

Greater New Haven
Water Pollution Control Authority
SEWER ORDINANCE

Originally Adopted: August 1, 2005

Amended: February 12, 2008

Further Amended: September 14, 2010

Further Amended: January 11, 2011

Further Amended: November 12, 2013

Further Amended October 13, 2021

TABLE OF CONTENTS

SECTION 1. CREATION AND PURPOSE.....4

SECTION 2. DEFINITIONS5

SECTION 3. USE OF, AND THE DISCHARGE OF SUBSTANCES INTO, THE SANITARY SEWER SYSTEM.....11

SECTION 4. SANITARY SEWER EXTENSIONS AND EXPANSIONS.....12

SECTION 5. SANITARY SEWER SYSTEM CONSTRUCTION PLANS.....13

SECTION 6. ASSESSMENT OF BENEFITS; BENEFIT CHARGE.....143

SECTION 7. SEWER CONNECTIONS. CONNECTION CHARGES AND FEES14

SECTION 8. DAMAGE TO OR INTERFERENCE WITH THE SANITARY SEWER SYSTEM.....17

SECTION 9. RATES ESTABLISHED17

SECTION 10. RATES FOR PROPERTY LOCATED OUTSIDE THE GNHWPCA SERVICE AREA17

SECTION 11. NO REDUCED RATES OR FREE SERVICE PERMITTED.18

SECTION 12. DETERMINATION OF CHARGES; GENERALLY18

SECTION 13. ALLOWANCE FOR METERED WATER NOT DISCHARGED INTO THE SANITARY SEWER SYSTEM.....18

SECTION 14. ENGINEERING STUDY TO DETERMINE CHARGE FOR INDUSTRIAL, COMMERCIAL AND INSTITUTIONAL USERS WHERE PORTION OF WATER NOT DISCHARGED INTO SEWER19

SECTION 15. BILLING WHERE INDIVIDUAL WATER METERS ARE NOT PROVIDED FOR MULTIPLE UNIT PREMISES.....20

SECTION 16. BILLING20

SECTION 17. COLLECTION PROCEDURES.21

SECTION 18. ADJUSTMENT OF BILL21

SECTION 19. DISCONTINUANCE OF SERVICE FOR FAILURE TO PAY.....21

SECTION 20. CONTINUED USE OF SEWER AFTER REFUSAL TO PAY.....22

SECTION 21. VIOLATIONS; FURNISHING GNHWPCA FALSE INFORMATION; SEVERABILITY22

SECTION 22. DISCHARGE PERMITS AND AUTHORIZATIONS.....22

SECTION 23. DISCHARGE AUTHORIZATIONS ISSUANCE AND RENEWAL24

SECTION 24. DISCHARGE AUTHORIZATION CONDITIONS26

SECTION 25. DISCHARGE AUTHORIZATION SUSPENSION OR REVOCATION.....27

SECTION 26. QUANTITY DETERMINATION28

SECTION 27. QUALITY DETERMINATION29

SECTION 28. STANDARD OF QUALITY OF DISCHARGE.....30

SECTION 29. ACCIDENTAL DISCHARGES33

SECTION 30. CHANGES OF OWNERSHIP.....34

SECTION 31. PRETREATMENT.....34

SECTION 32. TESTING WASTEWATER35

<u>SECTION 33.</u>	<u>TRADE SECRETS</u>	35
<u>SECTION 34.</u>	<u>COMPUTATION OF GNHWPCA’S AVERAGE UNIT COSTS</u>	35
<u>SECTION 35.</u>	<u>COMPUTATION OF INDUSTRIAL USER CHARGES</u>	36
<u>SECTION 36.</u>	<u>CHARGES EFFECTIVE AFTER METERS READ; INSTALLATION OF METERS</u>	37
<u>SECTION 37.</u>	<u>SEPTAGE, HOLDING TANK WASTE AND ACCEPTABLE NON-DOMESTIC WASTES</u>	37
<u>SECTION 38.</u>	<u>ENFORCEMENT</u>	38
<u>SECTION 39.</u>	<u>ESTABLISHMENT OF SEWER FUNDS</u>	39
<u>SECTION 40.</u>	<u>FORCE MAJEURE</u>	39
<u>SECTION 41.</u>	<u>ANNUAL AUDIT</u>	40
<u>SECTION 42.</u>	<u>COST OF SERVICE STUDY</u>	40
<u>SECTION 43.</u>	<u>BUDGETING</u>	41
<u>SECTION 44.</u>	<u>ORGANIZATION OF GNHWPCA STAFF</u>	42
<u>SECTION 45.</u>	<u>CUSTOMER RIGHTS</u>	42
<u>SECTION 46.</u>	<u>POWERS</u>	43
<u>SECTION 47.</u>	<u>RIGHT TO ENTER AND INSPECT</u>	44

Greater New Haven Water Pollution Control Authority

SEWER ORDINANCE

SECTION 1. Creation and Purpose

1.01 Pursuant to General Statutes Sections 22a-500 through 22a-519, as amended, there is a regional water pollution control authority created by concurrent ordinance to be designated and known as the Greater New Haven Water Pollution Control Authority, hereinafter referred to as the GNHWPCA. The purpose for which the GNHWPCA is so created is to plan, design, construct, manage, operate, and maintain the sanitary sewer system of the GNHWPCA, and perform any act pertinent to the collection, conveyance or transportation, storage, pumping, treatment and disposal of sanitary sewage and industrial wastewater.

1.02 This ordinance shall not repeal any applicable laws, standards and regulations set forth by the United States, the State of Connecticut or agencies thereof.

1.03 This ordinance shall apply to the Constituent Municipalities and to persons outside the Constituent Municipalities who are users of the GNHWPCA sanitary sewer system.

1.04 All ordinances or parts of ordinances in conflict herewith are hereby repealed.

1.05 By concurrent ordinances of their legislative bodies, the following existing ordinances of the Constituent Municipalities are repealed with respect to the wastewater treatment system activities in such Constituent Municipalities and in their place this ordinance is adopted following its passage, approval, recording and publication as provided by applicable law:

(a) Town of East Haven, An Ordinance Regulating the Construction, Extension, Maintenance and Operation of the Sanitary Sewer System, approved by the Sewer Commission on June 20, 1978, and adopted by the Town Council on August 1, 1978, an amended;

(b) Town of Hamden 1984 Ordinance Regulating the Construction, Extension, Maintenance and Operation of the Sanitary Sewer System, approved by the Hamden WPCA on August 14, 1984, and adopted by the Hamden Legislative Council on September 4, 1984, as amended; and

(c) City of New Haven Code of Ordinances, Chapter 25 SEWERS, Regulating the Construction, Extension, Maintenance and Operation of the Sanitary Sewer System, adopted October 4, 1982, as amended, excluding the following sections or provisions that will remain in effect: Sec. 25-1 (b), Definitions – *BOD (biochemical oxygen demand), Building drain, Building sewer or sewer connection, Ccf, Chlorine demand, City, City engineer, COD (chemical oxygen demand), Combined sewers, Milligrams per liter (mg/l), Natural outlet, pH value, Sewage, Storm sewer, Total*

suspended solids (TSS), Waste water, Water course; Sec. 25-2; Sec. 25-3, with regard to storm sewer connection or drain; Sec. 25-5; Sec. 25-6 (a) & (b), with regard to storm sewer; Sec. 25-7, with regard to storm sewer; Sec. 25-8, with regard to storm sewer; Sec. 25-9, with regard to storm sewer; Sec. 25-9.1 (a) thru (e); Sec. 25-10, with regard to storm sewer and storm sewer system; Sec. 25-24 (a), with regard to these sections or provisions listed herein that will remain in effect; Sec. 25-43; and

(d) Town of Woodbridge, An Ordinance Regulating the Use of Public and Private Sewers and Drains, Private Sewage Disposal, The Installation and Connection of Building Sewers, and the Discharge of Waters and Wastes Into the Public Sewer System(s): and Providing Penalties for Violations Thereof: in the Town of Woodbridge, County of New Haven, State of Connecticut, as approved by the Woodbridge Sewer Authority and the Board of Selectmen of the Town of Woodbridge.

1.06 The terms and provisions of this ordinance are for the purpose of limiting pollutant discharges, which may be detrimental to public health, cause damage to the Public Sewer or the water pollution control facilities, pollute the waters of the state, or otherwise create a public nuisance.

SECTION 2. Definitions

For the purpose of this ordinance, the following definitions are established:

2.01 *Act.* General Statutes Sections 22a-500 to 22a-519, inclusive, as the same may be amended from time to time.

2.02 *Ammonia Nitrogen* (or NH₃-N). The total ammonia content of sewage or industrial waste, both ionized and non-ionized.

2.03 *Applicable Law.* Any law, statute, constitution, charter, ordinance, rule, code, standard, regulation, requirement, consent decree, consent order, consent agreement, authorization, policy, permit, resolution, judgment, writ, directive, guideline, action, determination or order of, or legal entitlement issued by any governmental body or similarly binding authorities now existing or hereafter enacted, adopted, promulgated, issues or enforced by any federal, state or local government or political subdivision or agency thereof or court of competent jurisdiction.

2.04 *Benefit Assessment.* An assessment levied based on an evaluation of the benefits to land, buildings and structures within the GNHWPCA service area as result of the acquisition or construction of a sanitary sewer system or portion thereof.

2.05 *Benefit Charge.* An assessment of benefits to a building or structure that is constructed, improved, expanded or changed in classification, after the original cost of benefits has been levied.

2.06 *BOD (Biochemical Oxygen Demand).* The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory conditions for five

(5) days at a temperature of twenty (20) degrees centigrade, reported in milligrams-per-liter (mg/l).

2.07 *Building Drain.* That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

2.08 *Building Sewer or Lateral Sewer Connection.* That part of the horizontal piping of a drainage system which extends from the end of the building drain to the public sewer, storm sewer or other place of disposal.

2.09 *Categorical Industrial User (CIU).* An Industrial User subject to pretreatment standard for an industry category as defined in the Code of Federal Regulations, 40 CFR 403 and 40 CFR Chapter I, Subpart N (400 thru 471).

2.10 *Ccf.* The volume of measure of one hundred (100) cubic feet (equal to 748 gallons).

2.11 *Chlorine Demand.* The amount of chlorine which must be added to water or wastewater to produce a measurable residual chlorine content in such water or wastewater.

2.12 *COD (Chemical Oxygen Demand).* The quantity of oxygen consumed from a chemical oxidation of inorganic and organic matter present in the water or wastewater, expressed in milligrams-per-liter (mg/l).

2.13 *Collection System.* All sewers, including pumping stations and all appurtenances, owned and operated by the GNHWPCA to collect and convey Inflow.

2.14 *Combined Sewer.* A sewer, or system of sewers, in which one pipe, conduit or structure is designed to carry both sanitary sewage and storm sewer flow.

2.15 *Commercial User.* A business or establishment that only discharges domestic wastewater or sewage to the sanitary sewer system and does not meet the definition of residential user.

2.16 *Connection Sewer.* Each physical connection to the GNHWPCA sewerage system.

2.17 *Constituent Municipality.* One of two or more municipalities which have adopted the provisions of the Act, and which have created an authority by concurrent ordinances of their legislative bodies.

