any court of competent jurisdiction giving precedence to courts local to the Town.

The Town attorney, at the request of the District Operator shall petition the Court to impose, assess, and recover such sums imposed according to this Article. In determining amount of liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration, any economic benefit gained through the User's violation, corrective actions by the User, the compliance history of the User, and any other factor as justice requires.

Section 1115 - Criminal Penalties

Any person who willfully violates any provision of this Law or any final determination or administrative order of the District Operator made in accordance with this Article shall be guilty of a Class A Misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than Five Hundred Dollars ($500) nor more than One Thousand Dollars ($1,000), or imprisonment not to exceed one (1) year or both. Each offense shall be a separate and distinct offense, and, in the case of a continuing offense, each day's continuance thereof shall be deemed a separate and distinct offense.

Any User who knowingly makes any false statements, representations, or certifications in any application, record, report, plan or other document filed or required to be maintained pursuant to this Law, or wastewater permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Law shall be guilty of a Class A Misdemeanor and, upon conviction, shall be punished by a fine of not more than One Thousand Dollars ($1,000.00) per violation per day or imprisonment for not more than one (1) year or both.

No prosecution, under this Section, shall be instituted until after final disposition of a show cause hearing, if any, was instituted.

Section 1116 - Additional Injunctive Relief

Whenever a User has violated or continues to violate the provisions of this Law or permit or order issued hereunder, the District Operator, through counsel may petition the Court, in the name of the Town, for the issuance of a preliminary or permanent injunction or both (as may be appropriate) which restrains the violation of, or compels the compliance with any order or determination thereunder by the District Operator.

Section 1117 - Summary Abatement

Notwithstanding any inconsistent provisions of this Law, whenever the District Operator finds, after investigation, that any User is causing, engaging in, or maintaining a condition or activity which, in the judgement of the District Operator or the Town Board, presents an imminent danger to the public health, safety, or welfare, or to the environment, or is likely to result in severe damage to the POTW or the environment, and it therefore appears to be prejudicial to the public interest to allow the condition or activity to go unabated until notice and an opportunity for a hearing can be provided, the District Operator may, without prior hearing, order such User by notice, in writing wherever practicable or in such other form as practices are intended to be proscribed, to discontinue, abate, or alleviate such condition or activity, and thereupon such person shall immediately discontinue, abate, or alleviate such condition or activity; or where the giving of notice is impracticable, or in the event of a User's failure to comply voluntarily with an emergency order, the District Operator may take all appropriate action to abate the violating condition. As promptly as possible thereafter, not to exceed fifteen (15) calendar days, the District Operator shall provide the User an opportunity to be heard, in accordance with the provisions of this Article.

If the User is not within the geographic boundaries of the Town the right of summary abatement to discontinue, abate, or alleviate conditions or activities shall be those prescribed in the inter-municipal agreement.

The District Operator, acting upon the belief that an emergency exists, shall be indemnified against any personal liability that may arise in the performance of his duties

to protect the public health, safety, or welfare, or to preserve the POTW or the environment.

MISCELLANEOUS

Section 1118 - Delinquent Payments

If there shall be any payments which are due to the Town, or any Department thereof, pursuant to any Article or Section of this Law, which shall remain due and unpaid, in whole or in part, for a period of twenty (20) calendar days from the date of billing by the Town, the same shall constitute a default, and there shall be added to the entire amount of the original bill, a penalty equal to twenty percent (20%) of the original bill, and interest shall accrue on the unpaid balance, at the rate of two percent (2%) per month, retroactive to the date of the original billing.

In the event that there are any sewer taxes, assessments, or other service charges which shall have been delinquent for a period of at least sixty (60) calendar days as of October 1 of any year, the Town Supervisor shall report the names of the defaulting persons to the Town Board, the Town Assessor, and the Jefferson County Real Property Tax Office on or before November 1 of the same year. The Town Assessor is hereby directed to add the entire amount of the sewer tax, assessment, or other service charge which shall be in default, plus penalty and interest, as provided for in this Law, to the real property taxes due and owing to Town in the next succeeding year, and the Town Supervisor is directed to collect the same in the same manner as real property taxes due and owing to the Town are collected.

