

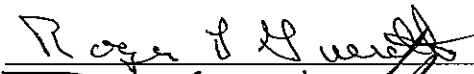
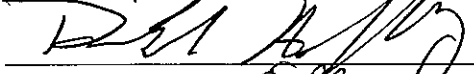

WINTHROP UTILITIES DISTRICT
SEWER DIVISION
RULES AND REGULATIONS
JUNE 2006

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BOARD OF TRUSTEES

PRESIDENT

TREASURER

SECRETARY

WINTHROP UTILITIES DISTRICT
SEWER DIVISION
RULES AND REGULATIONS
JUNE 2006

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WINTHROP UTILITIES DISTRICT
SEWER DIVISION
RULES AND REGULATIONS

SECTION 1 – GENERAL PROVISIONS

1.1 PURPOSE AND POLICY

This regulation sets forth uniform requirements for users of the Winthrop Utilities District wastewater collection system and Publicly Owned Treatment Works (POTW) for the Augusta Sanitary District and enables the Winthrop Utilities District and Augusta Sanitary District to comply with all the applicable State and Federal laws including the Clean Water Act (33 U.S.C. 1251 et seq.), and the General Pretreatment Regulations (40 CFR Part 403). The objectives of this regulation are:

- A. To prevent the introduction of pollutants into the POTW that will interfere with the operation of the POTW;
- B. To prevent the introduction of pollutants into the POTW which will pass through the POTW inadequately treated, into the receiving waters or otherwise be incompatible with the POTW;
- C. To ensure that the quality of the wastewater treatment plant sludge is maintained at a level which allows its use and disposal in compliance with applicable statutes and regulations;
- D. To protect POTW personnel who may be affected by wastewater and sludge in the course of their employment and to protect the general public;
- E. To improve the opportunity to recycle and reclaim wastewater sludge from the POTW;
- F. To enable the Augusta Sanitary District to comply with its NPDES permit conditions, sludge use and disposal requirements and any other Federal or State laws to which the POTW is subject.

1.2 ADMINISTRATION

Except as otherwise provided herein, the Winthrop Utilities District Superintendent shall administer, implement and enforce the provisions of this regulation. Any powers granted to or duties imposed upon the Superintendent may be delegated by the Superintendent to other District personnel.

1.3 DEFINITIONS

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

- A. ACT OR "THE ACT". The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251 et seq.
- B. APPROVAL AUTHORITY. The Region 1 U.S. Environmental Protection Agency Administrator or his/her designee.
- C. AUTHORIZED REPRESENTATIVE OF THE INDUSTRIAL USER.
 - 1. If the industrial user is a corporation, authorized representative shall mean:
 - a. the president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any person who performs similar policy or decision-making functions for the corporation;
 - b. the manager of one or more manufacturing, production, or operation facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
 - 2. If the industrial user is a partnership, or sole proprietorship, an authorized representative shall mean a general partner or proprietor, respectively;
 - 3. If the industrial user is a Federal, State or local governmental facility, an authorized representative shall mean a director or highest official appointed or designated to oversee the operation and performance of the government facility, or his/her designee;
 - 4. The individuals described in paragraphs 1-3 above may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the District.
- D. BIOCHEMICAL OXYGEN DEMAND. The quantity of oxygen utilized in the biochemical oxidation of organic mater under standard laboratory

procedure, five (5) days at 20 degree centigrade expressed in terms of mass and concentration [milligrams per liter (mg/l)].

- E. 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 eight (8) feet outside the inner face of the building wall.
- F. BUILDING SEWER. The extension from the building drain or other non-public sewers from residential, commercial, and industrial areas to the public sewer or other place of disposal.
- G. CATEGORICAL PRETREATMENT STANDARD OR CATEGORICAL STANDARD. Any regulation, containing pollutant discharge limits promulgated by the U.S. EPA in accordance with Section 307 (b) and (c) of the Act (33 U.S.C. 1317) which apply to a specific category of industrial users and which appear in 40 CFR Chapter 1, Subchapter N, Parts 405-471.
- H. COLOR. The optical density at the visual wavelength of maximum absorption, relative to distilled water. One hundred percent (100%) transmittance is equivalent to zero (0.00) optical density.
- I. COMBINED SEWER. A sewer receiving both surface runoff and sewage.
- J. COMPOSITE SAMPLE. The sample resulting from the combination of individual wastewater samples taken at selected intervals based on an increment of either flow or time.
- K. DISTRICT. Refers to the Augusta Sanitary District and the Winthrop Utilities District unless otherwise noted.
- L. EASEMENT. An acquired right for the specific use of land owned by others.
- M. ENVIRONMENTAL PROTECTION AGENCY OR EPA. The U.S. Environmental Protection Agency or, where appropriate, the term may also be used as a designation for the Regional Water Management Division Director or other duly authorized official of said agency.
- N. EXISTING SOURCE. Any source of discharge, the construction or operation of which commenced prior to the publication of proposed categorical pretreatment standards which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.
- O. FLOATING OIL. Fats, wax, grease or oils, whether emulsified or not, in a physical state such that it will separate from wastewater by appropriate pretreatment facilities.

- P. GARBAGE. The solid wastes from the domestic and commercial preparation, cooking, and dispensing of food and from the handling, storage and sale of produce.
- Q. GRAB SAMPLE. A sample which is taken from a waste stream on a onetime basis without regard to the flow in the waste stream and without consideration of time.
- R. INDIRECT DISCHARGE OR DISCHARGE. The introduction of non-domestic pollutants into the POTW from any non-domestic source regulated under Section 307(b), (c), or (d) of the Act.
- S. INDUSTRIAL USER OR USER. A source of indirect discharge.
- T. INSTANTANEOUS MAXIMUM ALLOWABLE DISCHARGE LIMIT. The maximum concentration (or loading) of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.
- U. INTERFERENCE. A discharge which alone or in conjunction with a discharge or discharges from other sources: 1) inhibits or disrupts the POTW, its treatment processes or operation, or its sludge processes, use or disposal; and 2) therefore is a cause of violation of the Augusta Sanitary District's NPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act; the Solid Waste Disposal Act (SWDA), including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); and all regulations promulgated under these statutes; any State regulation pursuant to Sub-title D of the SDWA; the Clean Air Act; the Toxic Substance Control Act; Section 405 of the Clean Water Act; and the Marine Protection, Research and Sanctuaries Act.
- V. MEDICAL WASTE. Isolation wastes, infectious agents, human blood and blood byproducts, pathological wastes, sharps, body parts, fomites, etiologic agents, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes and dialysis wastes.
- W. NATURAL OUTLET. Any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.
- X. NEW SOURCE.

- (1) Any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commence after the publication of proposed pretreatment standards under Section 307(c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:
 - (a) The building, structure, facility or installation is constructed at a site at which no other source is located; or
 - (b) The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 - (c) The production or wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.
- (2) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility or installation meeting the criteria of Section (1) (b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.
- (3) Construction of a new source as defined under this paragraph has commenced if the owner or operator has:
 - (a) Begun, or caused to begin as part of a continuous onsite construction program
 - (i) Any placement, assembly or installation of facilities or equipment, or
 - (ii) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
 - (b) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

Y. NONCONTACT COOLING WATER. Water used for cooling which does not come into direct contact with any raw material intermediate product, waste product, or finished product.