2.18 *Customers.* Any and all contributors of wastewater to the GNHWPCA sanitary sewer system (i) located in the City of New Haven, the Town of East Haven, the Town of Hamden and the Town of Woodbridge; and (ii) including the Town of North Branford and the Town of North Haven.

2.19 *Domestic Wastewater or Domestic Sewage.* Residential-type wastewater produced from the range of normal domestic activities typically conducted in a single family residence, which requires no pretreatment under the provisions of this ordinance before discharging into the sanitary sewer system, excluding all manufacturing and industrial wastewater, and other wastewater exceeding any of the parameters specified in Section 28: Standard of Quality of Discharge.

2.20 *Establishment or Plant.* Any establishment or plant producing sewage required to be discharged into the sanitary sewer system.

2.21 *Executive Director.* The chief executive officer of the GNHWPCA responsible for the management of all its administrative, operational and fiscal matters. The Executive Director, or that person's designee, may act, as authorized, on behalf of the GNHWPCA.

2.22 *Fats, Oils & Grease (FOG).* Volatile and non-volatile residual fats, oils, fatty acids, soaps, waxes, mineral oils and other material of similar composition, measured in milligrams-per-liter (mg/l).

2.23 *Garbage.* Animal, fruit or vegetable matter resulting from the domestic and commercial handling, preparation, use, cooking, serving or storing of foods.

2.24 *General Statutes.* The General Statutes of Connecticut as amended from time to time.

2.25 *GNHWPCA Service Area.* The area comprised of (i) the Constituent Municipalities of East Haven, Hamden, New Haven and Woodbridge; and (ii) the Town of North Branford and the Town of North Haven as to only the GNHWPCA customers located therein.

2.26 *Holding Tank Waste.* Any waste from holding tanks such as vessels, chemical toilets, campers, trailers and septage hauling trucks.

2.27 *Indirect Discharge.* The introduction of a discharge into the sanitary sewer system from a non-domestic source.

2.28 *Industrial User (IU) or Miscellaneous Industrial User.* A source of non-domestic waste. An indirect discharger that may include any industrial, institutional or commercial establishment, manufacturing, or processing facility that discharges a non-domestic waste to the sanitary sewer system.

2.29 *Industrial Wastewater.* Any liquid, free-flowing wastewater, including contaminated cooling water, resulting from any process of industry, manufacturing, business, trade or research, including the development, recovery, or processing of natural resources, with or without suspended solids, as distinct from domestic wastewater.

2.30 *Industrial Waste Producer.* Any institution, plant, establishment or industry, which discharges industrial wastewater, whether or not such wastewater is segregated from or combined with domestic wastewater from the originating entity.

2.31 *Infiltration.* Water entering a sewer system, including building and lateral sewers and connections, from the ground through such means as, but not limited to, defective pipes, pipe joints, or manhole walls. Infiltration does not include, and is distinguished from, inflow.

2.32 *Inflow.* Water discharged into the collection system, including water discharged through building or lateral sewers and connections, from such sources as, but not limited to, roof leaders; basement, yard and area drains; foundation drains; cooling water discharges; drains from springs and swampy areas; manhole covers, crossover pipes from storm sewers and combined sewers; catch basins; storm waters; surface runoff; street wash waters; or drainage. Inflow does not include, and is distinguished from, infiltration.

2.33 *IPP or Industrial Pretreatment Program.* A program established to control conventional and toxic pollutant levels discharged by industries and other non-domestic wastewater sources into the sanitary sewer system. The GNHWPCA's IPP is designed to prevent the introduction of pollutants that will cause interference with operations or that may pass through the system inadequately treated and to provide protection of public health and welfare including GNHWPCA staff's health and safety.

2.34 *IPP Customer.* Any residential, institutional, commercial or industrial user required to participate in the GNHWPCA's industrial pretreatment program as a result of the nature, quantity or quality of their discharge in accordance with this ordinance.

2.35 *Milligrams-per-liter (mg/l).* The same as parts per million (ppm), and is a weight-to-volume ratio; it is a measure of the concentration of a constituent in wastewater.

2.36 *Miscellaneous sewer compatible wastewater" or "MISC wastewater".* Any wastewater discharge that is NOT subject to Federal Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR chapter I, subchapter N as amended. Domestic sewage including septage or sewage from portable sources and groundwater remediation wastewater are excluded from this definition. MISC wastewater includes but is not limited to air compressor condensate & blowdown, boiler blowdown, building maintenance wastewater, commercial laundry wastewater, contact cooling & heating water, cutting & grinding wastewater, fire suppression system test-water, food processing wastewater, hydrostatic pressure testing wastewater, non-contact cooling water, non-destruct testing rinse-water, printing and photographic processing wastewater, tumbling & cleaning wastewater, water treatment wastewater, and vehicle maintenance wastewater.

2.37 *Natural Outlet.* Any outlet into a watercourse, pond, ditch, lake or other body of surface water.

2.38 *Nitrate and Nitrites.* Nitrate [NO₃-] and Nitrite [NO₂-] are naturally occurring ions that are part of the nitrogen cycle. Nitrate is used mainly in inorganic fertilizers, and sodium nitrite is used as a food preservative, especially in cured meats.

2.39 *Notification.* A notification form filed with a sewage treatment works authority.

2.40 *Organic Nitrogen.* That portion of nitrogen present in organic compounds which includes various forms of proteins and their degradation products of amino acids and polypeptides and other organic compounds.

2.41 *Permittee or Authorization Holder.* Any person, institution, firm, company, association, corporation, trust or other entity which owns, operates, possesses or controls any facility being operated under a valid industrial waste permit or discharge authorization to discharge wastewater into the sanitary sewer system.

2.42 *Person.* One or more person, individual, firm, organization, business, partnership, limited partnership, trust, company, corporation, association, limited liability company, joint venture, government entity, or any agency or political subdivision thereof or any other entity.

2.43 *pH value.* The logarithm of the reciprocal of the hydrogen ion concentration in grams per liter of solution, i.e.:

$$\text{pH} = \frac{1}{\log(\text{H}^+)}$$

2.44 *Pretreatment or Treatment.* The reduction or elimination of pollutant properties in wastewater or their alteration to a less harmful state prior to discharge to the sanitary sewer system. Treatment may be accomplished by physical, chemical or biological processes, process changes, material substitution, or by other means, except as prohibited by federal, state or local regulations.

2.45 *Pretreatment Facility.* A system or any part thereof which is to improve the chemical, physical or biological quality of a waste or wastewater discharge, including pretreatment facilities discharging to a sewage treatment works.

2.46 *Private Sewer.* Any sewer or system of sewers, exclusive of building sewers, which is not owned, constructed, maintained or controlled by the GNHWPCA. Private sewers include, but are not limited to, building drains, building sewers, sewers, drains, catch basins and manholes located on private property and not located within an easement held by the GNHWPCA, and sewers and storm drains owned by municipalities and other public agencies. The connection from a private sewer to the public sewer system is also owned by the owner of the private sewer.

2.47 *Producer.* Any person, which owns, operates, possesses or controls an establishment or plant, whether or not a permittee.

2.48 *Public Sewer.* Any sewer or system of sewers, exclusive of building sewers, owned, constructed, maintained or controlled by the GNHWPCA.

2.49 *Residential User.*

- (i) Single-family residence. A residential establishment serving a single family or household. In those instances where there is no meter on the water supply to the principal household, separate living quarters will be considered as separate residence and a separate user charge will be applied.
- (ii) Duplex residence. A single building equipped for occupancy by two (2) families.
- (iii) Multiple dwelling units. One or more buildings each equipped for occupancy by three (3) or more families.

2.50 *Sanitary Sewer System.* All facilities of the GNHWPCA for collection, conveyance or transportation, storage, pumping, treatment and disposal of sanitary sewage and industrial wastewater. It does not include any watercourses or any storm sewers.

2.51 *Sanitary Sewage or Sewage.* A combination of the water-borne wastes from residences, businesses, institutions and industrial establishments. Any substance, liquid or solid, which may contaminate, pollute or affect the cleanliness or purity of any water.

2.52 *Sanitary Sewer.* Any pipe, conduit or other structure, outlet or drain designed to carry only sanitary sewage.

2.53 *Sanitary Sewer Extension.* The installation or construction of an addition or extension of the collection system to provide sanitary sewerage service to land previously unserved.

2.54 *Septage.* Liquids and solids which are removed from a tank used to treat or hold domestic sewage.

2.55 *Significant Industrial User (SIU).*—(a) All industrial users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR chapter I, subchapter N; and (b) any other user that (i) discharges an average of 25,000 gallons per day or more of process wastewater to the wastewater system (excluding sanitary, noncontact cooling and boiler blowdown wastewater); or (ii) contributes a process wastestream that makes up 5 percent or more of the average dry-weather hydraulic or organic (BOD, TSS, and such) capacity of the treatment plant; or (iii) is designated as such by the GNHWPCA because the industrial user has a reasonable potential for adversely affecting the sewage treatment works operation or for violating any

pretreatment standard or requirement (in accordance with 40 CFR 403.8(f)(6)) [40 CFR 403.3(v)].

2.56 *Slugs*. Any discharge of water or wastewater which in concentration of any given constituent, or in quantity of flow, exceeds more than five (5) times the average twenty-four-hour concentration, or the flows during normal operation, for any period longer than fifteen (15) minutes, and adversely affects the collection system and/or performance of the wastewater treatment works.

2.57 *Storm Sewer*. Any pipe, conduit or other structure, outlet or drain, designed to carry storm and surface waters, drainage, groundwater or unpolluted water from any source, but excludes sewage and polluted industrial wastes.

2.58 *Total Nitrogen*. The sum of nitrate (NO₃), nitrite (NO₂), organic nitrogen and ammonia nitrogen (all expressed as N). Note that for laboratory analysis purposes, Total Kjeldahl Nitrogen (TKN) is a test performed that is made up of both organic nitrogen and ammonia.

2.59 *Total Suspended Solids (TSS)*. Solids measured in milligrams-per-liter (mg/l) that either float on the surface or are in suspension in water, wastewater, or other liquids, and which are largely removable by a laboratory filtration device.

2.60 *User Charge*. Charges established under this ordinance for the connection with and the use of the sanitary sewer system.

2.61 *User Surcharge*. An extra charge that is added on to basic cost of wastewater services, to reflect the added cost of managing and treating non-domestic wastewater discharges.

2.62 *Wastewater*. See “Sanitary Sewage or Sewage”.

2.63 *Watercourse*. Any open channel, natural or artificial, in which a flow of water occurs either continuously or intermittently.

SECTION 3. Use of, and the Discharge of Substances Into, the Sanitary Sewer System

3.01 No person shall deposit or throw into or onto any sanitary sewer, sewer inlet, sewer outlet, sewer manhole, or any part of any watercourse, material of any kind whatsoever, except those materials for which those structures were intended.

3.02 No person shall discharge any substance, material, waste or wastewater that will interfere with the free flow of sewage in any sanitary sewer.