Where charges are delinquent and the violator is not a resident of the Town, or is located outside the geographical boundaries of the Town, then the Town attorney is authorized to seek recovery of charges, including punitive damages, in a court of competent jurisdiction or make arrangements with the appropriate county where the User is located to add the amount of the sewer assessment or other charges which shall be in default, plus penalty and interest, as provided for in the Law, to the real property taxes due to the County in the next ensuing year.

Section 1119 - Performance Bonds

The District Operator may decline to reissue a permit to any User which has failed to comply with the provisions of this Law or any order or previous permit issued hereunder unless such User first files with it a satisfactory bond, payable to the POTW, in a sum not to exceed a value determined by the Town Board to be necessary to achieve consistent compliance.

Section 1120 - Liability Insurance

The Town Board may decline to reissue a permit to any User which has failed to comply with the provisions of this Law or any order or previous permit issued hereunder,

unless the User first submits proof that it has obtained financial assurances sufficient to restore or repair POTW damage caused by its discharge.

Section 1121 - Informant Rewards

The Town Board is authorized to pay up to $500 for information leading to the discovery of noncompliance by a User. In the event that the information provided results in an administrative fine or civil penalty levied against the User, the Town, upon approval of the Town Board, is authorized to disperse up to ten (10) percent of the collected fine or penalty to the informant. However, a single reward payment may not exceed $10,000, including the discovery reward.

Section 1122 - Public Notification

The Town Supervisor shall provide public notification, in the daily newspaper with the largest circulation in the Town, of Users which were in significant non-compliance of local or Federal pretreatment standards or requirements since the last such notice. The frequency of such notices shall be as occurring.

Section 1123 - Contractor Listings

(1) Users which have not achieved consistent compliance with applicable pretreatment standards and requirements are not eligible to receive a contractual award for the sale of goods or services to the Town.

(2) Existing contracts for the sale of goods or services to the Town held by a User found to be in significant violation with pretreatment standards may be terminated at the discretion of the Town Board.

END OF ARTICLE 11

# ARTICLE 12

# CHARGES

Section 1201 - Normal Sewage Service Charges
Section 1202 - Surcharge for Abnormal Sewage
Section 1203 - Total Sewer Service Charge
Section 1204 - Segmenting the POTW
Section 1205 - Measurement of Flow
Section 1206 - Billing Period
Section 1207 - Pretreatment Program Costs
Section 1208 - Charges for Trucked and Hauled Wastes
Section 1209 - Capital Recovery
Section 1210 - Collection of Charges
Section 1211 - Fiscal Year for System
Section 1212 - Impact Fees
Section 1213 - Use of Revenues
Section 1214 - Records and Accounts

## Section 1201 - Normal Sewage Service Charges

All persons discharging or depositing wastes into the public sewers shall pay a sewer service charge proportional to the liquid volume of waste so deposited, which charge shall be collected as a sewer rent.

## Section 1202 - Surcharge for Abnormal Sewage

All persons discharging or depositing wastes with concentrations in excess of the pollutant concentrations in normal sewage shall pay a surcharge.

## Section 1203 - Total Sewer Service Charge

The total sewer service charge, (which shall be called the "User Charge"), is comprised of two parts, as follows:

Fixed User Cost = UC(F)
Variable User Cost = UC(V)

Total User Cost UC(T) = UC(F) + UC(V)The Fixed User Cost shall be defined as all costs associated with indebtedness for capital costs, fixed operational costs, and other costs deemed "Fixed" by the Town. The total of these costs shall then be divided by the total number of "Equivalent Dwelling Units" (EDU), as generally as follows or as otherwise defined by the Town.

