

**DEPARTMENT OF PUBLIC WORKS
SEWER DEPARTMENT
RULES AND REGULATIONS**

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ARTICLE I INTENT AND PURPOSE

These rules and regulations are promulgated by the Board of Selectmen in order to organize, clarify, and bring up to date the original Rules and Regulations adopted in 1971, and subsequently modified by amendment in October 1971, February 1974, March 1977, May 1981, April 1991, and November 1992. These rules are also meant to continue the existing and historical practice of the Town with regard to the calculation of sewer usage by reference to the usage of water recorded on the water meter for each property with a connection to the system.

ARTICLE II DEFINITIONS

“Board of Health” shall mean the Board of Health of the Town of Hudson, Massachusetts.

“BOD” (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20°C, expressed in milligrams per liter.

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

“Building Sewer” shall mean the extension from the building drain to the public sewer or other place of disposal.

“Combined Sewer” shall mean a sewer receiving both surface runoff and sewer.

“DEP” shall mean the Department of Environmental Protection of the Commonwealth of Massachusetts.

“Director” shall mean the Director of Public Works of the Town of Hudson, or his authorized deputy, agent, or representative.

“Garbage” shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

“I/I” shall mean infiltration and inflow into the public sewer system.

“Industrial Wastes” shall mean the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.

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

“Person” shall mean any individual, firm, company, association, society, corporation, or group.

“pH” shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

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

“Public Sewer” shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

“Sanitary Sewer” shall mean a sewer which carries sewage and to which storm, surface, and groundwaters are not intentionally admitted.

“Sewage” shall mean a combination of the water-carried wastes from residences, business building, institutions, and industrial establishments, together with such ground, surface, and stormwaters as may be present.

“Sewage Treatment Plant” shall mean any arrangement of devices and structures used for treating sewage.

“Sewage Works” shall mean all facilities for collecting, pumping, treating, and disposing of sewage.

“Sewer” shall mean a pipe or conduit for carrying sewage.

“Shall” is mandatory; “May” is permissive.

“Slug” shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceed for any period of duration longer than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

“Storm Drain” (sometimes termed “Stormed Sewer”) shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

“Suspended Solids” shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

“Town” shall mean the Town of Hudson, Massachusetts.

“Watercourse” shall mean a channel in which a flow of water occurs, either continuously or intermittently.

ARTICLE III GENERAL PROVISIONS

SECTION 1 RATES

The gross rates and minimum charges as well as specific charges enumerated herein, shall be established by the Board of Selectmen from time to time. Gross usage will be equal to that measured by the water meter. When Property has been transferred between billing periods, the amount of water recorded by the water meter will be charged except in the case where it is less than the minimum semi-annual charge in which case the minimum rate will be in effect.

SECTION 2 BILLS PAYABLE

All bills are payable to the Town Collector. Bills for sewer charges are a lien upon the property and are collectable under the law in the same manner as taxes upon said property. Should a water meter fail to register usage properly, the use of the sewer will be charged at the average rate as shown by the meter when in order.

In the event that an OWNER believes that any fee imposed pursuant to these Rules and Regulations has been improperly assessed or is otherwise excessive as it relates to usage, then such OWNER may petition the Director of the Department of Public Works for an abatement of any such fee or portion thereof.

Said OWNER shall be afforded the opportunity to present evidence of such improper or excessive assessment and the Director of Public Works shall review same and make the determination as to whether any such abatement should be granted for good cause shown.

SECTION 2.1 ABATEMENTS

The Department of Public Works may make abatements in sewer charges in all proper cases upon receipt, in writing, from the property owner of a request for abatement, stating reason for such requests, together with all information necessary to evaluate its merits. Excessive usage caused by pipe leaks, or leaking fixtures, on the owner's property beyond the meter shall not be considered cause for abatement. All applications for abatements must be filed within 30 days of the due date of the bill for which the abatement is being requested.

SECTION 3 WRITTEN APPLICATION

A sewer service will not be introduced into any building or premises except on the written application in the prescribed form by the owner(s) or his duly authorized Agent.