- Z. PASS THROUGH. A discharge which exits the POTW into waters of the U.S. in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the Augusta Sanitary District's NPDES permit (including an increase in the magnitude or duration of a violation).
- AA. PERSON. Any individual, partnership, co partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns. This definition includes all Federal, State or local governmental entities.
- BB. PH. A measure of the negative logarithm of the hydrogen ion concentration, expressed in standard units.
- CC. POLLUTANT. Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, industrial wastes, biological materials, radio-active materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, agricultural and industrial wastes, and the characteristics of wastewater {i.e., PH, temperature, TSS, turbidity, color, BOD, Chemical Oxygen (COD), toxicity, odor}.
- DD. PRETREATMENT. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of introducing such pollutants into POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes, by process changes, or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.
- EE. PRETREATMENT REQUIREMENTS. Any substance or procedural requirement related to pretreatment imposed on an industrial user, other than a pretreatment standard.
- FF. PRETREATMENT STANDARDS OR STANDARDS. Pretreatment standards shall mean prohibitive discharge standards, categorical pretreatment standards and local limits.
- GG. PROHIBITED DISCHARGE STANDARDS OR PROHIBITED DISCHARGES. Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 3.1 of this regulation
- HH. PUBLICLY OWNED TREATMENT WORKS OR POTW. A "treatment works" as defined by Section 212 of the Act (33 U.S.C. 12920), which is owned by the State or municipality. This definition includes any devices or systems used in the collection, storage, treatment, recycling and reclamation

of sewage or industrial wastes and any conveyances which convey wastewater to a treatment plant. The term also means the municipal entity have jurisdiction over the industrial users and responsibility for the operation and maintenance of the treatment works.

- II. SEPTIC TANK WASTE. Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers and septic tanks.
- JJ. SEWAGE. Human excrement and gray water (household showers, dish-washing operations, etc.)
- KK. SIGNIFICANT INDUSTRIAL USER. Shall apply to: a) industrial users subject to categorical pretreatment standards; and b) any other industrial user that i) discharges an average of 25,000 gpd or more of process wastewater, ii) contributes a process waste stream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the treatment plant or, iii) is designated as significant by the District on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.
- LL. SLUG LOAD. Any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standards in Section 3.1 of this regulation or any discharge of a non-routine, episodic nature, including but not limited to, an accidental spill or a non-customary batch discharge.
- MM STANDARD INDUSTRIAL CLASSIFICATION (SIC) CODE. A classification pursuant to the Standard Industrial Classification Manual issued by the U.S. Office of Management and Budget.
- NN. STORM WATER. Any flow occurring during or following any form of natural precipitation and resulting therefrom, including snowmelt.
- OO. SUPERINTENDENT. The person designated by the Augusta Sanitary District and/or Winthrop Utilities District to supervise the operation of the POTW, and who is charged with certain duties and responsibilities; by this rule and regulation or his duly authorized representative unless otherwise noted.
- PP SUSPENDED SOLIDS. The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and which is removable by laboratory filtering.
- QQ TOXIC POLLUTANT. One of 129 pollutants, or combination of those pollutants, listed as toxic in regulations promulgated by the EPA under the provision of Section 307 (33 U.S.C. 1317) of the Act.

- RR TREATMENT PLANT EFFLUENT. Any discharge of pollutants from the POTW into waters of the State.
- SS WASTEWATER. Liquid and water-carried industrial wastes, and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.
- TT. WASTEWATER TREATMENT PLANT OR TREATMENT PLANT. The portion of the POTW designed to provide treatment of sewage and industrial waste.

Shall is mandatory; may is permissive or discretionary. The use of the singular shall be construed to include the plural and the plural shall include the singular as indicated by the context of its use.

1.4 ABBREVIATIONS

The following abbreviations shall have the designated meanings:

*	BOD	-	Biochemical Oxygen Demand
*	CFR	-	Code of Federal Regulations
*	COD	-	Chemical Oxygen Demand
*	EPA	-	U.S. Environmental Protection Agency
*	gpd	-	Gallons per day
*	l	-	Liter
*	mg	-	Milligrams
*	mg/L	-	Milligrams per Liter
*	NPDES	-	National Pollutant Discharge Elimination System
*	O & M	-	Operation & Maintenance
*	POTW	-	Publicly Owned Treatment Works
*	RCRA	-	Resource Conservation and Recovery Act
*	SIC	-	Standard Industrial Classification
*	SWDA	-	Solid Waste Disposal Act (42 USC 6901, et seq.)
*	TSS	-	Total Suspended Solids
*	USC	-	United States Code

SECTION 2 - BUILDING SEWERS AND CONNECTIONS

- 2.1 No unauthorized person shall uncover, make any connections with or opening into, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Winthrop Utilities District Superintendent. Any person, except significant industrial users, proposing a new discharge into the system shall notify the Winthrop Utilities District Superintendent at least forty-five (45) days prior to the proposed change or connection.
- 2.2 There shall be three (3) classes of building sewer permits: (a) for residential, (b) for commercial service, and (c) for service to establishments producing industrial wastes. In each case, the owner or his agent shall make application on a special form furnished by the Winthrop Utilities District. The permit application shall be supplemented by any plan, specifications, or other information considered pertinent in the judgement of the Winthrop Utilities District Superintendent. A permit and inspection fee shall be paid to the Winthrop Utilities District at the time application is filed.
- 2.3 All costs and expense incidental to the installation and connection of the building sewer on private property shall be borne by the owner. The owner shall indemnify the Winthrop Utilities District from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. Work on public property shall be done by the District or an approved Contractor with District supervision for an amount to be determined annually by the Trustees of the Winthrop Utilities District and shall be paid by the owner.
- 2.4 A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, or where it is not able to be subdivided, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer, except for the purposes of charging sewer fees when they shall be considered separate services. This exception can only be done with special Winthrop Utilities District Trustee approval.
- 2.5 Old building sewers or portions thereof may be used in connection with new buildings only when they are found, on examination and test by the Winthrop Utilities District Superintendent, to meet all requirements of this regulation.
- 2.6 The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavation, placing of the pipe, jointing, testing, and backfilling the trench, shall conform to the requirements of all applicable building and plumbing codes or other applicable rules and regulations of the Winthrop Utilities District. In the absence of code procedures set forth in appropriate specifications of the A.S.T.M. and W.E.F. Manual or Practice No. 9 shall apply.

Section 15 specifies materials and installation guidelines for building sewer services.

- 2.7 Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
- 2.8 The connection of the building sewer shall conform to the requirements of all-applicable building and plumbing codes or other applicable rules and regulations of the Winthrop Utilities District. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Winthrop Utilities District Superintendent before installation. Acceptable materials shall be:
 - a) PVC SDR-35 ASTM-D3034, Type PSM sewer grade with gasket joints
 - b) Ductile Iron Push on Joint sewer pipe, class to be determined by conditions at the District's discretion.
- 2.9 The applicant for the building sewer permit shall notify the Winthrop Utilities District Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Winthrop Utilities District Superintendent or his representative.
- 2.10 All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Street, sidewalks and other public property disturbed in the course of the works shall be restored in a manner satisfactory to the Winthrop Utilities District Superintendent.
- 2.11 The building sewer, from the building(s) to its connection to the public sewer pipe at the road Right of Way or edge of easement is owned by, and the responsibility of, the owner of the property served. All costs and expenses, incidental to application, review, installation, connection, repair, replacement and maintenance of the building sewer shall be borne by the owner. The owner shall indemnify the Winthrop Utilities District for loss or damage that may directly or indirectly be occasioned by the installation of a building sewer.
- 2.12 The Winthrop Utilities District may elect as part of a public sewer main replacement, a public sewer main extension, an inflow and infiltration reduction program or other program to replace all or part of a building sewer at a nominal cost or at no cost to the owner. The ownership of any building sewer so constructed shall be maintained by the owner and not the Winthrop Utilities District.
- 2.13 The Winthrop Utilities District may, upon request of the owner, provide the installation or replacement of all, or part of, a building sewer. The cost of this construction, plus the cost of any permits, fees, or other direct costs to the

Winthrop Utilities District, will be charged to the owner. The owner may make payment to the Winthrop Utilities District either (a) one lump sum payment or (b) regular payment added to the regular sewer user charge each billing period plus a charge on the unpaid balance calculated at an interest rate not to exceed the rate provided for late sewer user fee payments in the schedule of rates.