Table of Equivalent Dwelling Units
(EDU's)
Town of Champion
Sewer District No. 2

| Description | EDU Assessment |
|---|---|
| Single family Home | 1 |
| Apartments:<br>1 Bedroom<br>2 Bedroom<br>3 Bedroom | <br>0.5<br>0.75<br>1 |
| Boarding House – per room | 0.2 |
| Bowling Alley – per lane (no food) | 0.2 |
| Campground<br>Per Sewaged Sites<br>Unsewered Sites | <br>0.25<br>0.20 |
| Carwash | As determined by water usage |
| Church | 1 |
| Factories | As determined by water usage |
| Food Service<br>Restaurant – per seat<br>Tavern-minimal food service-per seat<br>Mini Mart | <br>0.1<br>0.05<br>As determined by water usage |
| Hair dresser/Barber | 1 |
| Hotel – per room | 0.3 |
| Laundromats – per machine | 1.5 |
| Mobile Home Parks –<br>1 bedroom unit<br>2 bedroom unit<br>3 bedroom unit | <br>0.5<br>0.75<br>1 |
| Motels<br>Per Living Unit<br>With Kitchen | <br>0.25<br>0.40 |
| Office Buildings – per square foot | 0.001 |
| Dentist – per dentist | 1 |
| Veterinarian/Kennel | As determined by water usage |
| School | As determined by water usage |
| Service Stations – per toilet | 1 |
| Shopping Center – per square foot | 0.001 |

The Variable User Cost shall be defined as costs associated with the disposal into the Joint Village Wastewater Treatment Plant, the sum of which will be assessed to the user at a rate per thousand gallons of sewage based upon metered water usage. The Variable User Cost shall be reviewed annually and may be amended by resolution of the Town Board.

Section 1204 - Segmenting the POTW

The service area of the POTW may be segmented to assist in a fair distribution of user charges, especially if there is a pump station serving a segment.

Section 1205 - Measurement of Flow

The volume of flow to be used in computing sewer service charges and abnormal sewage surcharges shall be based upon metered water consumption as shown on the records of meter readings maintained by the Town Water Department. In the event that a person discharging wastes into the POTW produces evidence, to the District Operator, demonstrating that a substantial portion of the total amount of metered water does not reach the POTW, then the District Operator shall either establish a percentage of the total metered water to be used as a basis for such computations, or direct the installation of appropriate flow measuring (and totalizing) devices to measure and record the actual amount of flow into the POTW. In the event that a person discharging wastes into the POTW procures all or part of his water supply from un-metered sources, the Town Board shall either direct the installation of water meters on the other sources of water supply, or direct the installation of appropriate flow measuring devices to measure and record the actual amount of flow into the POTW. Any water meters and/or flow measuring devices installed pursuant to this Section shall be of a type and design acceptable to the Town Board and shall be installed, maintained, and periodically tested as required by the District Operator, at the owner's expense. All such meters and/or flow measuring devices shall be subject to periodic inspection, testing, and reading by the District Operator or the Town Board. Any person discharging wastes into the POTW may install a flow measuring device at his option, of the type, design, installation, and maintenance standards of the Town Board, at the owner's expense.

Section 1206 - Billing Period

The Billing Period shall be monthly for industrial and quarterly for non-industrial users.

Section 1207 - Pretreatment Program Costs

The additional charges and fees associated with the operation of the pretreatment program shall be assessed the User, and include:

(1) reimbursement of costs of setting up and operating the pretreatment program

(2) issuing permits

(3) monitoring, inspections, and surveillance procedures

(4) costs of equipment and supplies

(5) reviewing accidental discharge procedures

(6) construction inspections

(7) filing appeals

(8) application for consistent removal status as outlined in 40 CFR 403

(9) other reasonable expenses to carry out the program to satisfy the requirements of this Law, the NYSDEC, and the Federal government

Section 1208 - Charges for Trucked and Hauled Wastes

The charge for treatment and disposal of trucked or hauled waste which has been introduced into the POTW shall be as established by the Town Board. The manner of determining the volume dumped shall be at the discretion of the District Operator.

Section 1209 - Capital Recovery

The Town may institute an equitable procedure for recovering the costs of any capital improvements of those parts of the POTW which collect, pump, treat, and dispose of industrial wastewaters from those persons discharging such wastewaters into the POTW.