SECTION 4 TOWN REPAIRS

If the Department of Public Works makes repairs, relieves stoppages, installs clean out manholes, or other such tasks, the cost of the work will be billed to the property owner at cost plus 10% and must be paid within 30 days from the date of billing

SECTION 5 STOPPAGES

The Town will not be held liable for any interruption or stoppage of flow in either the mains or the services, or any damage caused by such stoppages. The Director of Public Works, or his assignees, reserve the right to stop or interrupt the flow in mains or services to make repairs and extensions, when necessary.

SECTION 6 USER AGREEMENT

These Rules and Regulations shall be considered a part of the contract with every person who has a connection made to the Town sewers and every person in having a sewer connection made shall be considered to express his, or hers, assent to be bound thereby

ARTICLE IV BUILDING SEWERS AND CONNECTIONS

SECTION 1 PERMITS

No unauthorized person shall uncover; make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Director.

SECTION 2 APPLICATIONS & ENTRANCE FEES

Those seeking connections to the public sewer shall make application on a special form furnished by the Town. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Director

Entrance fees for any service pipe connected into the public sewerage system shall be in accordance with the following schedule:

RESIDENTIAL

Single family residence \$500.00

MULTIPLE FAMILY RESIDENCE \$500.00 plus \$500.00 per living unit (including all structures containing more than one dwelling unit such as duplexes, apartment houses, apartment complexes, mobile home parks, etc.)

NON-RESIDENTIAL

Entrance fee shall be based on size of water service pipe as follows:

3/4"	\$1,000.00	6"	\$ 3,500.00
1"	\$1,500.00	8"	\$ 4,000.00
1 1/2"	\$2,000.00	10"	\$ 7,000.00
2"	\$2,500.00	12"	\$ 10,000.00
4"	\$3,000.00		

Sewer entrance fee for any water service larger than 12" shall be as determined by the Director of Public Works with the approval of the Board of Selectmen.

SINGLE FAMILY RESIDENTIAL SUBDIVISION OR DEVELOPMENT

The entrance fee shall be \$500.00 for each connection of the secondary or branch main, or mains, to Town mains plus \$500.00 for each lot served.

MULLET-FAMILY RESIDENTIAL SUBDIVISION OR DEVELOPMENT

The entrance fee shall be \$500.00 for each connection of the secondary or branch main, or mains, to Town mains, plus \$500.00 for each living unit served by the secondary or branch main.

COMMERCIAL OR INDUSTRIAL SUBDIVISION OR DEVELOPMENT

The entrance fee shall be \$1,000.00 for each connection of the secondary or branch main, or mains, to the Town main plus the non-residential entrance fee listed, for each service connected to the branch or secondary main.

The entrance fee for all connections shall be payable at the time of the application for said connections

SECTION 3 OWNER COSTS

All costs and expense incident to the installation and connection, and inspection of the building sewer shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

SECTION 4 SEPARATE SEWERS

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, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

SECTION 5 OLD SEWER USE

Old building sewers may be used in connection with new building only when they are found, on examination and test by the Director, to meet all requirements of this ordinance.

SECTION 6 CONSTRUCTION STANDARDS

The size, slope, alignment, materials of construction of building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code as well as other applicable rules and regulations of the department and the Town. In the absence of code provisions or in amplification thereof the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.

SECTION 7 ELEVATIONS

Whenever possible, the building sewer shall be brought to building at an elevation below the basement floor at a slope of not less than 2%. In all building 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. A minimum cover over sewer line shall be 48" unless approved in writing by the Director.

SECTION 8 DRAIN CONNECTIONS PROHIBITED

No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff ground water to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

SECTION 9 CODE REQUIREMENTS

The connection of building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town, or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice No. 9. All such connections shall be made gas tight and water tight. Any deviation from the prescribed procedures and materials must be approved by the Director before installation.

SECTION 10 SAFETY PRECAUTIONS

All excavations for the building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkway, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town.

SECTION 11 NOTICE AND OTHER CONDITIONS

All work related to the installation, repair, extension of building sewers and connections to public sewers shall be performed by persons licensed by the Director of Public Works. Work related to the installation of building sewers, sewer extensions and connections to public sewers shall be performed only under permit issued by the Director. One copy of the permit shall be available for inspection at all times at the site of the work. No unauthorized person shall uncover, make any connection with or opening into, use, alter or disturb any public sewer or appurtenance thereto. Any person proposing a new discharge into the system or a substantial change in the volume or character of pollutants that are being discharged into the system shall notify the Director at least forty-five (45) days prior to the proposed change or connections.

