

# TOWN OF SOUTH WINDSOR

## WATER POLLUTION CONTROL AUTHORITY

### RULES AND REGULATIONS



1540 Sullivan Avenue  
South Windsor, CT 06074

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## **PREAMBLE**

The Water Pollution Control Authority of seven (7) members and two (2) alternates is appointed by the Town Council for a term of six years. The duties and responsibilities of the Authority are derived from Chapter 103 of the General Statutes, Revision of 1958, as amended and supplemented, Special Act 2-260 of the General Assembly, and Town Ordinance 103.

For the purpose of providing for the collection, treatment and disposal of wastewater and solids in a manner that assures the protection of the public health and environment; for the purpose of allocating resources for the efficient operation and maintenance of adequate and reliable collection and treatment facilities; for the purpose of regulating other sewerage works within the Town of South Windsor; for the purpose of maintaining an adequate record of sewers, drains, appurtenances, and connections thereto; , and in pursuance of said authority, the Water Pollution Control Authority Rules and Regulations of the Town of South Windsor are hereby amended, supplemented and adopted to read as follows:

## **INTERPRETATION**

It is not intended by these regulations to repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically repealed by these regulations. Where these regulations impose a greater restriction upon water pollution than is imposed or required by such existing provisions of law or ordinance, or are in conflict therewith, provisions of these regulations shall control.

These rules and regulations supersede any previously enacted sewer ordinances or laws.

Nothing herein contained shall in any way be construed to change, abridge, amend or in any way interfere with the application of the General Statutes in reference to local Sewer Authorities, their duties, powers or responsibilities.

This booklet is for the convenience of the public only. For official copy, please refer to the copy on file in the Office of the Town Clerk of the Town of South Windsor.

Interpretation of these regulations is obtainable at the Office of the Water Pollution Control Authority located in the Town Hall or at the regular meetings of the Authority held in accordance with a schedule on file with the Town Clerk.

## DEFINITIONS

- 1.00 For the purpose of these regulations, the following terms, words, and phrases shall have the meaning given here unless the context specifically indicates otherwise.
- 1.01 **"Acquire a Sewerage System"** shall mean to obtain title to all or any part of a sewerage system or any interest therein by purchase, condemnation, grant, gift, lease, rental or otherwise.
- 1.02 **"Act or the Act"** shall mean the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 USC 1251 et. seq.
- 1.03 **"AGRU" or "Automatic Grease Recovery Unit"** – shall mean an interior grease interceptor that separates grease from the wastewater by active mechanical or electrical means.
- 1.04 **"Approved"** shall mean accepted or acceptable under applicable specifications or requirements stated or cited in these regulations or accepted as suitable for the proposed area.
- 1.05 **Assessment of Benefits:** As stated by State Statute 103 Section 7-249.
- 1.06 **"Authority"** shall mean the "Town of South Windsor Water Pollution Control Authority."
- 1.07 **"Authorized Activity"** – shall mean any activity authorized by the Town of South Windsor Water Pollution Control Authority.
- 1.08 **"Authorized Agent"** – shall mean the Town of South Windsor Water Pollution Control Authority or its designee.
- 1.09 **"Authorized Discharge"** – means a discharge authorized by the South Windsor Water Pollution Control Authority
- 1.10 **Bedroom:** As defined by the Tax Assessor office.
- 1.11 **"BMP" or "Best Management Practice"** – shall mean a practice, procedure, structure or facility designed to prevent or minimize environmental damage, or to maintain or enhance environmental quality. BMPs include without limitation, treatment requirements, operating procedures, practices to control spillage or leaks, sludge or waste disposal, or providing for drainage from raw material storage.
- 1.12 **"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.
- 1.13 **"Building"** shall mean any structure served or capable of being served by the sewer system.