Section 1210 - Collection of Charges

Provisions of Article 11 of this Law relating to the collection of penalties shall apply to the collection of Sewer Service Charges and Abnormal Sewage Service Surcharges, unless where otherwise provided by application of the Sewer Rent Law by Town.

Section 1211 - Fiscal Year for System

The POTW shall be operated on the basis of a fiscal year commencing on the first day of January and ending on the thirty-first day of December.

Section 1212 - New Hook-Up and Impact Fees

New Hook-Ups: In addition to all construction costs associated with the installation of new connection, including the Owner of the facility receiving a new connection, shall pay the following inspection and administration fee:

| | | |
|---|---|---|
| Residential: | $150.00 | |
| Commercial: | $0.50 | Per square foot of building floor area. |

In addition, The Town Board shall have the authority to impose impact fees on new development, which development may:

(1) - cause enlargement of the service area of the POTW
(2) - cause increased hydraulic and/or treatment demands on the POTW

Section 1213 - Use of Revenues

Revenues derived from user charges and associated penalties, and impact fees, shall be credited to a special fund. Monies in this fund shall be used exclusively for the following functions:

(a) For the payment of the operation and maintenance, including repair and replacement costs of the Town POTW,

(b) For the discovery and correction of inflow and infiltration,

(c) For the payment of interest on and the amortization of or payment of indebtedness which has been or shall be incurred for the construction or extension of the Town POTW, and

(d)For the extension, enlargement, replacement of, and/or additions to the Town POTW, including any necessary appurtenances.

Section 1214 - Records and Accounts

The Town shall maintain and keep proper books of records and account for the POTW, separate from all other records and accounts, in which shall be made full and correct entries of all transactions relating to the POTW.

The Town shall maintain and carry insurance on all physical properties of the POTW, of the kinds and in the amounts normally carried by public utility companies and municipalities engaged in the operation of sewage disposal systems. All moneys received for losses under any such insurance policies shall be applied solely to the replacement and restoration of the property damaged or destroyed.

Section 1215 – Rates

From time to time, the Town of Champion may set revised rates for sewer service by resolution.

END OF ARTICLE 12

## ARTICLE 13

## PUBLIC DISCLOSURE OF POTW OPERATIONS

Section 1301- POTW Operations Open to the Public
Section 1302- Procedural Requirements Available
Section 1303- Validity Through Public Inspection

Section 1301- POTW Operations Open to the Public

It shall be the policy of the Town Board to conduct all business with full disclosure to the public.

Section 1302- Procedural Requirements Available

The nature and requirements of all formal procedures for applying for a permit and for requesting a permit under this Law and for requesting a hearing shall be formulated by the Town and be made available to any resident of the Town upon request.

Section 1303- Validity Through Public Inspection

The Town shall formulate procedures to make available to the public for inspection such orders, statements of policy, and interpretations used by the Town in administration of this Law. No rule, regulation, or civil order shall be valid until it has been available for public inspection.

END OF ARTICLE 13

## ARTICLE 14

## CONFLICTS, SEVERABILITY, EFFECTIVE DATE AND APPLICABILITY

Section 1401- Conflicts
Section 1402- Severability
Section 1403- Effective Date
Section 1404- Applicability

### Section 1401- Conflicts

The provisions of any Town law in conflict with any provision of this Law are hereby repealed.

### Section 1402- Severability

Each provision of this Law is severable from the others, so that if any provision is held to be illegal or invalid for any reason whatsoever, such illegal or invalid provision shall be severed from this Law which shall nonetheless remain in full force and effect.

### Section 1403- Effective Date

This law shall take effect 30 days after its filing in the office of the Secretary of State.

### Section 1404- Applicability

Articles 1, 2, 8, 11, 12, 13 and 14 shall apply in all incorporated areas of the Town. Articles 3, 5, 6, 7, 9 and 10 shall apply only in incorporated areas of the Town which are also within the service area of the POTW.

END OF ARTICLE 14

END OF LAW