3.03 The accidental discharge of any prohibited liquid or solid material into the collection system, or to any place from which such material may find its way into a sewer shall be reported to the GNHWPCA 24 hour emergency response line by the person

responsible for the discharge, or by the owner or occupant of the premises where the discharge occurs, promptly upon obtaining knowledge of the fact of such discharge.

SECTION 4. Sanitary Sewer Extensions and Expansions

4.01 Approval Requirement.

In the case of any proposal to extend the collection system or expand capacity of the collection system (including, without limitation, by way of an increase in the size of a sewer pipe or appurtenance thereto), the GNHWPCA, prior to implementing any such extension or expansion, shall obtain the consent and required approval(s) of the governing body of the local Constituent Municipality in which such proposed sanitary sewer extension or expansion is located; provided, however, that with respect to the expansion of capacity only, expansions due to emergency situations or other exigent circumstances beyond the reasonable control of the GNHWPCA, and expansions related to normal maintenance and in accordance with prudent industry practices shall not require prior consent and approval of the governing body of the local Constituent Municipality. Except as otherwise set forth above, receipt of such consent and approval is a condition precedent to seeking approval under Section 5 of any proposed sanitary sewer extension or expansion.

4.02 Notice Requirement.

Excluding expansions undertaken due to emergency situations or other exigent circumstances as set forth in Section 4.01, in all other instances of an extension or expansion of the collection system which has satisfied the approval requirements of Section 4.01, written notice of the commencement of such extension or expansion shall be delivered by the GNHWPCA to each Constituent Municipality in which such extension or expansion shall occur, and the GNHWPCA shall use its commercially reasonable efforts to cause such notice to be delivered no less than fifteen (15) business days prior to the commencement of construction. Promptly following delivery of such notice and to the extent not already addressed as part of the approval received pursuant to Section 4.01, the GNHWPCA and the affected Constituent Municipalities shall commence a dialogue to begin preparations for the construction and attempt to reasonably accommodate such construction while minimizing disruptions to the Constituent Municipality. With respect to expansions undertaken due to emergency situations or other exigent circumstances, written notice of such expansion shall be delivered by the GNHWPCA to each of the affected Constituent Municipalities promptly following the commencement of such emergency construction, provided the GNHWPCA shall use its commercially reasonable efforts to cause such notice to be delivered within ten (10) business days following commencement, and the effected Constituent Municipalities shall use commercially reasonable efforts to accommodate such emergency construction.

SECTION 5. Sanitary Sewer System Construction Plans

5.01 Approval Requirement.

No person shall contract for or commence construction of any sanitary sewer, sewage lift station, or ancillary facility within the GNHWPCA service area without prior written approval by the GNHWPCA and receipt of any applicable consents and approvals, if any, required by Section 4 hereof.

5.02 GNHWPCA Approval is Required for:

- (a) Sanitary sewer extension to serve land not served by sanitary sewers;
- (b) Sewage lift stations and force main sewers, including, without limitation, the modification of any component that increases conveyance capacity;
- (c) Expansion of sanitary sewer capacity by an increase in the size of a sewer pipe and appurtenances thereto, or any other activity that has a potential to increase the quantity of wastewater received by the GNHWPCA; and
- (d) Developments and/or structures with lateral sewer connections that are proposed to be connected to the Sanitary Sewer System.

5.03 Submission of Plans and Maps.

(a) To obtain approval required by Sec. 5.01, a person shall submit to the GNHWPCA the necessary design data including wastewater flows, construction plans and specifications for the work, and profile showing grades of the street or ground and sanitary sewer, the depth of such sanitary sewer below the surface of the street or ground, and the height above mean sea level, as established by the United States Coast and Geodetic Survey and used as the local datum. And when such sanitary sewer, sewage lift station, or ancillary facility is completed, the person shall submit to the GNHWPCA the necessary record drawings and maps of such constructed sanitary sewer, sewage lift station, or ancillary facility and showing the location and size of the sanitary sewer and the location of the manholes, basins, culverts, branches for house connections, and other appurtenances. The person shall also submit to the GNHWPCA the necessary maps showing the situation, dimensions, and ownership of all lands adjoining the property or street in which said sanitary sewer, sewage lift station, or ancillary facility is constructed, as provided in the portion of this ordinance dealing with assessments.

(b) All plans, maps, specifications and other data submitted to the GNHWPCA for approval shall be signed and sealed by a Professional Engineer registered in the State of Connecticut.

(c) All submissions shall follow the Authority's Policy Manual "GNHWPCA Permitting & Design Criteria Manual" as amended from time to time.

SECTION 6. Assessment of Benefits; Benefit Charge

6.01 Pursuant to provisions contained in the act and Chapter 103 of the General Statutes, as amended from time to time, the GNHWPCA may levy and collect benefit assessments upon the lands and buildings within its jurisdiction, which, in its judgment, are benefited by a sanitary sewer.

6.02 Subject to the provisions of Chapter 103 of the General Statutes, benefit assessments to be levied shall result in the recovery by the GNHWPCA of all fees, costs and expenses incurred by the GNHWPCA, net of federal and state grants-in-aid received thereof, for the acquisition and construction of the sewerage system providing benefits upon the lands and buildings in the GNHWPCA service area.

6.03 Assessments, including any installment thereof, shall be due and payable at such time as it is fixed by the GNHWPCA, provided no assessment shall become due until the work, or particular portion thereof for which such assessment was levied, has been completed.

6.04 Any assessment of benefits, including any installment thereof, that is not paid within thirty days after the due date shall be delinquent, shall be subject to interest and shall constitute a lien upon the property assessed and a charge upon the owner thereof.

6.05 Pursuant to provisions contained in the act, the GNHWPCA may determine benefits to buildings or structures within its jurisdiction constructed or expanded after the initial assessment has been levied, and a benefit charge may be assessed as if the new or expanded structure or building had existed at the time of the initial assessment, according to such rule as the GNHWPCA adopts, subject to the right of appeal, as provided therein.

SECTION 7. Sewer Connections. Connection Charges and Fees

7.01 Permit Required.

(a) No unauthorized person(s) shall uncover, make any connections with or opening into, use, alter, repair, or disturb any sanitary sewer or appurtenance thereof which is part of the sanitary sewer system of the GNHWPCA without obtaining a written permit from the GNHWPCA.

(b) The application for connection of a building sewer or lateral sewer connection to any sanitary sewer or appurtenance thereof which is part of the sanitary sewer system of the GNHWPCA shall be accompanied by a plan or map in general accordance with Section 5, paragraph 5.03(a) and showing the proposed installation in sufficient detail to enable the GNHWPCA to determine that the proposed installation meets the requirements of this ordinance and other applicable specifications, codes and applicable laws. The application shall be signed by the owner of the premises to be served or his or her authorized agent and by the qualified contractor (see paragraph

7.03(a)) who will perform the work of installing and connecting the building sewer to the public sewer.

(c) A connection to the public sewer will be made only after the plumbing system for the building or premises has been approved by the building official of the local municipality in order to insure that minimum standards are met for the installation. No trench containing a building sewer or lateral sewer connection to the public sewer shall be backfilled until the GNHWPCA has completed an inspection of and approved the work. The permittee shall submit accurate, complete and legible "As-Built" information with all cross connections and measurements from building(s) to sanitary connection within two weeks of completion of the work on site.

7.02 Permits and Approvals for Making Excavations for Sewer Connections.

No person shall open any street or other public way for the purpose of laying a sanitary sewer connection or drain, without first obtaining permits and approvals from all state and local agencies.

7.03 Connections to be Made by Licensed Person, Conform to Requirements of the GNHWPCA.

(a) It shall be the duty of the owner or owners of the premises to which any drain connected with any sanitary sewer shall be attached, to employ a person duly licensed by the State of Connecticut in making and laying such connection with such sanitary sewer and to conform to the requirements of the GNHWPCA's Policy Manual "GNHWPCA Permitting & Design Criteria Manual" as amended from time to time, in regard to the manner in which such connection shall be made, and said drain made and laid.

(b) All costs and expenses incidental to the installation and connection of the building sewer or lateral sewer connection to the public sewer shall be borne by the owner or owners of the premises to which such building sewer or lateral sewer connection is attached.

7.04 Lateral Sewer Connection Ownership.

(a) That portion of the building sewer or lateral sewer connection from the apparent edge of road or street to the building drain five (5) feet outside the inner face of the building wall shall be owned by, and be the property of, the owner or owners of the premise to which such building sewer or lateral sewer connection is attached.

(b) That portion of the building sewer or lateral sewer connection from the apparent edge of road or street to its point of connection to the public sewer shall be a component of the collection system and owned and operated by the GNHWPCA.

7.05 Lateral Sewer Maintenance.

The owner(s) of the premises shall be responsible for the routine maintenance and/or cleaning of building sewers or lateral sewer connections, including, without limitation, the unblocking of sewer blockages in the building sewers or lateral sewer connections from tree roots, oil or grease, or other items.

7.06 Lateral Sewer Repair.

(a) At all times it shall be the duty of the owner(s) of the premises to keep the lateral sewer portion, as defined in paragraph 7.04(a), in good repair. It shall be the owner(s) of the premises responsibility to repair or replace the entire lateral or sections of that lateral that are, in the judgment of the GNHWPCA, to be in poor condition. This judgment of poor condition includes but is not limited to pipes that exhibit the following condition(s): collapse section(s), broken section(s), reverse pitch, no pitch, misaligned joints, deterioration and/or pipes receiving groundwater inflow.

(b) To the extent the cost of repairs and/or replacement of the building sewer or lateral sewer connection, or any portion thereof, as defined in paragraph 7.04(b), are covered by any policy of insurance or any other third party reimbursement program on such premises, the owner(s) of such premises shall be solely responsible to repair and/or replace the entire building sewer or lateral sewer connection described in paragraphs 7.04(a) and 7.04(b). To the extent the GNHWPCA shall make a repair and/or replacement of the building sewer or lateral sewer connection, or any portion thereof, as defined in paragraph 7.04(b) in which an insurance policy or any other third party reimbursement program has been procured to repair and/or replace the building sewer or lateral sewer connection, or any portion thereof, the owner of such premises shall, within 30 days of demand by the GNHWPCA, reimburse the GNHWPCA for such repairs and/or replacement. The failure to comply with this paragraph 7.06(b) shall be a violation enforceable in accordance with Section 38 hereof.

7.07 Grade, Line of Connection; Trap Ventilation Required.

No person shall construct or lay any private sewer, except as approved by the GNHWPCA. A suitable trap shall be located in every private sewer or drain which connects with the public sewer at some convenient point between the public sewer and the house or building, and that portion of the private sewer or drain thus connected shall be properly ventilated. In all cases, the work shall be in accordance with the requirements of the GNHWPCA.

7.08 Multiple Connections Through One Drain.

No person shall connect more than one house or building, or single house in a block, with the public sewer through any one building sewer or lateral sewer connection, except by a special permit from the GNHWPCA. Whenever such permission is granted, the work shall be done in accordance with the requirements of the GNHWPCA.

7.09 Use of Existing Building Sewers or Lateral Sewer Connections.

Existing building sewers or lateral sewer connections may be used for new or renovated buildings only when they are found, on examination and testing, satisfactory to the GNHWPCA to meet all requirements of this ordinance. The GNHWPCA may require the uncovering of the old building sewers or lateral sewer connections for examination at no cost to the GNHWPCA.