The applicant for the building sewer permit shall notify the Director at least seventy-two hours before beginning the work and also when the building sewer is ready for inspection, testing and connection to the public sewer. The testing and connection shall be made under the supervision of the Director.

If, during the course of his work, the applicant should encounter any previous violations of these regulations, he/she shall be required to give a full written report to the Director within twenty-four (24) hours of such encounter.

Notification of the completion of the work with certification that all conditions of this chapter have been complied with shall be filed in writing with the Director of Public within twenty-four hours after the completion of the work covered in each permit.

SECTION 12 INFILTRATION AND INFLOW (I&I) REDUCTION

Any proposed connection, extension or change in existing use that requires a discharge into the sewerage system shall require the removal, on the ratio of at least 3 gallons removed for each gallon proposed, of excess infiltration/inflow within the existing sewerage system, thus decreasing the total flow to the wastewater treatment facility.

SECTION 13 QUANTIFICATION AND IDENTIFICATION OF ELIGIBLE I&I

The removal of identified and quantified infiltration/inflow shall be as approved by the Director of Public Works. If, however, there is no presently identifiable and quantifiable location where infiltration/inflow may be removed, the Director of Public Works will require that a sum of money in the amount of \$1.00 per gallon of infiltration/inflow proposed for removal shall be deposited with the Town Treasurer to be used for the removal at a future date.

In order to identify and specify the exact nature and amount of I&I reduction to be undertaken by the developer, the Director of Public Works may seek the assistance of an outside consultant under contract for that purpose. He may also seek the assistance of such a consultant to provide verification of the results of the I&I reduction undertaken by the developer.

In the case that such assistance is sought a fee may be charged to the developer in an amount deemed by the Director of Public Works to be reasonable for said identification and verification. Developers who feel that the fee charged, and/or the I&I reduction required, is unreasonable may appeal those decisions to the Executive Assistant and to the Board of Selectmen, whose decision shall be final.

ARTICLE V PERSONS AUTHORIZED TO MAKE CONNECTIONS

SECTION 1 NECESSITY OF LICENSE

Contractors or individuals of established reputation and experience will be licensed by the Director of Public Works to make connections to the public sewerage and/or drainage systems. No connections shall be made, or service pipes installed, by any contractor or individual not so licensed.

SECTION 2 CONDITIONS OF LICENSE

All licensees shall be subject to compliance with the following requirements:

Applicants for licenses are required to pay a filing fee of \$25.00 payable to the Town, all of which will be refunded to the applicant if his application is rejected.

All licenses issued will expire December 31st of each year after which they will be renewed upon payment to the Town of a \$25.00 renewal fee. No license shall be transferable.

If approved by the Director, applicants for licenses shall file with the Director, a proper and acceptable performance and guarantee bond in the amount of \$1,000.00 which shall remain in full force and effect for at least one year from the date of the original approval and each calendar year thereafter upon renewal.

Applicants for licenses, after approval by the Director shall file with the Director a Certificate of Insurance in the sums of \$100,000/\$300,000 to cover public liability and a Certificate of Insurance in the sum of \$10,000 covering property damage. In addition, a Certificate of Insurance covering Workmen's Compensation shall be filed, all of which shall remain in full force and in effect for at least one year from the date of the original approval and each calendar year thereafter upon renewal. Said insurance shall indemnify the Director and the Town against any and all claims, liability or action for damages, incurred in or in any way connected with the performance of the work of the licensee, and for or by reason of any acts or omission of said licensee in the performance of his work.

Applicants for licenses will be approved or disapproved within a period of 31 days after filing the application. The licensee shall comply with all applicable Town, State and Federal codes, rules and regulations.

The Director reserves the right to revoke or suspend any license if any provision of said license is violated.

All licensees are required to give personal attention to all installations and shall employ only competent and courteous workers.

ARTICLE VI MAINTENANCE OF SERVICE PIPES

SECTION 1 RESPONSIBILITY OF OWNER

Maintenance and repair or replacement of service pipes shall be the responsibility of the property owner.

Ejector pumps, where necessary, are the property of the owner and shall be supplied, installed and maintained by the homeowner.

SECTION 2 NO TRESPASSING

No person shall trespass on any Town lands or structures taken or held by the Town for the purposes of its municipal sewerage system without the express written consent of the Director.