- 1.14 **"Building Drain"** shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from other drainage pipes inside the walls of the building and conveys it to a point not less than five (5) feet outside the inner face of the building wall, at which point it shall connect to the building sewer.
- 1.15 **"Building Sewer"** shall mean the extension of the building drain from the building drain to a point on the property line where it shall connect to the sewer lateral.
- 1.16 **Capacity Charge:** A charge on new connections to the sewer system so that such new connections contribute a pro-rata share of the costs of the system capacity and facilities needed to provide service for such new connections. The fee shall reflect the appropriate amount of the share for that connection to the assets in the utility system and shall be calculated based on equivalent dwelling units.
- 1.17 **"Categorical Standards"** shall mean National Categorical Pretreatment Standards, also known as Pretreatment Standards.
- 1.18 **"Change in ownerships"** – shall mean a change in warranty deed or lease agreement.
- 1.19 **Change of Use:** As defined by the Planning Dept. or Town Assessor.
- 1.20 **"Commercial Establishment"** shall mean any building or area used for business, industrial, or professional purposes and providing facilities for the use of employees or customers.
- 1.21 **"Community Sewerage System"** shall mean any sewerage system serving one or more residences in separate structures which is not connected to a municipal sewerage system or which is connected to a municipal sewerage system as a distinct and separately managed district or segment of such system.
- 1.22 **"Compatible Pollutant"** shall mean Biochemical Oxygen Demand, suspended solids, pH and fecal coliform bacteria; plus any additional pollutants identified in the Water Pollution Control Facility's N.P.D.E.S. Permit, where the Water Pollution Control Facility is designed to treat such pollutants and, in fact, does treat such pollutants to the degree required by the N.P.D.E.S Permit.
- 1.23 **"Contact Person"** – shall mean the individual responsible for the daily operation of the Food Preparation Establishment and who is responsible for the Food Preparation Establishment's compliance with the FOG (fats, oils, and grease) pretreatment regulations as established by the South Windsor Water Pollution Control Authority.

- 1.24 **"Construct a Sewerage System"** shall mean to acquire land, easements, rights-of-way or any other real or personal property or any interest therein, plan, construct, reconstruct, equip, extend and enlarge all or any part of a sewerage system.
- 1.25 **"Cooling Water"** shall include clean wastewater from air conditioning, industrial cooling, condensing and similar apparatus and from hydraulically-powered equipment. In general, cooling water will include only water which is sufficiently clean and unpolluted to admit of being discharged without treatment or purification into any natural open stream or watercourse without offense.
- 1.26 **"DEP"** shall mean the State of Connecticut Department of Environmental Protection.
- 1.27 **"Director of Health"** shall mean that individual or firm duly appointed by the Town Manager of the Town of South Windsor to carry out prescribed duties of the Director of Health.
- 1.28 **"Disposal Area"** shall mean the entire area of an individual sanitary sewage disposal system used for underground dispersion of the liquid portion of sewage. It may consist of a disposal field, disposal bed, seepage pit, or a combination thereof.
- 1.29 **"Drain Layer" or Licensed Drain Layer"** shall mean an individual whom the State of Connecticut shall have issued a license to install and repair building drains, building sewers, public sewer laterals, public sewers and individual sanitary sewage disposal systems during the period when such license is valid. The term "Drain Layer" may also be applied to Town employees designated by the Manager and also to State Highway Departments' employees and employees of the public utilities when they are engaged in installing, altering and repairing sewers, drains, or connections and appurtenance thereto under the permit from the Town Manager.
- 1.30 **"Dwelling Unit"** shall mean one or more rooms providing complete living facilities for one or more individuals, including equipment for cooking or provisions for the same, and including room or rooms for living, sleeping, eating, bathing and sanitary facilities.
- 1.31 **"Emergency Repair"** shall mean any occurrence that will have an adverse effect on the health and welfare of the property owner as determined by the Assistant Director of Public Works/Pollution Control Superintendent.
- 1.32 **Equivalent Dwelling Unit:** The unit of measure by which the Capacity Charge for sanitary sewer services provided by the South Windsor sewer system is calculated and imposed upon each improved property served by the sewer system.
- 1.33 **"Facility"** – shall mean any establishment at which an FOG discharge originates.