- 2.14 In the event of a building sewer malfunction; the Winthrop Utilities District will, if requested, inspect, check and test the public sewer as expediently as possible. If the public sewer is functioning satisfactorily, the owner shall be responsible for taking any necessary action to maintain the building sewer in a satisfactory operational condition.
- 2.15 In buildings in which the building sewer is too low to allow for gravity flow to the public sewer, a lift station will have to be installed by the property owner and connected to the public sewer. Plans and details for the proposed lift station will need to be approved by the Winthrop Utilities District prior to installation. The only type of Lift Station that will be allowed is a prepackaged pumping station.
- 2.16 A minimum of 48 hours notice will be given to the Winthrop Utilities District prior to the beginning work on a sewer service, in addition 48 hours notice will be given for the inspection of a completed sewer service. The physical connection to the Sewer main will only be done by Winthrop Utilities District personnel.
- 2.17 If any owner connects a building sewer or private sewer with a public sewer or enters it by a side connection without a permit, the Winthrop Utilities District officers may immediately destroy the connection. A fine of not more than twice the annual minimum user charge will be assessed and all associated costs to destroy the service will be paid prior to approving the connection.
- 2.18 Each person, firm or corporation discharging wastewater to be public sewer shall be subject to a sewer service charge. The sewer service charge shall be based on the quantity, strength, and characteristics of the wastewater discharge to the public sewer.

All rates shall be established as set forth in Chapter 98 of the Private and Special Laws of 1923 as amended, as Act to create the Winthrop Utilities District.

- 2.19 All Facilities preparing food will be required to install an external concrete underground grease trap as per the State of Maine Subsurface Disposal Rules. Sizing of the grease trap will be determined by the Winthrop Utilities District Superintendent. Minimum Grease trap size will be 750 Gallon. Failure to install a grease trap will allow the Winthrop Utilities District officers to immediately destroy the connection. A fine of not more than twice the annual minimum user charge will be assessed and all associated costs to destroy the service will be paid prior to approving the reconnection.

SECTION 3 - GENERAL USE REQUIREMENTS

3.1 PROHIBITED DISCHARGE STANDARDS

No person(s) shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass through or interference. These general prohibitions apply to all industrial users of the POTW whether or not they are subject to categorical pretreatment standards or any other National, State or local pretreatment standards or requirements. Furthermore, no person(s) may contribute the following substances to the POTW.

- A. Pollutants which create a fire or explosive hazard in the wastewater collection and POTW, including but not limited to waste streams with a closed-cup flashpoint of less than 140 degrees F (60 degrees C) using the test methods specified in 40 CFR 261.21.
- B. Any wastewater having a pH less than 5.0 or more than 9.0 or otherwise causing corrosive structural damage to the POTW or equipment, or endangering District personnel.
- C. Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in interference, but in no case solids greater than ½ inch or 1.27 centimeters in any dimension.
- D. Any wastewater containing pollutants, including oxygen demanding pollutants (BOD, etc.) released in a discharge at a flow rate and/or pollutant concentration which either singly or by interaction with other pollutants, will cause interference with either the POTW or any wastewater treatment or sludge process, or which will constitute a hazard to humans or animals.
- E. Any wastewater having a temperature greater than 150 degrees F (65 degrees C) or which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104 degrees F (40 degrees C).
- F. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through.
- G. Any pollutants which result in the presence of toxic gases, vapors or fumes within the POTW in a quantity that may cause acute worker health and safety problems.
- H. Any trucked or hauled pollutants, except at discharge points designated by the District in accordance with Section 4.4 of this Rule and Regulation.

- I. Any noxious or malodorous liquids, gases, solids or other wastewater which either singly or by interaction with other wastes, are sufficient to create a public nuisance, a hazard to life or to prevent entry into the sewers for maintenance and repair.
- J. Any wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant effluent thereby violating the Augusta Sanitary District's NPDES permit. Color (in combination with turbidity) shall not cause the treatment plant's effluent to reduce the depth of the compensation point for photosynthetic activity by more than 10 percent from the seasonably established norm for aquatic life.
- K. Any wastewater containing any radioactive wastes or isotopes except as specifically approved by the Superintendent in compliance with applicable State or Federal regulations.
- L. Storm water, surface water, groundwater, artesian well water, roof runoff, cellar drainage, water from sump pumps, sub-surface drainage, swimming pool drainage, condensate, deionized water, non-contact cooling water, and unpolluted industrial wastewater, unless specifically authorized by the District Superintendent.
- M. Any sludges, screenings or other residues from the pre-treatment of industrial wastes.
- N. Any medical wastes, except as specifically authorized by the Superintendent in a wastewater discharge permit.
- O. Any wastewater causing the treatment plant's effluent to fail a toxicity test.
- P. Any wastes containing detergents, surface-active agents or other substances, which may cause excessive foaming in the POTW.
- Q. Any water or wastes containing floating oil, fats, wax, greases or oils, whether emulsified or not, in excess of one hundred (100) mg/L or containing substances which may solidify or become viscous at temperatures between zero (0) degrees C (32 degrees F) and sixty-five (65) degrees C (150 degrees F).
- R. The septage from on-site septic disposal systems and the contents of waste water holding tanks from dwellings or recreational vehicles except specifically authorized by the District Superintendent.

Wastes prohibited by this section shall not be processed or stored in such a manner that they could not be discharged to the POTW. All floor drains located in process or materials storage areas must discharge to the industrial user's pre-treatment facility before connecting with the POTW.

3.2 FEDERAL CATEGORICAL PRETREATMENT STANDARDS

The national categorical pretreatment standards found at 40 CFR Chapter 1, Subchapter N, Parts 405-471 are hereby incorporated.

3.3 SPECIFIC POLLUTANT LIMITATIONS

At no time shall an industrial user discharge to the POTW quantities in excess of those specified below.

SUBSTANCE	INDUSTRIAL LOADING DAILY (mg/L)
Arsenic	0.10
Cadmium	0.01
Chromium	0.15
Copper	0.22
Cyanide	0.50
Lead	0.16
Mercury	0.002
Nickel	0.21
Silver	0.25
Zinc	0.50

To assure that none of the above noted limitations are violated, the Augusta Sanitary District Superintendent shall issue permits to significant industrial users limiting the discharge of the substances as noted above. Each permit shall restrict the discharge from each significant industrial user to a portion of the total allowable/influent loading.

3.4 DISTRICT'S RIGHT TO REVISION

The District reserves the right to establish, by rules and regulations, regulations or wastewater discharge permits, more stringent standards or requirements on discharges to the POTW if deemed necessary, to comply with the objectives presented in Section 1.1 of this regulation or the general and specific prohibitions of Section 3.1 of this Rule and Regulation.

3.5 SPECIAL AGREEMENT

The Augusta Sanitary District reserves the right to enter into special agreements with industrial users setting out special terms under which they may discharge to the POTW. In no case will a special agreement waive compliance with a pretreatment standard or requirement. However, the industrial user may request a net gross adjustment to a categorical standard in accordance with 40 CFR 403.15. They may also request a variance from the categorical pretreatment standard. Such a request will be approved only if the industrial user can prove factors relating to its discharge are fundamentally different from the factors considered by EPA when establishing that pretreatment standard. An industrial user requesting a fundamentally different factor variance must comply with the procedural and substantive provisions in 40 CFR 403.13. All special Agreements must meet the requirements of this Rule and Regulation.