7.10 Abandonment of Building Sewers or Lateral Sewer Connections.

Building sewers or lateral sewer connections to be abandoned shall be sealed, plugged or removed in accordance with the requirements of, and subject to inspection by, the GNHWPCA.

7.11 Connection Charges and Fees.

Fees shall be established and revised from time to time by the GNHWPCA in accordance with Chapter 103 of the General Statutes and the act, including without limitation Section 22a-506(a), for:

- (a) lateral sewer connection;
- (b) disconnection from the sanitary sewer system;
- (c) permitting and inspection; and
- (d) such other charges as allowed pursuant the General Statutes.

SECTION 8. Damage to or Interference With the Sanitary Sewer System

No person shall break, damage, destroy, uncover, deface, tamper with, disturb, interfere, or affect in any way any structure, appurtenance or equipment which is part of the sanitary sewer system of the GNHWPCA.

SECTION 9. Rates Established

9.01 Charges for sanitary sewer services furnished by the GNHWPCA for customers shall be as established and revised from time to time by the GNHWPCA in accordance with Chapter 103 of the General Statutes and the Act.

9.02 The GNHWPCA may charge minimum user charges with respect to each connection to the sanitary sewer system until such connection is disconnected in accordance with this ordinance.

SECTION 10. Rates for Property Located Outside the GNHWPCA Service Area

The user charges to be made by the GNHWPCA for sewer service to property outside the limits of the GNHWPCA service area shall be (i) established on the basis of a formal contract to be entered into with the GNHWPCA or (ii) billed directly to such customers.

SECTION 11. No Reduced Rates or Free Service Permitted

All persons owning, renting, leasing or having management or control of property or premises that produce any substance, material, waste or wastewater that is discharged into the sanitary sewer system of the GNHWPCA, including domestic waste, and subject to the provisions of this ordinance, shall be charged by the GNHWPCA the rates established by the GNHWPCA as revised from time to time, and no reduced rates or free sanitary sewer services shall be furnished to any such person, property or premises. In all cases, the owner of property shall have final responsibility for the payment of sewer charges.

SECTION 12. Determination of Charges; Generally

In those instances where water meters are provided on the sources of water providing water to the facilities discharging into the sanitary sewer system of the GNHWPCA, potable water usage as determined from the water meter readings shall provide the basis for determining the sewer service charge, except as may be modified or amended by the GNHWPCA from time to time. As to discharge sources that are not metered, estimates of water usage will be made or a discharge meter may be required at the discretion and direction of the GNHWPCA.

SECTION 13. Allowance for Metered Water Not Discharged Into the Sanitary Sewer System

13.01 Any person owning or having control of property discharging wastewater into the sanitary sewer system and on whose property there is located one or more facilities requiring water from the source of supply that also furnishes water to the sanitary sewer system, where any portion of the water from such is not discharged into the sanitary sewer system, may at his or her expense install a water meter of a type and design, and at a location, approved by the Executive Director, and the GNHWPCA will accept readings from such meter taken and provided to the GNHWPCA by such person or his or her duly authorized agent, such readings to be furnished on forms provided by the GNHWPCA and sworn to as correct by the person taking the reading. Meters installed for this purpose shall be sealed by the GNHWPCA, and the owners shall ensure that said seal is not broken.

13.02 The amount of water measured by the reading of such meter will be used to adjust the water usage upon which the user charge established by this ordinance will be computed. In the event such property is not served by the local public water supply, such meter reading will be deducted from the total water usage furnished to the property as estimated by the GNHWPCA as provided for in this ordinance.

13.03 No facility for which a meter is installed under the provisions of this section shall be connected to the sanitary sewer system without the owner thereof having first notified in writing the Executive Director of such proposed connection.

13.04 The GNHWPCA shall have the right, at any time during regular business hours, to check the meter reading on such meter installed to measure the amount of water

provided to the facility, which facility is not discharging into the sanitary sewer system, and to remove and test such meter at any time.

13.05 Any person making a false affidavit as to the amount of water usage registered by a meter installed under the provisions of this section, or any person representing to the GNHWPCA that the facility for which a meter is installed under the provisions hereof does not discharge into the sanitary sewer when, in fact, it does, or any person having facilities for which such a meter is installed who subsequently connects such facility to the sanitary sewer system without notifying the Executive Director shall be guilty of an offense. Each and every day that such violation continues shall constitute a separate offense punishable as in accordance with Section 38.

SECTION 14. Engineering Study to Determine Charge for Industrial, Commercial and Institutional Establishments Where Portion of Water Not Discharged Into Sewer

14.01 The provisions of this section shall apply only to those industrial, commercial and institutional water users who have facilities connected to the sanitary sewer system, and on whose property there is located one or more facilities requiring water from the source of supply that also furnishes water to the sanitary sewer system, and all or part of such water provided to any such facility is not discharged into the sanitary sewer system, and who make application to the Executive Director under the provisions hereof.

14.02 Any industrial, commercial or institutional water user owning or having control of property discharging into the sanitary sewer system, and on whose property there is located one or more facilities requiring water, from the source of supply that also furnishes water to the sanitary sewer system, and all or part of such water provided to any such facility is not discharged into the sanitary sewer system, may make application to the Executive Director and submit an engineering study and report of the applicant's property and facilities made for the hereinafter stated purpose.

(a) The applicant shall conduct the necessary engineering study and tests of the applicant's property and facilities to determine:

- (i) The practicality or feasibility of the applicant to install one or more meters to measure the amount of water passing through the water meter serving such property and not being discharged into the sanitary sewer system, or
- (ii) In those instances where, in the opinion of the Executive Director based on the engineering study, it is impractical or infeasible for the applicant to install such meter or meters, the percentage of the amount of water passing through the water meter serving such property and not being discharged into the sanitary sewer system.

- (iii) A report of such determination, showing the basis thereof, shall be certified to by the Executive Director, and one copy filed with the GNHWPCA. Such report when so filed shall constitute the basis upon which the sewer service charge established by this ordinance shall be computed.
- (iv) The GNHWPCA reserves the right to require that one or more separate meters be installed at locations determined by the GNHWPCA, the cost of such meters and installation to be the sole responsibility of the owner.

(b) The Executive Director is authorized, at his or her discretion or on written request from an applicant, to require such additional engineering studies from time to time of any such property and facilities to check the current accuracy of the filed report on any such property and facilities, and if it is determined that the annual estimated sewage volume is now estimated to differ from the existing filed report's annual estimated sewage volume by more than five (5) per cent, a new report based upon the latest studies shall be filed with the GNHWPCA to replace the prior one. Requests by an applicant to conduct a restudy under the provisions hereof will not be accepted or acted on more than once in every twelve-month period (annually) subsequent to the filing of the first report on the applicant's property and facilities, except when a substantial or material change in a condition or operation of the applicant's property or facilities renders the then-current filed report and the charges based thereon no longer applicable to the applicant's property and facilities.

SECTION 15. Billing Where Individual Water Meters Are Not Provided for Multiple Unit Premises

For multiple unit premises where individual water meters are not provided for each multiple unit connection, the owner of the premises will be billed directly for the sewer service charge.

SECTION 16. Billing

16.01 Billing for sewer service charges shall be made to the sewer customers of the GNHWPCA monthly or quarterly. Those persons without water meters or with a source of water supply other than the local public water supplier will be billed periodically but not less than annually.

16.02 All sewer user charges shall be due and payable in full upon receipt of the bill. Any sewer use charge not paid in full within thirty (30) calendar days of the date of the bill shall be delinquent and shall bear interest, from the date of the bill, at the rate and in the manner provided by the General Statutes for delinquent property taxes. The GNHWPCA may adopt and revise such collection policies from time to time in accordance with and in furtherance of the billing and collection procedures set forth in this ordinance.

SECTION 17. Collection Procedures

17.01 In addition to other collection procedures provided herein, the Executive Director may retain independent legal counsel, and/or an independent collecting agent, as selected by the GNHWPCA, for the collection by lawful means of any delinquent unpaid sewer use charges as defined and revised from time to time by the GNHWPCA.

17.02 Any unpaid sewer use charges, including interest, fees and charges, shall constitute a lien upon the real estate against which such charge was levied from the date it became delinquent. Each such lien may be continued, recorded and released in the manner provided by the General Statutes for continuing, recording and releasing property tax liens and encumbrances except taxes, and may be foreclosed in the same manner as a lien for property taxes. The GNHWPCA shall designate a person as the collector of the sewer use charges, and such collector may collect such charges in accordance with the provisions of the General Statutes, aforesaid, for the collection of property taxes. The Executive Director will prepare a list of accounts deemed uncollectible in whole or in part, with recommendations, to the extent allowed by applicable law, as:

- (a) Write-off as uncollectible; or
- (b) Compromise amount of payment.

Said list shall be submitted to the GNHWPCA for review and approval.

17.03 Delinquent unpaid sewer user charges collected by independent counsel and/or collecting agency shall be increased to include all fees and charges of the collection agent applicable to the unpaid sewer use charges.

SECTION 18. Adjustment of Bill

18.01 In the event any adjustment, to the extent allowed by applicable law, in a water bill affects the basis on which the sewer charge is levied for the same period, an appropriate adjustment in the sewer use charge may be made by a credit or additional charge. In all cases, the Executive Director shall certify to the GNHWPCA the validity of each adjustment.

18.02 To the extent allowed by applicable law, the Executive Director may permit adjustments to a user’s sewer bill for various reasons under provisions of rules, regulations and guidelines that may be adopted from time to time by the GNHWPCA.

SECTION 19. Discontinuance of Service for Failure to Pay

To the extent allowed by applicable law, the GNHWPCA shall have the right to discontinue sanitary sewer service to any person discharging into the sanitary sewer system who fails or refuses to make timely payment of applicable sewer user charges or benefit assessments, including any and all interest, fees and charges allowed pursuant to applicable law; provided, however, in the event of a dispute as to the amount of such charges or benefit assessments made, service shall not be terminated if the person

charged or assessed deposits with the GNHWPCA the full amount of such charges or benefit assessments, including any and all interest, fees and charges allowed pursuant to applicable law, on the condition that, upon request by the customer, a review of the dispute is conducted and a decision rendered by the GNHWPCA, all in accordance with the GNHWPCA Customer Bill of Rights policy, as may be amended from time to time, which decision shall be final.

SECTION 20. Continued Use of Sewer After Refusal to Pay

Any person failing or refusing to pay the charges or benefit assessments, including any and all interest, fees and charges allowed pursuant to applicable law, provided for in this ordinance, or to deposit the proper sum in the event of a dispute as to the amount of such charges or benefit assessments, including any and all interest, fees and charges allowed pursuant to applicable law, in the time and manner provided, and who continues to discharge wastewater from such person's property into the sanitary sewer system, shall be in violation of this ordinance and shall be subject to the penalty and enforcement provisions pursuant to Section 38. Each and every day that such violation continues shall constitute separate offense and shall be punishable as such. The remedies set forth in Section 38 shall not be a bar to the institution by the GNHWPCA of a suit for the collection of the delinquent charges and for an injunction to enjoin such person from discharging wastewater into the sanitary sewer system without complying with the provisions of this ordinance and paying the charges and benefit assessments established hereby.