- 1.34 **"Floatable Oil"** shall mean oil, fat, or grease in a physical state such that it will separate by gravity from sewage by treatment in an approved pretreatment facility.
- 1.35 **"FOG" or "Fats, Oils, and Grease"** – shall mean animal and plant derived substances that may solidify or become viscous between the temperatures of 32°F and 150°F (0°C to 65°C), and that separate from wastewater by gravity. Any edible substance identified as grease pursuant to the most current EPA method as listed in 40 CFR 136.3.
- 1.36 **"FOG Interceptor"** – shall mean any device or equipment designed to separate fats, oils, and grease from wastewater while allowing water to flow through it.
- 1.37 **"FOG Management Equipment"** – shall mean properly installed and operated FOG Interceptors and Alternate FOG Management Equipment as approved by the Superintendent.
- 1.38 **"Food Preparation Establishments"** – shall mean a Class III and Class IV food service establishment as defined by Section 19-13-B42 of the Connecticut Public Health Code or any other facility discharging fats, oils, and grease above the effluent limits in Section 6.3(b) of these regulations such as but not limited to restaurants, hotel kitchens, hospital kitchens, school kitchens, bars, factory cafeterias, retail bakeries and clubs.
- 1.39 **"General Statutes"** – shall mean the Connecticut General Statutes.
- 1.40 **"g.p.d."** shall mean gallons per day (24 hours).
- 1.41 **"Garbage"** shall mean wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.
- 1.42 **"Grab Sample"** shall mean which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.
- 1.43 **"Grade"** shall mean the slope of fall of a pipeline or the ground surface. It may be expressed as fall or drop per foot, per one hundred (100) feet, or in percent.
- 1.44 **"Hazardous Waste"** shall mean an explosive, flammable, corrosive, radioactive, toxic, pathological or other waste or substances defined as hazardous under the applicable laws and Rules and Regulations of the United States Environmental Protection Agency and/or the Connecticut Department of Environmental Protection including but not limited to the Toxic Substances Control Act, The Resource Conservation and Recovery Act and the Comprehensive Environmental Response Cooperation and Liability Act as amended.



- 1.45 **"Hearing Board"** shall mean that board appointed according to the provisions of these regulations.
- 1.46 **"Individual Sanitary Sewage Disposal System"** shall mean sub-surface sewage disposal system designed and constructed to treat sewage in a manner that will retain most of the settleable solids in a watertight tank and to discharge the liquid portion to an adequate disposal area.
- 1.47 **"Industrial User"** shall mean all users which discharge industrial process wastes (including cooling water) into the sewer system and perform activities identified under Division "D" of the Standard Industrial Classification Manual, Bureau of the Budget.
- 1.48 **"Industrial Wastes"** shall mean the liquid wastes from industrial manufacturing processes, trades, or businesses as distinct from sanitary sewage.
- 1.49 **"Inflow"** shall mean any water other than waste water that enters the public sewer system including sewer service connections from sources such as but not limited to roof leaders, cellar drains, yard drains, area drains, drains from wetland areas, manhole covers, cooling towers, storm water surface runoff or drainage. Inflow does not include and is distinguished from infiltration.
- 1.50 **"Invert"** shall mean the floor, bottom, or lowest portion of a flow channel in a structure or pipe.
- 1.51 **"Maximum Daily Flow"** – shall mean the greatest volume of wastewater that is discharged during a 24 hour period.
- 1.52 **Modification:** As defined by the Tax Assessor office.
- 1.53 **"NPDES"** shall mean the National Pollutant Discharge Elimination System.
- 1.54 **"Natural Outlet"** shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.
- 1.55 **"Non-renderable"** – shall mean fats, oils, and grease generated from the food preparation processes that have been contaminated by contact with wastewater thereby prohibiting this material from being recycled.
- 1.56 **"Notification of Approval Alternative FOG Management Equipment"** – shall mean a written notification from the Superintendent for authorization to install and/or operate Alternative FOG Management Equipment as defined in Section 6.5f of these regulations.
- 1.57 **"Operate a Sewerage System"** shall mean own, use, equip, re-equip, repair, maintain, supervise, manage, operate and perform any act pertinent to the collection, transportation, and disposal of sewage.
- 1.58 **"Owner"** shall mean the current owner of record of any lot or parcel of land as recorded in the Land Records of the Town of South Windsor.