3.6 DILUTION

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

3.7 GREASE, OIL AND SAND INTERCEPTORS

Grease, oil and sand interceptors shall be provided when, in the opinion of the Winthrop Utilities District Superintendent, they are necessary for the proper handling of liquid wastes containing floatable oil or grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Winthrop Utilities District Superintendent and shall be located as to be readily and easily accessible for cleaning and inspections.

3.8 CONTROL MANHOLE

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

SECTION 4 – PRETREATMENT OF WASTEWATER

4.1 PRETREATMENT FACILITIES

Industrial users shall provide necessary wastewater treatment as required to comply with this Rule and Regulation and shall achieve compliance with all categorical pretreatment standards, local limits and prohibitions set out in section 3.1 above within the time limitations specified by the EPA, the State, or the Superintendent, whichever is more stringent. Any facilities required to pretreat wastewater to a level acceptable to the District shall be provided, operated, and maintained at the industrial user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the District for review, and shall be acceptable to the District before construction of the facility. The review of such plans and operating procedures will in no way relieve the industrial user from the responsibility of modifying the facility as necessary to produce an acceptable discharge to the District under the provisions of this Rule and Regulation.

4.2 ACCIDENTAL DISCHARGE/SLUG CONTROL PLANS

The Superintendent may require any industrial user to develop and implement an accidental discharge/slug control plan. At least once every two years, the Superintendent shall evaluate whether each significant industrial user needs such a plan. Any industrial user required to develop and implement an accidental discharge/slug control plan shall submit a plan which addresses, at a minimum, the following:

- A. Description of discharge practices, including non-routine batch discharges.
- B. Description of stored chemicals.
- C. Procedures for immediately notifying the POTW of any accidental or slug discharge. Such notification must also be given for any discharge which would violate any of the prohibited discharges in Section 3.1 of this Rule and Regulation.
- D. Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas. Handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response.

4.3 TENANT RESPONSIBILITY

Where an owner of property leases premises to any other person as a tenant under any rental or lease agreement, if either the owner or the tenant is an industrial

user, either or both may be held responsible for compliance with the provisions of this Rule and Regulation.

4.4 HAULED WASTEWATER

- A. Septic tank waste may be accepted into the POTW at a designated receiving structure within the treatment plant area, and at such times as are established by the Superintendent, provided such wastes do not violate Section 3 of this Rule and Regulation or any other requirements established or adopted by the District. Wastewater discharge permits for individual vehicles to use such facilities shall be issued by the Superintendent.
- B. The discharge of hauled industrial wastes as “industrial septage” requires prior approval and wastewater discharge permit from the District. The Superintendent shall have authority to prohibit the disposal of such wastes if such disposal would interfere with the treatment plant operation. Waste haulers are subject to all other sections of this Rule and Regulation.

4.5 VANDALISM

No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, tamper with or prevent access to any structure, appurtenance or equipment, or other part of the District’s POTW property. Any person found in violation of this requirement shall be subject to the sanctions set out in sections 11 – 12, below.

SECTION 5 – WASTEWATER DISCHARGE PERMIT ELIGIBILITY

5.1 WASTEWATER SURVEY

When requested by the Superintendent, all industrial users must submit information on the nature and characteristics of their wastewater by completing a wastewater survey prior to commencing their discharge. The Superintendent is authorized to prepare a form for this purpose and may periodically require industrial users to update the survey. Failure to complete this survey shall be reasonable grounds for terminating service to the industrial user and shall be considered a violation of this Rule and Regulation.

5.2 WASTEWATER DISCHARGE PERMIT REQUIREMENT

- A. It shall be unlawful for any significant industrial user to discharge wastewater into the District's POTW without first obtaining a wastewater discharge permit from the Superintendent. Any violation of the terms and conditions of a wastewater discharge permit shall be deemed a violation of this Rule and Regulation and subjects the wastewater discharge permittee to the sanctions set out in Sections 11 – 12. Obtaining a wastewater discharge permit does not relieve a permittee of its obligation to comply with all Federal and State pretreatment standards or requirements or with any other requirements of Federal, State and local law.
- B. The Superintendent may require other industrial users, including liquid waste haulers, to obtain wastewater discharge permits as necessary to carry out the purposes of this Rule and Regulation.

5.3 WASTEWATER DISCHARGE PERMITTING NEW CONDITIONS

Any significant industrial user proposing to begin or recommence discharging industrial wastes into the POTW must obtain a wastewater discharge permit prior to the beginning or recommencing of such discharge. An application for this wastewater discharge permit must be filed at least ninety (90) days prior to the date upon which any discharge will begin.

5.4 WASTEWATER DISCHARGE PERMITTING EXTRAJURISDICTIONAL INDUSTRIAL USERS

- A. Any existing significant industrial user located beyond the District limits shall submit a wastewater discharge permit application, in accordance with Section 5.5 below, within ninety (90) days of the effective date of this Rule and Regulation. New significant industrial users located beyond the District limits shall submit such application to the Superintendent ninety (90) days prior to any proposed discharge into the POTW.

- B. Alternately, the Superintendent may enter into an agreement with the neighboring jurisdiction in which the significant industrial user is located to provide for the implementation and enforcement of pretreatment requirements against said industrial user.

5.5 WASTEWATER DISCHARGE PERMIT APPLICATION CONTENTS

In order to be considered for a wastewater discharge permit, all industrial users required to have a wastewater discharge permit must submit the information required by Section 7.1(B) of this Rule and Regulation. The Superintendent shall approve a form to be used as a permit application. In addition, the following information may be requested:

- A. Description of activities, facilities, and plant processes on the premises, including a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW.
- B. Number and type of employees, hours of operation, and proposed or actual hours of operation of the industrial user.
- C. Each product produced by type, amount, process or processes, and rate of production.
- D. Type and amount of raw materials processed (average and maximum per day).
- E. The site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances, by size, location, and elevation, and all points of discharge.
- F. Time and duration of the discharge.
- G. Any other information as may be deemed necessary by the Superintendent to evaluate the wastewater discharge permit application.

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

5.6 APPLICATION SIGNATORIES AND CERTIFICATION

All wastewater discharge permit applications and industrial user reports must contain the following certification statement and be signed by an authorized representative of the industrial user.

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

5.7 WASTEWATER DISCHARGE PERMIT DECISIONS

The Superintendent will evaluate the data furnished by the industrial user and may require additional information. Within thirty (30) days of receipt of a complete wastewater discharge permit application, the Superintendent will determine whether or not to issue a wastewater discharge permit. If no determination is made within this time period, the application will be deemed denied. The Superintendent may deny any application for a wastewater permit.

SECTION 6 – WASTEWATER DISCHARGE PERMIT ISSUANCE PROCESS

6.1 WASTEWATER DISCHARGE PERMIT DURATION

Wastewater discharge permits shall be issued for a specified time period, not to exceed five (5) years. A wastewater discharge permit may be issued for a period less than five (5) years, at the discretion of the Superintendent. Each wastewater discharge permit will indicate a specific date upon which it will expire.

6.2 WASTEWATER DISCHARGE PERMIT CONTENTS

Wastewater discharge permits shall include such conditions as are reasonably deemed necessary by the Superintendent to prevent pass through or interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, protect ambient air quality, and protect against damage to the POTW.

- A. Wastewater discharge permits must contain the following conditions:
 - 1. A statement that indicates wastewater discharge permit duration, which in no event shall exceed 5 years.
 - 2. A statement that the wastewater discharge permit is nontransferable without prior notification to and approval from the District, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit.
 - 3. Effluent limits applicable to the user based on applicable standards in Federal, State, and local law.
 - 4. Self monitoring, sampling, reporting, notification, and record keeping requirements. These requirements shall include an identification of pollutants to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, or local law.
 - 5. Statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, and local law.
- B. Wastewater discharge permits may contain, but need not be limited to, the following:
 - 1. Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization.
 - 2. Limits on the instantaneous, daily and monthly average and/or maximum concentration, mass, or other measure of identified wastewater pollutants or properties.
 - 3. Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment

- devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works.
4. Development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or non-routine discharges.
 5. Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW.
 6. The unit charge or schedule of industrial user charges and fees for the management of the wastewater discharged to the POTW.
 7. Requirements for installation and maintenance of inspection and sampling, facilities and equipment.
 8. A statement that compliance with the wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State pretreatment standards, including those which become effective during the term of the wastewater discharge permit.
 9. Other conditions as deemed appropriate by the Superintendent to ensure compliance with this Rule and Regulation, and State and Federal laws, rules, and regulations.