SECTION 21. Violations; Furnishing GNHWPCA False Information; Severability

21.01 Any person violating any of the provisions of this ordinance or knowingly furnishing the GNHWPCA with false or fraudulent information, or failing to comply with the provisions hereof, shall be guilty of an offense and shall be fined as provided in Section 38. Each and every day that such violation continues shall constitute a separate offense and be punishable as such. This penalty shall be in addition to any other remedy, penalty or sanction provided for herein or by applicable law.

21.02 If any provision, section, subsection, sentence, clause or phrase of this ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid (or for any reason unenforceable), the validity of the remaining portions of this ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intention of the Board of Directors of the GNHWPCA in adopting and approving this ordinance that no portion hereof or provisions or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any other portion, provision or regulation, and to this end all provisions of this ordinance are declared to be severable.

SECTION 22. Discharge Permits and Authorizations

22.01 The initiation of any of the following categories of wastewater discharges to a public sewer is expressly prohibited by this ordinance unless and until a authorization

for such discharge has been issued by the GNHWPCA and all other permits and approvals as required by applicable law have been issued by the appropriate permitting agency:

(a) Industrial wastewater of any quantity; and

(b) Domestic sewage in excess of 5,000 gallons per day through any individual building sewer or lateral sewer connection to a public sewer.

22.02 Each person discharging or proposing to discharge industrial wastewater into the public sewer, private sewer or side sewer tributary to the GNHWPCA sewer system or the GNHWPCA's treatment plant shall secure a written discharge authorization from the GNHWPCA, unless otherwise provided in this section.

22.03 The conditions and discharge standards in all written discharge authorizations shall be predicated on federal, state, and other applicable local regulations and requirements and on the results of analysis of the type, concentration, quantity and frequency of discharge including the geographical relationship of the point of discharge to sewerage and treatment facilities. These conditions and discharge standards may be revised from time to time as required by local, state or federal regulations and requirements or to meet any emergency. Obtaining a written discharge authorization, however, shall not relieve a user of its obligation to comply with all pretreatment standards and requirements pursuant to applicable law, or with any other requirements of applicable law.

22.04 Application to the GNHWPCA shall be made for written discharge authorizations at least sixty (60) days before beginning discharge unless the user is subject to categorical pretreatment standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N, in which case application to the GNHWPCA shall be made for a discharge authorization ninety (90) days before beginning of discharge.

22.05 All industrial waste producers connected to and discharging wastewater of any quantity, strength or quality to the sanitary sewer system, and all industrial waste producers who hereafter desire to connect and discharge to the sanitary sewer system, shall make applications and Notifications to the Executive Director on forms approved by the GNHWPCA.

22.06 The Executive Director will act only on complete applications. Significant Industrial Users shall comply with all requirements of 40 CFR 403.12 (b) by the time of permit issuance or upon commencement of discharge, whichever comes first, unless the specific conditions of a waste discharge authorization establish an alternate deadline. Any new source or new user meeting the definition of Significant Industrial User shall not discharge without a waste discharge authorization.

22.07 Upon the receipt of a complete application or Notification for a waste discharge authorization, the Executive Director shall issue or deny such industrial wastewater discharge authorization. If such authorization is denied, the Executive

Director shall within forty-five (45) days of the receipt of the application notify the applicant of such denial and state the reasons for such denial in writing by certified mail. Upon receipt of such notification of denial, the applicant shall immediately revise such application to comply with the reasons for denial stated in such notice, if the applicant desires to proceed under the provisions hereof..

22.08 Applications and Notifications for discharge authorizations shall include such data, information, and certification statements to determine which federal, state and local regulations apply to the industrial wastewater discharge and to set conditions for the user to comply with the regulations. This may include, but is not limited to:

(a) File a discharge report that includes nature of process, volume, rates of flow, production quantities or any other information that is deemed relevant by the Executive Director to the generation of waste, including substances and concentrations in the wastewater discharge;

(b) Submit a plan showing location and size of on-site sewers, sampling point, pretreatment facilities, public sewers and any other information required by the Executive Director;

(c) Describe activities, facilities and plant processes on the premises discharging or proposing to discharge industrial wastewater including all materials, processes and types of materials which are or proposed to be discharged; it being understood that the Executive Director will not disclose this information to others until prior notification is provided to the producer;

(d) Each product produced by type, amount and rate of production;

(e) The chemical components and quantity of liquid or gaseous material bulk stored on-site, even though they may not normally be discharged into the sanitary sewer system; and

(f) Such other information or reports as may be required by the Executive Director.

22.09 The discharge authorization provisions do not apply to building drains of industrial waste producers where the discharge is solely domestic wastewater; provided, however, that these exempted operations, as determined by the Executive Director, may be required to install a sampling well as required in Section 31 of this ordinance and, provided further, that any producer exceeding the limits established in Section 28 or domestic strength wastewater as defined by the GNHWPCA, shall be required to meet all of the requirements of this ordinance.

SECTION 23. Discharge Authorization Issuance and Renewal

23.01 The Executive Director shall require each producer of industrial wastewater to secure the authorizations required for discharge into the sanitary sewer system as required by this ordinance. A copy of each authorization so issued shall be

forwarded to the applicant. The Executive Director, upon being made aware in any manner that any producer is discharging industrial wastewater into the sanitary sewer system without having secured a written authorization, or is discharging industrial wastewater into the sanitary sewer system in excess of the approved limits, or is discharging a prohibited industrial waste into such system, shall exercise any or all of the remedies provided herein to secure compliance with the provisions of this ordinance. Any representative of the GNHWPCA is hereby authorized to observe for the quantity and/or quality of waste, as appropriate, being discharged into the sanitary sewer system.

23.02 Any person with an existing permit or written discharge authorization proposing to make a change in an existing industrial waste discharge that will substantially change the volume of flow or the characteristics of the waste or establish a new point of discharge, shall submit for approval a new waste discharge Notification thirty (30) days before making the change. Substantial changes may include, but are not limited to, any increase in the daily maximum flow, addition of a new process, product or manufacturing line that will increase or decrease the concentration of pollutants in the waste stream or require modification in the operation of the pretreatment system, addition of new pretreatment equipment or altering a sample site, or change in ownership.

23.03 Discharge authorizations shall be issued by the Executive Director for a specified period. Each waste discharge authorization will indicate a specific date upon which it will expire and a Notification for renewal submitted thirty (30) days before expiration.

23.04 Discharge conditions published in a waste discharge permit or authorization shall remain in effect until it expires, except that the Executive Director may modify the authorization for good cause including, without limitation, the following:

- (a) to incorporate any new or revised federal, state or local pretreatment standards or requirements;
- (b) to address alterations or additions to the user's operation, processes or wastewater volume or character since the time of authorization issuance, for which the modifications may be requested by the industrial user;
- (c) a change in the treatment works that requires either a temporary or permanent reduction or elimination of the authorized discharge;
- (d) information indicating that the permitted discharge poses a threat to the GNHWPCA's sewerage system, personnel or the receiving waters;
- (e) violation of any terms or conditions of the waste discharge authorization;

(f) to correct typographical or other errors in the waste discharge authorization.

23.05 If the industrial user wishes to continue discharging after the expiration date, an application shall be filed for renewal of the authorization at least one hundred eighty days before the expiration date or at least ninety days before expiration date for authorizations. Applications for renewal shall be processed in accordance with the requirements of this ordinance.

23.06 A permit or authorization shall be subject to revocation upon thirty days' notice in writing if the Executive Director finds:

(a) it was procured by misrepresentation of any material fact or by lack of full disclosure in the application;

(b) a material change in the volume of flow or characteristics of waste was effected without notice to the GNHWPCA and application to the Executive Director for a new authorization

(c) there has been a violation of the limitations or conditions of the authorization, and the industrial user refuses to take corrective action, or that a violation has continued after notice thereof;

(d) the industrial user has refused reasonable access to its premises for the purpose of inspecting or monitoring the discharge;

(e) the industrial user has falsified self-monitoring reports or tampered with monitoring equipment or otherwise failed to comply with Section 8 of this ordinance.

SECTION 24. Discharge Authorization Conditions

24.01 Industrial wastewater discharges are prohibited except as authorized by a written authorization issued by the GNHWPCA and such permitted discharges shall be expressly subject to all provisions of this ordinance and applicable law. Authorization terms and conditions may include, but are not limited to, the following:

(a) Unit charge or schedule of user charges and fees for the wastewater to be discharged to the sanitary sewer system;

(b) Allowable average and maximum strengths, characteristics or constituents of the user's wastewater discharge;

(c) Limits on rate and time of discharge or requirements for flow regulation and equalization;

- (d) Regulations for installation of inspection and sampling facilities, which include requirements for the GNHWPCA's access to such facilities;
- (e) Pretreatment requirements;
- (f) Regulations for monitoring programs, which may include sampling locations, frequency and method of sampling, number, types and standards of tests, and reporting schedules;
- (g) Requirements for the submission of technical reports or discharge reports;
- (h) Requirements for the maintenance of plant records relating to wastewater discharge and affording GNHWPCA access thereto; and
- (i) Other terms and/or conditions as deemed appropriate by the Executive Director to ensure compliance with this ordinance.

SECTION 25. Discharge Authorization Suspension or Revocation

25.01 The Executive Director is authorized to suspend or revoke any authorization issued and to terminate service at any time that the permittee violates any of the provisions of this ordinance, fails or refuses to pay, when due, fees, fines, charges or assessments made by the GNHWPCA for such sewer services, or discharges wastewater in a quantity or quality violating the provisions of the authorization, applicable law, or otherwise prohibited by this ordinance.

25.02 If a permittee violates any condition of its authorization, the permittee shall notify the GNHWPCA by telephone immediately and submit written notice to the Executive Director within three (3) calendar days of such violation outlining the steps which will be taken to effectuate correction of such violation. The violation shall be corrected within five (5) calendar days after the occurrence of such violation, unless a different time schedule for correction is approved by the Executive Director.

25.03 If the GNHWPCA discovers a violation of a authorization condition, the Executive Director will give written notice of such violation to the permittee, and the permittee shall, within five (5) calendar days after receipt of such notice, furnish the Executive Director a description, in writing, of the action which will be taken to effectuate correction of such violation. The violation shall be corrected within five (5) calendar days after receipt of such notice of the occurrence of such violation unless a different time schedule for correction is approved by the Executive Director.

25.04 No provision contained in this ordinance shall be deemed to prevent any contract authorized by the GNHWPCA in the usual manner between the GNHWPCA and any industrial waste discharger whereby an industrial waste of unusual strength or characteristic may be accepted by the GNHWPCA for treatment when the industrial waste will not be discharged directly into the sanitary sewer system but will be delivered directly to the wastewater treatment plant, and which will not violate or cause a violation

of applicable law and which will not be harmful to the wastewater treatment plant or the treatment process.

SECTION 26. Quantity Determination

26.01 Unless otherwise provided, the quantity of wastewater delivered to the sanitary sewer system will be construed as being the same as the water delivered to the producer by the local public water supply system. If it is ascertained that the water meter has inaccurately measured the amount of water delivered to the permittee, then and in that event the sanitary sewer charge established herein shall be adjusted in the same manner as adjustments are made to the water bill.