SECTION 3 WORK STANDARDS

In the event that the Department of Public Works is involved either in the installation of a new service or relay to a single-family residence, or repairs to an existing service, the work shall be performed in accordance with the following requirements.

Trenches, or areas of excavation, after completion of the installation or repairs, shall be rough graded and hand raked. Permanent repairs, on the land owner's property (i.e. loaming, seeding, cold patching and hot topping of drives and walks, cement sidewalks, steps, etc.) shall be his or her responsibility.

Fences or walls, of any kind, if not removed by the landowner, will, if within the Department's means and capabilities, be removed and stacked on the landowner's property. Upon completion of the Department's work, re-erection or rebuilding shall be the responsibility of the landowner.

Trees, bushes, shrubs, hedges, flowers, lawn ornaments, etc., if not removed by the landowner, will, if within the Department's means and capabilities, be removed and stacked on the landowner's property. Upon completion of the Department's work, replanting or replacement of these items shall be the responsibility of the landowner.

In the event that the Department's work necessitates the cutting of trees, bushes, shrubs, hedges, etc., the Town will not be responsible for their continued life.

The landowner shall be responsible for notifying the Department of any underground wiring, wells, septic system pipes, drainage pipes, etc., that may be in the line of construction. Unless the Department is notified in advance, the Town will assume no liability for resulting damages.

ARTICLE VII USE OF THE PUBLIC SEWERS

SECTION 1 PROHIBITION ON DRAINWATER

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

SECTION 2 UNPOLLUTED DRAINAGE

Storm water and all other unpolluted drainage shall be discharged to such sewers (drains) are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Director. Industrial cooling water or unpolluted process waters may be discharged on approval of the Director and the Department of Environmental Protection (DEP), to a storm sewer, combined sewer, or natural outlet.

SECTION 3 ILLEGAL WASTES

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

- a. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
- b. Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant.
- c. Any waters or wastes having a pH lower than (5.5), or having other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- d. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, un-ground garbage, whole blood, paunch manure, hair and fleshings entrails and paper dishes, cups, milk containers, disposable diaper, etc. either whole or ground by garbage grinders.

SECTION 4 PROHIBITED SUBSTANCES

No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Director that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Director will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substance prohibited are:

- a. Any liquid or vapor having a temperature higher than one hundred fifty (150°F) degrees Fahrenheit, sixty-five (65°C) degrees Celsius.
- b. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/l or (150°F) degrees Fahrenheit, sixty-five (65°C) degrees Celsius.
- c. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Director.
- d. Any waters or wastes containing strong acid, iron, pickling wastes, or concentrated plating solutions whether neutralized or not.

- e. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Director for such materials.
- f. Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Director as necessary, after treatment of the composite sewage to meet the requirements of the State, Federal, or other public agencies or jurisdiction for such discharge to the receiving waters.
- g. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Director in compliance with applicable State or Federal regulations.
- h. Any waters or wastes having a pH in excess of 9.5.
- i. Materials which exert or cause;
 1. Unusual concentrations or inert suspended solids (such as, but not limited to, Fullers earth lime slurries, and lime residues) or of dissolve solids (such as, but not limited to, sodium-chloride and sodium sulfate)
 2. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solution).
 3. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 4. Unusual volume of low or concentration of wastes constituting "slugs" as defines herein.
- j. Waters or wastes containing substances which are not amenable to treatment of reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

SECTION 5 DISCRETION OF DIRECTOR

If any waters or wastes are discharged, or are proposed to be discharged to the public sewers which waters contain the substances or posses the characteristics enumerated in section 4 of this Article, and which in the judgment of the Director, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Director may:

- a. Reject the wastes.
- b. Require pretreatment to an acceptable condition for discharge to the public sewer,
- c. Require control over the quantities and rates of discharge, and or/
- d. Require payment to cover the added cost of handling and treating the wastes not covered by existing sewer charges under the provisions of Section 10 of this Article.

If the Director permits the pretreatment of equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Director, and subject to the requirements of all applicable codes, ordinances and laws.

SECTION 6 INTERCEPTORS

Grease, oil and sand interceptors shall be provided when, in the opinion of the Director, they are necessary for the proper handling of liquid wastes containing 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 to the Director, and shall be located as to be readily and easily accessible for cleaning and inspection.