6.3 WASTEWATER DISCHARGE PERMIT APPEALS

Any person, including the industrial user, may petition the District to reconsider the terms of a wastewater discharge permit within thirty (30) days of its issuance.

- A. Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.
- B. In its petition, the appealing party must indicate the wastewater discharge permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to place in the wastewater discharge permit.
- C. The effectiveness of the wastewater discharge permit shall not be stayed pending the appeal.
- D. If the District fails to act within fifteen (15) days, a request for reconsideration shall be deemed to be denied. Decision not to reconsider a wastewater discharge permit, not to issue a wastewater discharge permit, or not to modify a wastewater discharge permit, shall be considered final administrative action for purposes of judicial review.
- E. Aggrieved parties seeking judicial review of the final administrative wastewater discharge permit decision must do so by filing a complaint with the Superior Court for the State of Maine within thirty (30) days after notice of any action or refusal to act of which review is sought unless the Court enlarges the time.

6.4 WASTEWATER DISCHARGE PERMIT MODIFICATION

The Superintendent may modify the wastewater discharge permit for good cause including, but not limited to, the following:

- A. To incorporate any new or revised Federal, State, or local pretreatment standards or requirements.
- B. To address significant alterations or additions to the industrial user's operation, processes, or wastewater volume or character since the time of wastewater discharge permit issuance.
- C. A change in the POTW 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 District's POTW, District personnel, or the receiving waters.
- E. Violation of any terms or conditions of the wastewater discharge permit.
- F. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting.
- G. Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13.
- H. To correct typographical errors in the wastewater discharges permit.
- I. To reflect a transfer of the facility ownership and/or operation to a new owner/operator.

The filing of a request by the permittee for a wastewater discharge permit modification does not stay any wastewater discharge permit condition.

6.5 WASTEWATER DISCHARGE PERMIT TRANSFER

Wastewater discharge permits may be reassigned or transferred to a new owner and/or operator only if the permittee gives at least sixty (60) days advance notice to the Superintendent and the Superintendent approves the wastewater discharge permit transfer. The notice to the Superintendent must include a written certification by the new owner and/or operator which:

- A. States that the new owner and/or operator has no immediate intent to change the facility's operations and processes
- B. Identifies the specific date on which the transfer is to occur
- C. Acknowledges full responsibility for complying with the existing wastewater discharge permit

Failure to provide advance notice of a transfer renders the wastewater discharge permit voidable on the date of the transfer.

6.6 WASTEWATER DISCHARGE PERMIT REVOCATION

Wastewater discharge permits may be revoked for the following reasons:

- A. Failure to notify the District of significant changes to the wastewater prior to the changed discharge
- B. Failure to provide prior notification to the District of changed conditions pursuant to Section 7.5
- C. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application.
- D. Falsifying self monitoring reports
- E. Tampering with monitoring equipment
- F. Refusing to allow the District timely access to the facility premises and records
- G. Failure to meet effluent limitations
- H. Failure to pay fines
- I. Failure to pay sewer charges
- J. Failure to meet compliance schedules
- K. Failure to complete a wastewater survey or the wastewater discharge permit application
- L. Failure to provide advance notice of the transfer of a permitted facility
- M. Violation of any pretreatment standard or requirement, or any terms of the wastewater discharge permit or this Rule and Regulation

Wastewater discharge permits shall be voidable upon nonuse, cessation of operations, or transfer of business ownership. All wastewater discharge permits are void upon issuance of a new wastewater discharge permit.

SECTION 7 – REPORTING REQUIREMENTS

7.1 BASELINE MONITORING REPORTS

- A. Within 180 days after either the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under 40 CFR 403.6(a) (4), whichever is later, existing significant industrial users subject to such categorical pretreatment standards, and currently discharging to or scheduled to discharge to the POTW, shall be required to submit to the District a report which contains the information listed in paragraph B, below. At least ninety (90) days prior to commencement of their discharge, new sources, and sources that become industrial users subsequent to the promulgation of an applicable categorical standard, shall be required to submit to the District a report which contains the information listed in paragraph B, below. A new source shall also be required to report the method of pretreatment it intends to use to meet applicable pretreatment standards. A new source shall also give estimates of its anticipated flow and quantity of pollutants discharged.
- B. The industrial user shall submit the information required by this section including:
1. *Identifying Information.* The name and address of the facility including the name of the operator and owners.
 2. *Wastewater Discharge Permits.* A list of any environmental control wastewater discharge permits held by or for the facility.
 3. *Description of Operations.* A brief description of the nature, average rate of production, and standard industrial classification of the operation(s) carried out by such industrial user. This description should include a schematic process diagram which indicates points of discharge to the POTW from the regulated processes.
 4. *Flow Measurement.* Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in 40 CFR 403.6(e).
 5. *Measurement of Pollutants.*
 - a. Identify the categorical pretreatment standards applicable to each regulated process.
 - b. Submit the results of sampling and analysis identifying the nature and concentration (and/or mass, where required by the standard or by the District) of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum and long term average concentrations (or mass, where required) shall be reported. The sample shall

be representative of daily operations and shall be analyzed in accordance with procedures set out in Section 7.10.

- c. Sampling must be performed in accordance with procedures set out in Section 7.11.
6. *Certification.* A statement reviewed by the industrial user's authorized representative and certified by a qualified professional, including whether pretreatment standards are being met on a consistent basis and, if not, whether additional operation and maintenance(O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.
7. *Compliance Schedule.* If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the industrial user will provide such additional pretreatment and/or O&M shall be submitted to the District for review and approval. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this section must meet the requirements set out in Section 7.2 of this Rule and Regulation.
8. All baseline monitoring reports must be signed and certified in accordance with Section 5.6.

7.2 COMPLIANCE SCHEDULE PROGRESS REPORT

The following conditions shall apply to the schedule required by 7.1 (B) (7). The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (such events include hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, beginning and conduction routine operation.) No increment referred to above shall exceed nine (9) months. The industrial user shall submit a progress letter to the Superintendent no later than 14 days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, reason for any delay, and, if appropriate, the steps being taken by the industrial user to return to the established schedule. In no event shall more than nine (9) months elapse between such progress reports to the Superintendent.

7.3 REPORT ON COMPLIANCE WITH CATEGORICAL PRETREATMENT STANDARD DEADLINE

Within ninety (90) days following the date for final compliance with applicable pretreatment standards, or in the case of a new source following commencement of the introduction of wastewater, into the POTW, any industrial user subject to such pretreatment standards and requirements shall submit to the District a report containing the information described in Section 7.1(B) (4-6). For industrial users subject to

equivalent mass or concentration limits established in accordance with the procedures in 40 CFR 403.6(c), this report shall contain a reasonable measure of the industrial user's long term production rate. For all other industrial users subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the industrial user's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Section 5.6.