26.02 Should the producer evaporate or otherwise dispose of water delivered by the local public water supply system other than to the sanitary sewer system, the industrial waste producer may avail himself of the provisions of Section 12 and Section 13.

26.03 Under the provisions of Section 12, it shall be the obligation of the permittee to conduct a test on the flow measuring equipment as follows: meters measuring four and five-tenths (4.5) ccf or greater per day shall be tested at least once every twelve (12) months; meters measuring four and forty-nine-one-hundredths (4.49) ccf or less per day shall be tested at least once every four (4) years. The test shall be used to determine the meter accuracy and the results thereof shall be furnished in writing to the Executive Director. It shall also be the permittee's responsibility to notify the Executive Director within reasonable time in advance so that the Executive Director may, if he or she chooses, have a witness present during such test. If, upon any such test, the percentage of accuracy is found to be within the accuracy tolerance established by the manufacturer's specifications, such measuring equipment shall be determined to have correctly measured the quantity delivered to the sewer system. If, however, upon any such test, the percentage of accuracy is found to be in excess of the accuracy tolerance specified by the manufacturer's specifications, then such measuring equipment shall be immediately adjusted to register correctly the quantity delivered to the sewer system. The billings to such permittee shall be adjusted for a period extending back to the time when the inaccuracy began, if such time can be ascertained, or for a period extending back one-half of the time elapsed since the date of the test or the date of the last adjustment, if such time can be ascertained.

26.04 Any producer for which the water supply is from private wells or any other non-metered water source shall install, operate and maintain at its expense such meters or other devices as are necessary to determine quantity discharge to the sewer system. Such meters shall be approved by the Executive Director.

26.05 In the event none of the above provisions are applicable, all producers for which the water supply is from other than the local public water supply system, shall furnish to the GNHWPCA either a certified meter reading of water delivered to its plant or company or a copy of the billing from the water supplier. In this event, the permittee's

charges will be calculated and the same conditions will apply as if the local public water supply system were the supplier of water to the permittee.

SECTION 27. Quality Determination

27.01 Determination of the average concentration or strength of the sewage delivered shall be the obligation of the GNHWPCA, and tests made on representative average samples shall be made at such intervals as the GNHWPCA may designate. The cost of all such analyses required by the Executive Director shall be borne by the permittee.

27.02 Samples may be taken and tests made at the GNHWPCA's option without notice to the permittee, and such tests' results made by the GNHWPCA shall fix the applicable user charge established herein; provided, however, a permittee request in writing that its user charge be established pursuant to a composite sample secured and analyzed by an independent laboratory approved by the GNHWPCA. Such request must be approved in writing by the Executive Director. If approved by the Executive Director, all costs of such composite sampling and subsequent analysis shall be borne by the permittee and shall be conducted at intervals determined by the Executive Director. The GNHWPCA approval of sampling and analysis permitted by an independent laboratory shall not prevent representatives of the GNHWPCA from taking additional samples at its option without notice to the permittee.

27.03 Written notice from the Executive Director approving sampling and analysis by an independent laboratory to establish user charges hereunder may be cancelled by the Executive Director by giving written notice of such cancellation to the permittee.

27.04 Sampling shall be conducted according to customarily accepted methods. If, after receiving an application, the Executive Director determines that the operations or characteristics of the producer's industrial wastewater discharge requires composite sampling; the Executive Director may require same, which shall be provided by the producer on the basis of an average work day. Otherwise, the analysis will be made on the basis of grab samples. The GNHWPCA may select an independent firm or laboratory to determine flow; BOD; suspended solids; FOG and total nitrogen or other identified pollutant of concern at the permittee's expense.

27.05 The Executive Director may make periodic tests to determine the quality of sewage being discharged into the sanitary sewer system from the premises of discharge authorization holders under the provisions hereof. If at any time the industrial process changes or the quality of the industrial wastewater changes such that the addition, modifications or alteration of pretreatment is required to meet GNHWPCA standards, the Executive Director will then have the authority to require that approved pretreatment facilities be installed by the permittee. Should any discharge authorization holder fail or refuse to install such facilities or initiate their installation to the satisfaction and approval of the Executive Director within the dates and time specified in the authorization, the Executive Director shall have the authority to suspend or revoke such authorization and

to terminate sewer service to such premises until such time as the permittee has completed with the requirements hereof, and take other action as may be permitted under Section 38.

SECTION 28. Standard of Quality of Discharge

28.01 Unless otherwise required or approved, the delivery of all industrial wastewater from the producer to the sanitary sewer system shall be at a reasonably uniform rate, as provided, without storage by the producer, except that storage which is necessary in the pretreatment plan of the producer.

28.02 Except as specifically provided for some particular sewer or location, it shall be a violation of this ordinance to discharge or cause to be discharged any subsurface drainage, storm or groundwater, downspout or roof runoff, yard sprinklers, drains, fountains or ponds into any sanitary sewer. Water from swimming pools, boiler drains, blow-off pipes or cooling water from various types of equipment may be discharged into the sanitary sewer by an indirect connection whereby such discharge is cooled, if required, and flows into the sanitary sewer at a rate not to exceed the design capacity of the sanitary sewer, provided that the wastewater does not contain materials or substances in suspension or solutions in violation of the limits prescribed in this ordinance.

28.03 It shall be a violation of this ordinance to discharge or cause to be discharged into any sanitary sewer any of the following described substances, materials, waters or wastes:

(a) Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees Fahrenheit (sixty-five (65) degrees Celsius).

(b) Except as otherwise allowed by the GNHWPCA and subject to the user charges pursuant to Section 35 of this ordinance, any wastewater which contains FOG, plastic or other substances in excess of one hundred (100) mg/l that will solidify or become discernibly viscous at temperatures between thirty-two (32) degrees and one hundred fifty (150) degrees Fahrenheit or zero (0) and sixty-five (65) degrees Celsius.

(c) Except as otherwise allowed by the GNHWPCA and subject to the user charges pursuant to Section 35 of this ordinance, any wastewater which contains nitrogen in excess of twenty-five (25) mg/l.

(d) Flammable or explosive liquid, solids or gas, such as gasoline, kerosene, benzene, naphtha, fuel oil, etc.

(e) Solid or viscous substances in such quantities or of such size capable of causing obstructions to the flow in sanitary sewers or interference with the proper operation of the treatment works such as, but not limited to ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, whole blood, paunch manure, hair and fleshings, entrails, lime slurry, lime residues, slops, chemical residues, fiberglass or bulk solids.

(f) Garbage or wastes generated from garbage grinders, unless approved by the GNHWPCA. Garbage grinders shall not be used for grinding plastics, paper products, garden refuse, hospital or veterinarian refuse, or similar refuse for disposal into a sanitary sewer.

(g) Any noxious or malodorous substance which can form a gas, or which either singly or by interaction with other wastes is capable of causing objectionable odors or hazard to life and/or property, or which forms solids in concentrations exceeding limits established herein, or which creates any other condition deleterious to structures or treatment processes, or which requires unusual facilities, attention or expense to handle such materials.

(h) Any other substance, material, water or waste as prohibited by applicable law or as determined by the GNHWPCA.

28.04 Except in quantities or concentrations as herein authorized or in such more stringent quantities or concentrations as required by applicable law, it shall be a violation of this ordinance for any person to discharge wastewater to the sanitary sewer containing:

(a) Free or emulsified FOG exceeding on analysis an average of one hundred (100) mg/l (one thousand six hundred sixty-six (1,666) pounds per million gallons) of either or both or combination of free or emulsified FOG, unless otherwise authorized to do so by a valid discharge permit.

(b) Acids or alkalies which attack or corrode sewers or sewage disposal structures, equipment and/or personnel, or have a pH value lower than 5.5 or higher than 9.5, or which, due to contents, may be reduced or changed with age or by sewage to produce acid or alkaline reactions.

(c) Metallic ions and salts of the heavy metals, in solutions or suspension, in concentrations exceeding the lesser of the following and that required by applicable law, the analytical results to be expressed in terms of the element indicated:

<i>Element</i>	<i>Mg/l</i>
Arsenic.....	0.05
Barium.....	5.0
Boron.....	5.0
Cadmium.....	0.1
Chromium.....	1.0
Copper.....	1.0
Cyanide.....	0.1
Lead.....	0.1
Manganese.....	10.0
Mercury.....	0.01
Nickel.....	1.00
Selenium.....	0.02

Silver.....	0.1
Zinc.....	1.0

No other heavy metals or toxic materials may be discharged to the sewer system without an industrial waste authorization which shall specify permitted concentrations.

(d) Cyanides or cyanogen compounds capable of liberating hydrocyanic gas or acidification in excess of one tenth of one mg/l as CN in the wastes from any outlet into the sanitary sewers.

(e) Radioactive materials exceeding the standards of the State of Connecticut or the United States.

(f) Any discharges containing phenols or other substances in such concentrations as to produce odor in the effluent as to affect the odor of the receiving waters.

(g) Discharges which exert or cause:

(i) Excessive discoloration such as, but not limited to, dye wastes and tanning solutions, unless, by actual test, it is found that such discoloration will be removed by pretreatment at the existing GNHWPCA treatment plant;

(ii) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantity as to cause a significant load on the sewage treatment works;

(iii) Unusual concentrations of solids in composition, as an example, in TSS's inert nature (such as fuller's earth) and/or in total dissolved solids (such as sodium sulfate);

(iv) High hydrogen sulfide content;

(v) Unusual volume flow and concentration constituting "slugs"; or

(vi) Hazard to life and/or property.

(h) Any substance which is not amenable to treatment or reduction by the wastewater treatment process employed, or is amenable to treatment only to such degree that the wastewater treatment plant cannot meet the requirements of other agencies having jurisdiction over discharges without first pretreating to a concentration acceptable to the GNHWPCA.

(i) Any other substance material, water or waste as determined by the Executive Director.

28.05 It shall be a violation of this ordinance to discharge to any natural outlet within the service territory of the GNHWPCA, or in any area under the jurisdiction of the GNHWPCA, any wastewater or other polluted waters, except where a permit has been issued by the State of Connecticut Department of Environmental Protection.

28.06 Oil and sand separators shall be required when, in the opinion of the Executive Director, they are necessary for the proper handling of liquid wastes containing floatable oil in excessive amounts, as specified in paragraph 28.04(a), or any flammable wastes, sands, or other harmful ingredients; except that such separators shall not be required for private living quarters or dwelling units. All separators shall be a type and capacity approved by the Executive Director, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these separators, the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates, and means of disposal, which are subject to review by the Executive Director. Any removal and hauling of the collected materials not performed by owner(s) personnel must be performed by properly licensed waste disposal firms.

SECTION 29. Accidental Discharges

29.01 Each permittee shall provide protection from accidental discharge of prohibited materials or other wastes regulated by this section.