SECTION 7 MAINTAINENCE OF PRETREATMENT

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

SECTION 8 REQUIREMENT OF MANHOLES

When required by the Director, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters, and other appurtenances in the building sewer to, facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Director. 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 9 TEST STANDARDS

All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. (the particular analyses involved will determine whether a twenty-four (24) hour composite of all out fails of a premise is appropriate or whether a grab sample or should be take. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls whereas pH's are determined from periodic grab samples.

SECTION 10 SPECIAL HANDLING OF UNUSUAL WASTES

No statement contained in this article shall be construed as preventing any special agreement or arrangement between the Town and any industrial concern whereby an industrial waste of unusual strength of character may be accepted by the Town for treatment, subject to payment therefore, by the industrial concern. Charges for the treatment of industrial wastes shall be based on the "Average Cost Pricing" system as recommended in Federal Guidelines "Equitable Recovery of Industrial Waste Treatment Costs in Municipal Systems" published by the Environmental Protection Agency in October, 1971.

The annual cost to be paid to the Town by the industry shall be based on both a charge for fixed costs and a charge for operation and maintenance.

The annual cost to industry shall be computed according to the formula:

$C_i = V_o V_i + b_o B_i + s_o S_i + v_f V_a$, where

C_i = Total annual charge to industrial user, \$/yr.

V_o = Average unit cost (operation and maintenance) of transport and treatment, chargeable to volume, \$/1,000 Gallons.

b_o = Average unit cost (operation and maintenance) of treatment, chargeable to BOD, \$/100 pounds.

s_o = Average unit cost (operation and maintenance) of treatment, chargeable to S.S., \$/100 pounds.

v_i = Volume of wastewater from industrial user, gallons/yr.

B_i = Weight of BOD from industrial users, pound/yr.

S_i = Weight of S.S., from industrial users, pound/yr.

V_f = Average unit cost (fixed) of transport and treatment, chargeable to volume, \$/1,000 gallons.

Rates to be charged for industrial waste treatment shall be established annually.

v_o = \$ ____/1,000 gallons (changes annually)

b_o = \$ ____/100# (changes annually)

s_o = \$ ____/100# (changes annually)

v_f - \$ ____/1,000 gallons

- Minimum annual quantities will be determined for these items during the first twelve (12) month period in which the industry is tied into the system. The annual charge for these items will be calculated using the actual discharge into system with a minimum amount as established.

ARTICLE VIII PROTECTION FROM DAMAGE

SECTION 1 PROTECTION OF PROPERTY

No authorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

ARTICLE IX POWERS AND AUTHORITY OF INSPECTORS

SECTION 1 RIGHT OF ENTRY

The Director and other duly authorized employees of the Town having proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of these regulations. The Director, or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for wastes treatment.

SECTION 2 LIABILITY DURING INSPECTIONS

While performing the necessary work on private properties referred to in Article VII, Section 1 above, the Director or duly authorized employees of the Town shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the employees of the Town, and the Town shall indemnify the company against loss or damage to its property by Town employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article V, Section 8.

SECTION 3 EASEMENTS

The Director and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all private properties through which the Town holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE X PENALTIES

SECTION 1 NOTICE OF VIOLATIONS

Any person found to be violating any provision of this ordinance except Article VI shall be served by the Town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

SECTION 2 FINES

Any person who shall continue any violation beyond the time limit provided for in Article VIII, Section 1, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding 20.00 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

SECTION 3 LIABILITY FOR LOSSES

Any person violating any of the provisions of this ordinance shall become liable to the Town for any expense, loss, or damage occasioned the Town by reason of such violation.

ARTICLE XI VALIDITY

SECTION 1 REPEAL OF PRIOR REGULATIONS

All regulations or parts of regulations in conflict herewith are hereby repealed.

SECTION 2 SEVERABILITY

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

ARTICLE XII REGULATIONS IN FORCE

SECTION 1 IMPLEMENTATION OF REGULATIONS

These regulations shall be in full force and effect from and after their passage, approval, recording, and publication as provided by law.

SECTION 2 PASSAGE AND APPROVAL

Passed and adopted by the Board of Selectmen of the Town of Hudson Massachusetts on
June 5, 2000.