7.4 PERIODIC COMPLIANCE REPORTS

- A. Any significant industrial user subject to a pretreatment standard shall, at a frequency determined by the Superintendent, but in no case less than twice per year (in June and December), submit a report indicating the nature and concentration of pollutants in the discharge which are limited by such pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. All periodic compliance reports must be signed and certified in accordance with Section 5.6.
- B. All wastewater samples must be representative of the industrial user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of an industrial user to keep its monitoring facility in good working order shall not be grounds for the industrial user to claim that sample results are unrepresentative of its discharge.
- C. If an industrial user subject to the reporting requirements in and of this Section monitors any pollutant more frequently than required by the POTW, using the procedures prescribed in Section 7.11 of this Rule and Regulation, the results of this monitoring shall be included in the report.

7.5 REPORT OF CHANGED CONDITIONS

Each industrial user is required to notify the Superintendent of any planned significant changes to the industrial user's operations or system which might alter the nature, quality or volume of its wastewater at least 90 days before the change.

- A. The Superintendent may require the industrial user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under Section 5.5.
- B. The Superintendent may issue a wastewater discharge permit under Section 5.7 or modify an existing wastewater discharge permit under Section 6.4.
- C. No industrial user shall implement the planned changed condition(s) until and unless the Superintendent has responded to the industrial user's notice.

- D. For purposes of this requirement flow increases of ten percent (10%) or greater, and the discharge of any previously unreported pollutants, shall be deemed significant.

7.6 REPORTS OF POTENTIAL PROBLEMS

- A. In the case of any discharge including, but not limited to, accidental discharges of a non-routine, episodic nature, a non-customary batch discharge, or a slug load which may cause potential problems for the POTW (including a violation of the prohibited discharge standards in Section 3.1 of this Rule and Regulation), it is the responsibility of the industrial user to immediately telephone and notify the District of the incident. This notification shall include location of discharge, type of waste, concentration and volume, if known, and corrective actions taken by the industrial user.
- B. Within five (5) days following such discharge, the industrial user shall, unless waived by the Superintendent, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the industrial user to prevent similar future occurrences. Such notification shall not relieve the industrial user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the industrial user of any fines, civil penalties, or other liability which may be imposed by this Rule and Regulation.
- C. Failure to notify the District of potential problem discharges shall be deemed a separate violation of this Rule and Regulation.
- D. A notice shall be permanently posted on the industrial user's bulletin board or other prominent place advising employees to call in the event of a discharge described in Paragraph A, above. Employers shall ensure that all employees, who may cause or suffer such a discharge to occur, are advised of the emergency notification procedure.

7.7 REPORTS FROM NONSIGNIFICANT INDUSTRIAL USERS

All industrial users not subject to categorical pretreatment standards and not required to obtain a wastewater discharge permit shall provide appropriate reports to the District as the Superintendent may require.

7.8 NOTICE OF VIOLATION/REPEAT SAMPLING AND REPORTING

If sampling performed by an industrial user indicates a violation, the industrial user must notify the District within 24 hours of becoming aware of the violation. The industrial user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the District within 30 days after becoming aware of the violation.

7.9 NOTIFICATION OF THE DISCHARGE OF HAZARDOUS WASTE

- A. Any industrial user who commences the discharge of hazardous waste shall notify the POTW, EPA Regional Waste Management Division Director, and State hazardous waste authorities in writing of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and type of discharges (continuous, batch, or other). If the industrial user discharges more than 10 kilograms of such waste per calendar month to the POTW, the notification shall also contain the following information to the extent such information is known and readily available to the industrial user: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream expected discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve (12) months. All notifications must take place no later than 180 days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed discharges must be submitted under Section 7.5, above. The notification requirements in this section does not apply to the pollutants already reported under the self-monitoring requirements of Section 7.1, 7.3, and 7.4, above.
- B. Dischargers are exempt from the requirements of paragraph (A) of this section during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous waste, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e) requires a one time notification. Subsequent months during which the industrial user discharges more than such quantities of any hazardous waste do not require additional notification.
- C. In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the industrial user must notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities in writing of the discharge of such substance within 90 days of the effective date of such regulations.
- D. In the case of any new notification made under this section, the industrial user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

7.10 ANALYTICAL REQUIREMENTS

All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and 40 CFR Part 403, App E., unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, sampling and analyses must be performed in accordance with procedures approved by the EPA.

7.11 SAMPLE COLLECTION

- A. Except as indicated in Section B, below, the industrial user must collect wastewater samples using flow proportional composite collection techniques. In the event flow proportional sampling is infeasible, the Superintendent may authorize use of time proportional sampling or through a minimum of four (4) grab samples where the user demonstrates this will provide a representative sample of the effluent being discharged. In addition, grab samples may be required to show compliance with instantaneous discharge limits.
- B. Samples for oil and grease, temperature, pH, cyanide, phenols, toxicity, sulfides, and volatile organic chemicals must be obtained using grab collection techniques.

7.12 DETERMINATION OF NONCOMPLIANCE

The Superintendent may use a grab sample(s) to determine noncompliance with pretreatment standards.

7.13 TIMING

Written reports will be deemed to have been submitted on the date received.

7.14 RECORDKEEPING

Industrial users shall retain, and make available for inspection and copying, all records and information required to be retained under this Rule and Regulation. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning compliance with this Rule and Regulation, or where the industrial user had been specifically notified of a longer retention period by the Superintendent.

SECTION 8 – COMPLIANCE MONITORING

8.1 INSPECTION AND SAMPLING

The District shall have the right to enter the facilities of any industrial user to ascertain whether the purpose of this Rule and Regulation, and any permit or order issued hereunder, is being met and whether the industrial user is complying with all requirements thereof. Industrial users shall allow the Superintendent or his representatives' ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.

- A. Where an industrial user has security measures in force which require proper identification and clearance before entry into its premises, the industrial user shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, personnel from the District, State, and EPA will be permitted to enter without delay, for the purposes of performing their specific responsibilities.
- B. The District, State, and EPA shall have the right to set up on the industrial user's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the user's operations.
- C. The District may require the industrial user to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the industrial user at its own expense. All devices used to measure wastewater flow shall be calibrated semi-annually to ensure their accuracy. All quality measuring devices shall be kept in calibration as required by the Superintendent in the Industrial User's permit.
- D. Any temporary or permanent obstruction to safe and easy access to the industrial facility to be inspected and/or sampled shall be promptly removed by the industrial user at the written or verbal request of the Superintendent and shall not be replaced. The costs of cleaning such access shall be born by the industrial user.
- E. Unreasonable delays in allowing District personnel access to the industrial user's premises shall be a violation of this Rule and Regulation.

8.2 REFUSAL OF ACCESS

If the Superintendent has been refused access to a building, structure or property or any part thereof, the Superintendent may petition the Superior Court for an Order to authorize such entry.

SECTION 9 – CONFIDENTIAL INFORMATION

Information and data on an industrial user obtained from reports, surveys, wastewater discharge permit applications, wastewater discharge permits, and monitoring programs, and from District inspection and sampling activities, shall be available to the public without restriction, unless the industrial user specifically requests, and is able to demonstrate to the satisfaction of the District, that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets under applicable State law. When requested and demonstrated by the industrial user furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for users related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other “effluent data” as defined by 40 CFR 2.302 will not be recognized as confidential information and will be available to the public without restriction.

SECTION 10 – PUBLICATION OF INDUSTRIAL USERS IN SIGNIFICANT NONCOMPLIANCE

The District shall publish annually, in the largest daily newspaper in the municipality where the POTW is located, a list of the industrial users which, during the previous 12 months, were in significant noncompliance with applicable pretreatment standards and requirements. The term significant noncompliance shall mean:

- A. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of wastewater measurements taken during a 6-month period exceed the daily maximum limit or average limit for the same pollutant parameter by any amount;
- B. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a 6-month period equals or exceeds the product of the daily maximum limit of the average limit multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
- C. Any other discharge violation that District believes has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of District personnel or the general public);
- D. Any discharge of pollutants that has caused imminent endangerment to the public or to the environment, or has resulted in the District's exercise of its emergency authority to halt or prevent such a discharge;
- E. Failure to meet, within 90 days of the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;
- F. Failure to provide within 30 days after the due date, any required reports, including baseline monitoring reports, 90 day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- G. Failure to accurately report noncompliance;
- H. Any other violation(s) which the District determines will adversely affect the operation or implementation of the local pretreatment program.