29.02 For countermeasures to be taken by the GNHWPCA to minimize damage to the sanitary sewer system and/or degradation of the receiving waters, permittee shall notify the GNHWPCA immediately upon accidentally discharging wastes in violation of this ordinance. This notification shall be followed within three (3) calendar days of the date of occurrence by a detailed written statement describing the causes of the accidental discharge and the measures being taken to prevent further occurrences. Such notification will not relieve permittee of liability for any expense, loss or damage to the sanitary sewer system, or for any fines imposed on (by) the GNHWPCA on account thereof and/or for any GNHWPCA enforcement action pursuant to this occurrence.

29.03 In order that officers, agents and employees of permittees will be informed of the GNHWPCA's requirements, permittees shall make available to their employees copies of this section, together with such other wastewater information and notices which may be furnished by GNHWPCA from time to time for the purpose of improving and making more effective water pollution control. A notice shall be furnished and permanently posted on the permittee's bulletin board advising officer agents and employees whom to call in case of an accidental discharge in excess of the limits authorized by the permit.

29.04 Any possible connection or entry point for a hazardous and/or prohibited substance to the permittee's plumbing or drainage system shall be appropriately labeled to warn operating personnel against discharge of such substance in violation of this section.

SECTION 30. Changes of Ownership

In the event a producer of industrial waste which is authorized to make connection to the sanitary sewer for industrial wastewater disposal under the provisions hereof is sold, leased or its operation is assumed or taken over by another person other than that named in the permit, a new application or Notification shall be made by the new owner, lessee or operator. No waste discharge authorization issued under the provisions hereof shall be assignable, and a violation of this provision shall be grounds for summary suspensions or revocation of such authorization by the Executive Director.

SECTION 31. Pretreatment

31.01 Pretreatment will be required in the following instances, and the Executive Director shall submit to the applicant the pretreatment levels which must be obtained:

(a) If the Executive Director determines upon the initial application for a authorization under this ordinance that the industrial wastewater must be pretreated by the applicant to lower the level of any of the components of the industrial wastewater before discharge to the sanitary sewer.

(b) If the GNHWPCA must improve the discharge from the wastewater treatment plant to the receiving waters as a result of maintaining compliance with applicable law, directives from federal or state regulatory agencies, orders or judgments from courts of competent jurisdiction or changes in the discharge authorization for the GNHWPCA's wastewater treatment plant or plants, then and in that event, the Executive Director will require that a permittee install or enlarge pretreatment facilities to lower the affected component of the permittee's industrial wastewater discharge.

(c) If any wastewaters prohibited under the conditions of this ordinance are produced, such producer shall pretreat the wastewater to the extent required to comply with the standards established herein before discharging to any sanitary sewer.

(d) If the Executive Director determines that a permittee, because of facility expansion and/or changes in facility operations, has increased either the strength or volume of discharge, the Executive Director may require additional pretreatment to lower the level of the volume and/or any components of the industrial wastewater before discharge. Pretreatment facilities required under the foregoing subsections of this section shall be provided, operated and maintained at the permittee's sole cost and expense.

31.02 Any sludge or other material removed from the industrial wastewater by the pretreatment facility shall be disposed of in accordance with applicable laws.

31.03 Dilution of wastewater discharged to the sanitary sewer system is prohibited, whether accomplished by the combination of two (2) or more wastewater streams by a producer or producers or by addition of other liquids solely for the purpose of diluting the quality of the wastewater discharge.

One or more producers may, upon application and approval by the Executive Director, combine industrial wastewater streams prior to discharge to the sanitary sewer system if, and only if, such combination of industrial wastewater streams produces a combined discharge of better quality than the two (2) industrial wastewater streams would have been if discharged separately.

31.04 Detailed plans showing any proposed pretreatment facilities and operating procedures shall be submitted to the Executive Director for approval before construction of the facilities. The review of such plans will in no way relieve such permittees from the responsibility of modifying and operating the facilities to produce an effluent complying with the established conditions of the authorization. Any subsequent material changes in the approved facilities or operating procedures shall be reported to the Executive Director and must be reviewed and approved by him or her as complying with the provisions herein established.

31.05 After the construction plans for such pretreatment facilities have been approved and a authorization issued, the construction plans as approved and incorporating any approved as-built conditions shall be placed on file in permanent, reproducible form, with the Executive Director, without cost to the GNHWPCA.

SECTION 32. Testing Wastewater

32.01 It is a condition of the authorization that the GNHWPCA may at any time test any of the wastewater being discharged by the permitted facility for quality or quantity. A duly authorized WPCA representative may enter the permittee's premises at any time during business or operational hours for the purpose of inspecting the facility operations to estimate quality and quantity of wastes, as defined herein.

32.02 It is a condition of the authorization that the permittee will install facilities at the permittee's expense for the purpose of the GNHWPCA's representative inspecting, observing and sampling representative flows.

SECTION 33. Trade Secrets

All information and data relating to a permittee obtained from reports, questionnaires, permit applications, Notifications, authorizations, monitoring programs, and inspections, shall be available to the public without restriction unless the permittee specifically requests and is able to demonstrate to the satisfaction of the GNHWPCA that the release of such information to the general public would divulge information or processes or methods that would give a business advantage to competitors who do not otherwise have this information and that the permittee takes reasonable measures to maintain the confidentiality of such information including having advised other governmental agencies in a similar manner.

SECTION 34. Computation of GNHWPCA's Average Unit Costs

34.01 The following items shall be used to compute the average unit cost, but shall not be deemed to be exclusive of other pertinent factors:

(a) The total proposed GNHWPCA operating budget for the next fiscal year will be used as a basis for calculating operation, maintenance, and debt service expenditures. No credit will be allowed for contract services or other service charge collections.

(b) The GNHWPCA's average unit cost will be computed for each of its functional rate components including volume of flow and pollutant loadings based on its application within the utility system.

34.02 The cost of operation shall be recomputed no less often than annually to reflect increases or decreases in operation and maintenance costs and annual debt service, and user charges shall be revised by the GNHWPCA.

SECTION 35. Computation of Industrial User Charges

35.01 The GNHWPCA shall establish industrial user surcharges to cover the increased cost of permitting, accepting, and treating industrial wastewater discharges.

35.02 The user surcharges shall be based upon the quantity and quality of the discharge and the costs to permit, monitor, collect and treat those constituents whose concentration exceeds that contained in domestic wastes and that contribute to the costs of operation and maintenance of the GNHWPCA system. The constituents typically in this category are BOD, TSS and FOG. The Executive Director may use a more appropriate constituent that characterizes the waste to establish waste strength and impact on the costs of operation and maintenance of the system.

35.03 The concentration of domestic wastes shall be defined by the Executive Director.

35.04 The Executive Director is authorized to establish the user surcharges as part of the GNHWPCA's annual budget process and assign users to various surcharge classifications based on their discharge characteristics.

35.05 The Executive Director shall establish the average waste strength for each industrial user by either direct measurement or classification. Those users discharging the largest volumes or highest concentrations will be monitored directly and the surcharges based on an individualized assessment. Those users discharging less than those quantities may be classified by user group and assigned a waste strength based upon their average measured values or group classification for representative industrial users within that classification.

35.06 When an industry produces both domestic and process wastewater with one connection to the sewer system, the wastewater so delivered will be considered as industrial wastewater and the user charge computations will be based on the combined volume and estimated average wastewater strength in compliance with this subsection.

35.07 A permittee may reduce his user charge rate by greater removals in pretreatment or plant operation procedure, but once the pretreatment or plant procedure is

established to obtain a uniform or lower rate, written consent from the Executive Director to increase the delivered strength shall be required, and charges for a higher rate based on tests by the GNHWPCA may be made without other notice to the permittee.

35.08 Monthly billing or quarterly billing for industrial wastewater disposal will be accomplished, using the established procedures.

SECTION 36. Charges Effective After Meters Read; Installation of Meters

36.01 For producers with installed water meters, the charges established shall become effective from and after each producer's first regular meter reading date after the GNHWPCA approval for discharge to the sanitary sewer system. Producers who are required under the provisions hereof to install water meters for the purpose of determining charges established by this ordinance shall do so in compliance with the dates and times established by the Executive Director, and the installation will be at the producer's expense. Such meters will be of a type and standard and in a location approved by the Executive Director.

36.02 Any person required to install a water meter under the provisions hereof who fails or refuses to do so in the time and manner required, shall be charged as provided herein based on water usage estimated by the Executive Director.

SECTION 37. Septage, Holding Tank Waste and Acceptable Indirect Wastes

37.01 No person shall discharge or cause to be discharged into any public sewer or the collection system either directly or indirectly, any septage, holding tank waste and acceptable non-domestic wastes, overflow or effluent from a septic tank, cesspool, subsurface drainage trench, bed or filter, or other receptacle storing organic waste.

37.02 Septage, holding tank waste and acceptable non-domestic wastes may be discharged only at a designated receiving facility within the treatment plant area, and at such times as are established by the Executive Director. Such wastes shall comply with the provisions of this ordinance and any other requirements established or adopted by the GNHWPCA. The Executive Director shall issue wastewater discharge permits for individual vehicles to use such facilities.

37.03 The Executive Director may require samples of each such hauled load be obtained to ensure compliance with applicable pretreatment standards. The Executive Director may require the septage, holding tank waste and acceptable non-domestic wastes hauler to provide a waste analysis of any such load prior to discharge.

37.04 Septage, holding tank waste and acceptable non-domestic wastes haulers must provide a waste-tracking form for every such load. This form shall include, at a minimum, the name and address of the waste hauler, permit number, truck identification, sources of waste, and volume and characteristics of waste.

37.05 Septage, holding tank waste and acceptable non-domestic wastes haulers shall purchase load tickets from the GNHWPCA prior to arrival at the treatment plant,

and present such tickets the summed value of which is calculated on the basis of the total gallon rated capacity of the truck, regardless of whether the truck is full or partially full.

SECTION 38. Enforcement

38.01 Any or all of the following remedies may be employed by the GNHWPCA to abate and prevent further violations of the provisions of this ordinance:

(a) Notification of Violation - When the Executive Director finds that a person has violated or continues to violate any provision of this ordinance, a wastewater discharge authorization or order issued hereunder, or any other pretreatment standard or requirement, the Executive Director may serve upon that person a written Notice of Violation by certified letter. In accordance with Section 25.03, within five (5) calendar days of the receipt of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by such person to the Executive Director. Submission of this plan in no way relieves the person of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this section shall limit the authority of the GNHWPCA to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

(b) Cease and Desist - When the Executive Director finds that a person has violated or continues to violate any provision of this ordinance, a wastewater discharge authorization or order issued hereunder, or any other pretreatment standard or requirement, or that the person's past violations are likely to recur, the Executive Director may issue an order to such person directing it to cease and desist all such violations and directing the user to:

- (i) Immediately comply with all requirements; and
- (ii) Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge.

Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the person.

(c) Fines – When the Executive Director finds that a person has violated any provision of this ordinance, a wastewater discharge authorization or order issued hereunder, or any other pretreatment standard or requirement, the Executive Director may assess a fine against such person of no less than three hundred and fifty dollars (\$350) and no more than the maximum allowable by applicable law. Each day's violation shall be and constitute a separate violation. In the case of monthly or other long-term average discharge limits, fines shall be assessed for each day during the period of violation.