SECTION 11 – ADMINISTRATIVE ENFORCEMENT REMEDIES

11.1 NOTIFICATION OF VIOLATION

Whenever the Superintendent finds that any user has violated or is violating this Rule and Regulation, a wastewater discharge permit or order issued hereunder, or any other pretreatment requirement, the Superintendent or his agent may serve upon said user a written Notice of Violation. Within ten (10) 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 the user to the Superintendent. Submission of this plan in no way relieves the user 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 District to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

11.2 CONSENT ORDERS

The Superintendent is hereby empowered to enter into Consent Orders, assurances of voluntary compliance, or other similar documents establishing an agreement with any user responsible for noncompliance. Such orders will include specific action to be taken by the user to correct the noncompliance within a time period also specified by the order. Consent orders shall have the same force and effect as the administrative orders issued pursuant to Sections 11.4 and 11.5 below and shall be judicially enforceable.

11.3 SHOW CAUSE HEARING

The Superintendent may order any user which causes or contributes to violation(s) of this Rule and Regulation, wastewater discharge permits, or orders issued hereunder, or any other pretreatment standard or requirement, to appear before the Superintendent and show cause why a proposed enforcement action should not be taken. Notice shall be served on the user specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the user show cause why this proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days prior to the hearing. Such notice may be served on any authorized representative of the user. Whether or not the user appears as ordered, immediate enforcement action may be pursued following the hearing date. A show cause hearing shall not be a prerequisite for taking any other action against the user.

11.4 COMPLIANCE ORDERS

When the Superintendent finds that a user has violated or continues to violate this Rule and Regulation, wastewater discharge permits or orders issued hereunder, or any other pretreatment standard or requirement, he may issue an order to the user responsible for the discharge directing that the user come into compliance following a specific period

of time. If the user does not come into compliance, the District may, at its option proceed with further action under this Section or Section 12 unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders may also contain other requirements to address the noncompliance, including additional self-monitoring, and management practices designed to minimize the amount of pollutants discharged to sewer. A compliance order may not extend the deadline for compliance established for a Federal pretreatment standard or requirement, nor does a compliance order release the user of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a prerequisite to taking any other action against the user.

11.5 CEASE AND DESIST ORDERS

When the Superintendent finds that a user is violating this Rule and Regulation, the user's wastewater discharge permit, any order issued hereunder, or any other pretreatment standard or requirement, or that the user's past violations are likely to recur, the Superintendent may issue an order to the user directing it to cease and desist all such violations and directing the user to:

- A. Immediately comply with all requirements
- B. Take such appropriate remedial or preventative 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 prerequisite to taking any other action against the user.

11.6 EMERGENCY SUSPENSIONS

The Superintendent may immediately suspend a user's discharge (after informal notice to the user) whenever such suspension is necessary in order to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons.

The Superintendent may also immediately suspend a user's discharge (after notice and opportunity to respond) that threatens to interfere with the operation of the POTW, or which presents or may present an endangerment to the environment.

- A. Any user notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a user's failure to immediately comply voluntarily with the suspension order, the Superintendent shall take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The Superintendent shall allow the user to recommence its discharge when the user has demonstrated to the satisfaction of the District that the period of endangerment has passed, unless termination proceedings set forth in Section 11.7 are initiated against the user

- B. A user that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement describing the causes of the harmful contribution and the measures taken to prevent any future occurrence to the Superintendent prior to the date of any show cause or termination hearing under Sections 11.3 and 11.7. Nothing in this section shall be interpreted as requiring a hearing prior to any emergency suspension under this section.

11.7 TERMINATION OF DISCHARGE

In addition to those provisions in Section 6.6 of this Rule and Regulation, any user that violates the following conditions of this Rule and Regulation, wastewater discharge permits, or orders issued hereunder, is subject to discharge termination.

- A. Violation of wastewater discharge permit conditions
- B. Failure to accurately report the wastewater constituents and characteristics of its discharge
- C. Failure to report significant changes in operations or wastewater volume, constituents and characteristics prior to discharge
- D. Refusal of reasonable access to the user's premises for the purpose of inspection, monitoring, or sampling
- E. Violation of the pretreatment standards in Section 3 of this Rule and Regulation

Such user will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Section 11.3 of this Rule and Regulation why the proposed action should not be taken.

SECTION 12 – JUDICIAL ENFORCEMENT REMEDIES

12.1 INJUNCTIVE RELIEF

Whenever a user has violated a pretreatment standard or requirement or continues to violate the provisions of this Rule and Regulation, wastewater discharge permits or orders issued hereunder, or any other pretreatment requirement, the Superintendent may petition the Superior Court through the District's attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the wastewater discharge permit, order, or other requirement imposed by this Rule and Regulation on activities of the industrial user. Such other action as appropriate for legal and/or equitable relief may also be sought by the District. A petition for injunctive relief need not be filed as a prerequisite to taking any other action against a user.

12.2 CIVIL PENALTIES

- A. Any user which has violated or continues to violate this Rule and Regulation, any order or wastewater discharge permit hereunder, or any other pretreatment standard or requirement shall be liable to the Superintendent for a maximum civil penalty of \$1,000 per violation per day. In the case of a monthly or long-term average discharge limit, penalties shall accrue for each day during the period of the violation.
- B. The Superintendent may recover reasonable attorney's fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the District.
- C. In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration, any economic benefit gained through the user's violation, corrective actions by the user, the compliance history of the user, and any other factor as justice requires.
- D. Filing a suit for civil penalties shall not be a prerequisite for taking any other action against a user.

12.3 REMEDIES NONEXCLUSIVE

The provisions in Sections 11 – 12 are not exclusive remedies. The District reserves the right to take any, all, or any combination of these actions against a noncompliant user. Enforcement of pretreatment violations will generally be in accordance with the District's enforcement response plan. However, the District reserves the right to take other action against any user when the circumstances warrant. Further, the District is empowered to take more than one enforcement action against a noncompliant user. These actions may be taken concurrently.

SECTION 13 – SUPPLEMENTAL ENFORCEMENT ACTION

13.1 PERFORMANCE BONDS

The Superintendent may decline to reissue a wastewater discharge permit to any user which has failed to comply with the provisions of this Rule and Regulation, any orders, or a previous wastewater discharge permit issued hereunder, unless such user first files a satisfactory bond, payable to the District, in a sum not to exceed a value determined by the Superintendent, to be necessary to achieve consistent compliance.

13.2 LIABILITY INSURANCE

The Superintendent may decline to reissue a wastewater discharge permit to any user which has failed to comply with the provisions of this Rule and Regulation, any order, or previous wastewater discharge permit issued hereunder, unless the user first submits proof that it has obtained financial assurances sufficient to restore or repair damage to the POTW caused by its discharge.

13.3 INFORMANT REWARDS

The Superintendent is authorized to pay up to \$500 for information leading to the discovery of noncompliance by a user. In the event that the information provided results in a civil penalty levied against the user, the Superintendent is authorized to dispense up to five percent of the collected penalty to the informant. However, a single reward payment may not exceed \$1,000.

13.4 CONTRACTOR LISTING

Users which have not achieved consistent compliance with approvable pretreatment standards and requirements are not eligible to receive a contractual award for the sale of goods or services to the District. Existing contracts for the sale of goods or services to the District held by a user found to be in significant noncompliance with pretreatment standards may be terminated at the discretion of the District.

SECTION 14 – AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS

14.1 UPSET

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

14.2 GENERAL/SPECIFIC PROHIBITIONS

An industrial user shall have an affirmative defense to an enforcement action brought against it for noncompliance with the general and specific prohibitions in Section 3.1 of this Rule and Regulation if it can prove that it did not know or have reason to know that its discharge, along or in conjunction with discharges from other sources, would cause pass through or interference and that either : (a) a local limit exists for each pollutant discharged and the industrial user was in compliance with each limit directly prior to, and during, the pass through or interference, and (b) no local limit exists, but the discharge did not change substantially in nature or constituents from the user's prior discharge when the District was regularly in compliance with its NPDES permit, and in the case of interference, was in compliance with applicable sludge use or disposal requirements.

14.3 BYPASS

- A. (1) "Bypass" means the intentional diversion of wastestreams from any portion of an industrial user's treatment facility.
(2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- B. An industrial user may allow any bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of paragraphs (C) and (D) of this section.
- C. (1) If an industrial user knows in advance of the need for a by pass, it shall submit prior notice to the POTW at least ten days before the date of the bypass if possible.
(2) An industrial user shall submit oral notice of an unanticipated bypass that exceeds applicable pretreatment standards to the POTW within 24 hours from the time it becomes aware of the bypass. A written submission shall also be provided within 5 days of the time the industrial user becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The POTW may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.
- D. (1) Bypass is prohibited, and the POTW may take enforcement action against an industrial user for a bypass, unless:
 - (i) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

- (ii) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
- (iii) The industrial user submitted notices as required under paragraph (C) of this section.
- (2) The POTW may approve an anticipated bypass, after considering its adverse effects, if the POTW determines that it will meet the three conditions listed in paragraph (D)(1) of this section.

SECTION 15 – SERVICE MATERIALS AND INSTALLATION

15.1 MATERIALS

Pipe shall be 4-inches in diameter SDR-35 PVC pipe, as manufactured by Johns-Manville or Certain Teed Products Corp. or approved equal.

Pipe shall conform to ASTM D-3034 with dimension ratio of SDR-35 PVC resin compound shall conform to ASTM D-1784. Standard pipe laying length shall be 13 ft. The pipe shall be colored green to identify it for sewer applications.

Fittings will be PVC Gravity Sewer fittings and meet the requirements and intent of the National Standards ASTM D-3034 for materials and ASTM D-3212 for joints. All elbows used for service connections shall be bends or sweeps.

All joints PVC pipe shall be gasketed in accordance with ASTM D-3212 and ASTM F-477 and other industry standards and will be “push-on”. Joints will be made using gasketed couplings and bells provided by the pipe manufacturer, and installed in accordance with the pipe manufacturer’s published recommendations. Pipe will be furnished with Gaskets preinstalled and lubricants as standard accessories.

No glued joints will be allowed in any form. Any joint, which is not properly made, shows signs of leakage, or is any way defective, shall be remade to the satisfaction of the Winthrop Utilities District.

Connections to existing service pipe not compatible with a gasketed joint will be made with a flexible coupling with stainless steel band, housing and screw.

15.2 INSTALLATION

Each pipe and fitting shall be inspected prior to installation to insure: the gasket is properly adhered to the bell of the pipe, the pipe is straight within 1/16” end to end, the pipe is of proper shape within 5% of round, cracks or any other damage. If a pipe is found to not pass the inspection the pipe will immediately be removed from the site.

Pipe shall be assembled in strict accordance with the manufacturers instructions as described below

- a) Thoroughly clean the groove and bell socket and the gasket, make sure that gasket is correctly seated.
- b) After cleaning dirt or foreign material from the plain end, apply lubricant in accordance with the pipe manufacturers recommendations. The lubricant is supplied in sterile cans and every effort shall be made to keep it sterile.
- c) Be sure that the plain end is beveled; square or sharp edges may damage or dislodge the gasket and cause a leak. When pipe is cut in the field,

bevel the plain end with a heavy file, grinder or pipe saw to remove all sharp edges. Push the plain end into the bell of the pipe. Keep the joint straight while pushing.

d) The pipe can be pushed into the bell socket with a long bar.

Excavations shall be made to a point at least 6-inches below the pipe to accommodate the ¾" crushed stone bedding material. This material is to extend from 6" below the pipe to 6" above the pipe. If the contractor over excavates the pipe will be brought to grade with crushed stone no other material will be allowed under the pipe.

All excavations are to be kept dry while pipe is being installed and until each joint and pipe has been observed by the Winthrop Utilities District, and approval given to commence backfilling operations.

Pipe shall be laid in strict accordance with the pipe manufacturer's published recommendations. Any pipe, which is not installed to grade and alignment, shall be reinstalled to the satisfaction of the Winthrop Utilities District.

Foreign material shall be prevented from entering the pipe during installation. No debris tools clothing or other material will be placed in the pipe at any time.

Temporary pipe plugs shall be used at all times when work is in progress, the open end of the pipe shall be closed at all times by means of a water tight plug or other means acceptable to the Winthrop Utilities District. When practical the plug shall remain in the place until the trench is pumped completely dry. Care must be taken to prevent pipe flotation should the trench fill with water.

The pipe shall not deviate more than .02' vertically from the designed grade in the total pipe run.

No pipe installation will be allowed to begin at any point other than a service tee or other appurtenance without the expressed consent of the Winthrop Utilities District.

The service pipe will be tested as per the sewer main testing section prior to connection of any building sewer service to the pipe.

Minimum pipe depth shall be 4'-0". If a sewer can not be installed with adequate cover it will be insulated with 2" of Styrofoam 4' wide for each foot of cover the pipe is lacking.

Cleanouts shall be installed at 100' intervals for long sewer service pipes. A clean out will consist of 45-degree bends and wyes. Cleanouts will be brought up to within 6" of the surface. A stainless steel strap will be installed on any non-metallic pipe for ease of location.

Building sewers will be installed to 2'-0" under the basement floor whenever possible.

SECTION 16 – PERMANENT DISCONNECTION

The service to any Structure that is destroyed or removed will be considered permanently disconnected only when the sewer main is excavated and the service wye is either removed or sealed water tight by the contractor. The Winthrop Utilities District will be notified at least 48 hours in advance of any attempt to seal the service. Any service that is not permanently disconnected in a manner acceptable to the Winthrop Utilities District will be charged in accordance with the rates a minimum charge.

SECTION 17 - SAFETY

The property owner or their agent is responsible for assuring that all applicable safety regulations are being followed in connection with the installation of the sewer service. This included all regulations set forth by the Occupational Safety and Health Administration (OSHA) and any other safety and health agency. The "Dig Safe" laws will need to be followed as well to avoid damage to underground facilities.

All excavations shall be adequately guarded with barricades and lights so as to protect the public from hazards. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner acceptable to and in conformance with the ordinances of the Town, State or other applicable agency. In addition the Owner of the property shall indemnify the Winthrop Utilities District and hold the Winthrop Utilities District harmless for all claims, damages, losses and expenses, including attorney's fees, arising out of or resulting from owner's work. The Winthrop Utilities District shall have the right to select its own Attorney at the owner's expense.

SECTION 18 – MISCELLANEOUS PROVISIONS

18.1 SEVERABILITY

If any provision of this Rule and Regulation is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in force and effect.

18.2 CONFLICTS

All other Rules and Regulations and parts of other Rules and Regulations inconsistent or conflicting with any part of this Rule and Regulation are hereby repealed to the extent of the inconsistency or conflict.

The Winthrop Utilities District Trustees adopted the above rules and regulations on November 16, 1992 at a regular Trustees' meeting.

The Trustees adopted amendments to the Rules and Regulations on November 22, 2004
The Trustees adopted 2nd amendment to the Rules and Regulations on September 19, 2006