(d) Surcharge Classification – In addition to the other provisions of this section, when an industrial user has violated any provision of this ordinance, its wastewater discharge authorization or order issued hereunder, or any other pretreatment standard or requirements as documented by the GNHWPCA’s industrial pretreatment program coordinator, the industrial user may automatically be assigned to the next highest user surcharge classification beginning on the next billing cycle. Upon correction of the violation, the industrial user can request for a reclassification of its assigned surcharge. Such reclassification will begin on the next billing cycle following the Executive Director’s acceptance of the corrections.

(e) Discontinuance of Service - When the Executive Director finds that a person has violated or continues to violate any provision of this ordinance, a wastewater discharge authorization or order issued hereunder, or any other pretreatment standard or requirement, the Executive Director may discontinue service by disconnection and sealing of the sanitary sewer connection. No person who has been disconnected shall be reconnected until such person has paid the GNHWPCA for the costs of disconnection, interest and all costs and expenses for enforcement including legal fees of the GNHWPCA.

(f) Judicial Relief - When the Executive Director finds that a person has violated or continues to violate any provision of this ordinance, a wastewater discharge authorization or order issued hereunder, or any other pretreatment standard or requirement, the GNHWPCA’s counsel may, and is hereby authorized to, proceed in a court of competent jurisdiction to secure appropriate judicial relief from violation by such person of the provisions of this ordinance.

38.02 The provisions in this section are not intended to be exclusive remedies available to the GNHWPCA. The GNHWPCA reserves the right to take any, all, or any combination of these actions against a non-compliant person including without limitation, equitable and injunctive relief as well as all other remedies allowed by applicable law. Further, the GNHWPCA is empowered to take more than one enforcement action against any non-compliant person. These actions may be taken concurrently.

SECTION 39. Establishment of Sewer Funds

There is hereby established one or more sewer funds. These funds will be used for the operation, maintenance, and administration of the sanitary sewer system, and for payment of principal and interest on indebtedness of the GNHWPCA issued for the acquisition and construction of sanitary sewer system. The sanitary sewer system will be treated as an asset of these funds.

SECTION 40. Force Majeure

The GNHWPCA shall not, to the extent allowed by applicable law, be liable or responsible to any person, or be deemed to have defaulted under or breached this ordinance, for any failure or delay in fulfilling or performing any term of this ordinance, including, without limitation, the failure or delay in providing sanitary sewerage service

to any person, when and to the extent such failure or delay is caused by or results from acts beyond the GNHWPCA's reasonable control, including, without limitation, the following force majeure events ("Force Majeure Event(s)": (a) acts of God; (b) flood, fire, earthquake, other potential disaster(s) or catastrophe(s), such as epidemics, pandemics, or explosion; (c) war, invasion, hostilities (whether war is declared or not), terrorist threats or acts, riot or other civil unrest; (d) government order, law, or actions; (e) embargoes or blockades in effect on or after the date of passage of this ordinance; (f) national or regional emergency; (g) strikes, labor stoppages or slowdowns, or other industrial disturbances; (h) telecommunication breakdowns, power outages or shortages, inadequate transportation services, or inability or delay in obtaining supplies of adequate or suitable materials; and (i) other similar events beyond the reasonable control of the GNHWPCA. The GNHWPCA shall use diligent efforts to end the failure or delay and ensure the effects of such Force Majeure Event are minimized. The GNHWPCA shall resume the performance of its obligations to provide sanitary sewerage service as soon as reasonably practicable after the removal of the cause.

SECTION 41. Annual Audit

The sewer fund shall be audited annually by an independent certified public accounting firm selected by the GNHWPCA no later than thirty (30) calendar days prior to the end of the fiscal year which is to be audited.

SECTION 42. Cost of Service Study

The Executive Director will ensure that a Cost of Service Study is performed at least annually. The objective of the Cost of Service Study is to produce a schedule of recommended user rates and charges for the customers of the GNHWPCA's system which will be sufficient to meet the anticipated costs of operating the sanitary sewer system for the upcoming fiscal year.

The Cost of Service Study shall include:

- A review and evaluation of the proposed expense budget for the upcoming fiscal year, and prepare cost estimates for the succeeding four fiscal years based on the Executive Director's cost estimates.
- A review and evaluation of the proposed revenue budget for the upcoming fiscal year, and prepare cost estimates for the succeeding four fiscal years based on the Executive Director's revenue estimates.
- Determine the projected revenue requirement from user rates for the upcoming fiscal year and the succeeding four fiscal years.
- Develop a schedule of recommended rates and charges sufficient to support the estimated annual revenue requirements from user rates for the upcoming fiscal year and the succeeding four fiscal years.

- Analyze the GNHWPCA's historical collection rate, including the current fiscal year and the Executive Director's estimate of the collection rate for the upcoming fiscal year.
- Prepare a report documenting recommendations, assumptions and methodology.
- Such other information as required by the Executive Director from time to time.

The Executive Director shall review the results and submit the Cost of Service Study to the GNHWPCA Board of Directors on or before the third Monday in April.

SECTION 43. Budgeting

Initial Budget; Initial Sewer Use Charge

With respect to the initial budget to be adopted by the GNHWPCA and the initial sewer use charge to be established by the GNHWPCA promptly following creation of the GNHWPCA, a proposed budget and the proposed initial sewer use charge shall be submitted for consideration and approval to the Board of Directors of the GNHWPCA and thereafter shall be submitted for consideration at a public hearing pursuant to the Act. Notice of such public hearing shall be posted by the GNHWPCA with the clerk of the GNHWPCA and the town/city clerk of each of the Constituent Municipalities and shall also be published in a newspaper of general circulation in each of the Constituent Municipalities, such posting and publication of notice to occur prior to the date of such public hearing. No such initial sewer use charge shall be established until it has been approved by the GNHWPCA and after the GNHWPCA has held a public hearing thereon pursuant to the Act. Within thirty (30) days of adoption of the initial budget of the GNHWPCA, the Executive Director shall submit one copy of the annual operating budget to the Secretary of the Office of Policy and Management, as required pursuant to Section 22a-502 of the Act.

Annual Budget

Except with respect to the initial budget of the GNHWPCA and the establishment of an initial user charge which shall be adopted and established as set forth above, the Executive Director shall submit an "Annual Budget" consisting of the next fiscal year's projected expenditures and recommended user rates and charges and a proposed Annual Capital Budget for the upcoming fiscal year; an annual update to the Five Year Capital Improvement Plan; and the impact of the "Annual Budget" of the next fiscal year's projected expenditures and revenues and user rates and charges to the GNHWPCA Board of Directors and filed with the city/town clerk of each of the Constituent Municipalities by the Executive Director on or before the third Monday in April and within (10) business days after such submission the "Annual Budget" which consists of the next fiscal year's projected expenditures and recommended user rates and charges and a proposed Annual Capital Budget for the upcoming fiscal year; an annual update to the Five Year Capital Improvement Plan; and the impact of the "Annual Budget" of the next Fiscal year's projected expenditures and revenues and user rates and charges shall

be published once in a newspaper having general circulation in each of the Constituent Municipalities. After such publication, but no earlier than (10) business days after public notice thereof, the GNHWPCA Board of Directors shall hold a public hearing on such "*Annual Budget*" of the next fiscal year's projected revenue and expenditures and recommended user rates and charges and consider and act on such "*Annual Budget*" of the next fiscal year's projected revenues and expenditures and recommended user rates and charges on or before the first Monday in June.

Within five (5) business days of adoption by the GNHWPCA Board of Directors, the "*Annual Budget*" of the next fiscal year's projected expenditures and revenues and the approved user rates and charges shall be filed with the city/town clerk in each of the Constituent Municipalities and no later than five (5) business days after their filing shall be published once in a newspaper having general circulation in each of the Constituent Municipalities.

Each year the "*Annual Budget*" shall include a line item for unanticipated operating contingencies. The Executive Director shall make specific requests to the GNHWPCA Board of Directors for authority to expend funds from the contingency account from time to time subject to certification by the Treasurer as to the availability of funds.

The Executive Director shall submit one (1) copy of the adopted "*Annual Budget*" of the GNHWPCA to the State of Connecticut Office of Policy and Management by July first of each year or within thirty (30) calendar days after the adoption of the budget, whichever is later pursuant to the act.

SECTION 44. Organization of GNHWPCA Staff

44.01 The GNHWPCA staff, under the Executive Director, shall be responsible for the management, operation, maintenance and administration of the sanitary sewer system.

SECTION 45. Customer Rights

45.01 Billing Inquiries

(a) It is always your right as a customer to question a bill. Any customer who has a question or complaint or who disputes all or part of a sewer use bill should contact a customer service representative either in person at our office located at 260 East St., by mail or by calling (203) 776-3570.

(b) If this does not resolve the problem the customer may ask a GNHWPCA Review Officer to consider the problem. Such a request must be made in writing within 10 days after the GNHWPCA is initially notified of the problem as described in paragraph (a) above. A Review Officer shall be an employee of the GNHWPCA.

(c) The GNHWPCA Review Officer will investigate the customer's problem and send a decision to the customer in writing within thirty (30) days after the written request is received by the GNHWPCA Review Officer as described in paragraph (b) above.

(d) The investigation will include, but not be limited to, review of the customer's past and current information on water use and sewer use billings, analysis of the past and current patterns of water use, follow up where water leaks are suspected and coordination with the Regional Water Authority when the accuracy of a water meter reading is in question.

(e) If the problem remains unresolved after receipt of the written decision by the GNHWPCA Review Officer, the customer has ten (10) calendar days to request in writing a further review by the GNHWPCA Board of Directors.

(f) The GNHWPCA Board of Directors will investigate the customer's problem and send its decision to the customer in writing within five (5) calendar days after its next regular monthly meeting following receipt of the request as described in paragraph (d) above.

(g) During the time which a billing appeal is in process in accordance with the above procedures, the customer is required to pay the disputed amount of past due bills and to pay on a current basis the disputed amount of all future bills.

45.02 Other Inquiries

(a) If a customer has any questions or concerns related to any aspects of his/her sewer use services other than billing issues, he/she should contact a customer service representative either in person at our office at 260 East St., or by calling (203) 776-3570.

(b) If the customer is not satisfied with the results of this initial contact, he/she may ask to be directed upward through the various levels of management.

45.03 Right to Request Information on Rates and Charges

(a) Each customer has the right to request a copy of the GNHWPCA's current schedule of rates and charges. In addition, information regarding the calculation of the appropriate sewer use billing amount is also available either in person at our office at 260 East St., or by calling (203) 776-3570.

SECTION 46. Powers

In furtherance of the purpose for which it is created, the GNHWPCA may exercise any and all of the powers granted to such an authority by the act and applicable law.

SECTION 47. Right to Enter and Inspect

The GNHWPCA and its authorized agents and representatives, bearing proper credentials and identification, shall be permitted to enter upon all properties for the purposes of inspection, observation, measurement, sampling, testing, and such other purposes, in order to ascertain compliance with this ordinance. The GNHWPCA and its authorized agents and representatives, bearing proper credentials and identification, shall be permitted to enter all private properties through which the GNHWPCA holds an easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, and repair and maintenance of any portion of the sanitary sewer system lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of such easement pertaining to the private property involved.