- 1.59 **"Qualified Residential User"** shall mean a residential sewer user who is determined by the Town to be eligible for property tax relief under the State of Connecticut Qualifying Income for the Elderly and Totally Disabled Tax Relief Program and whose sewer user charge is reduced by a percentage corresponding to the percentages and income levels for married and unmarried owners as described in the aforesaid Qualifying Income for the Elderly and totally Disabled Tax Relief Program.
- 1.60 **"pH"** shall mean the logarithm of the reciprocal of the weight of hydrogenions in grams per liter of solution.
- 1.61 **"ppm"** shall express concentrations in parts per million by weight or volume.
- 1.62 **"Person"** shall mean any person, individual, firm, company, partnership, association, society, corporation, group or public agency.
- 1.63 **"Pollution Abatement Facility"** shall mean any equipment, plant treatment works, structure, machinery apparatus or land, or any combination thereof, acquired, used, constructed or operated for the storage, collection, reduction, recycling, reclamation, disposal, separation or treatment of water or wastes, or for the final disposal of residues resulting from the treatment of water or wastes, including, but not limited to: Pumping and ventilating stations, facilities, plants and works; outfall sewers, interceptor sewers and collector sewers; and other real or personal property and appurtenances incident to their use or operations.
- 1.64 **"Pollution Control Facility"** shall mean that building or group of buildings, with appurtenances, which are used for treating sewage.
- 1.65 **"Pretreatment of Treatment"** shall mean the reduction of the amount of pollutants the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a water pollution control facility. The reduction or alteration can be obtained by physical, chemical, or biological processes, except as prohibited by Title 40, Code of Federal Regulations, Section 403.6(d).
- 1.66 **"Professional Engineer"** shall mean a person licensed to practice professional engineering in the State of Connecticut.
- 1.67 **"Properly Shredded Garbage"** shall mean the wastes from the preparation, cooking, and dispensing of food that has 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 (1.24 centimeters) in any dimension.
- 1.68 **"Public Sewer System"** shall mean that portion of the sewer line and system owned and controlled by the Town of South Windsor.

- 1.69 **"Public Sewer Lateral"** shall mean a pipe laid incidental to the original construction of a main sewer from that sewer to some point at the side of the street, highway, or similar location.
- 1.70 **"Regional collection/transfer/disposal site"** – shall mean a facility for the collection, transfer or disposal of fats, oils, grease approved by the Connecticut Department of Environmental Protection.
- 1.71 **"Render"** – shall mean the process used to clarify or extract fats, oils, and greases by melting.
- 1.72 **"Renderable Fats, Oils and Grease"** – shall mean fats, oils, and grease not contaminated by contact with wastewater from the food preparation process which can be recycled by a rendering company.
- 1.73 **"Renderable Fats, Oils, and Grease Container"** – shall mean a closed leak-proof container for the collection and storage of food grade fats, oils and grease.
- 1.74 **"Renovation"** – shall mean any physical modification of a facility's food preparation area, food service area and/or dining area occurring after the approval of FOG Management Equipment as provided for in Section 6.5 of these regulations.
- 1.75 **"Residential Unit"** - A dwelling for one family only, either in a portion of a building occupied by two or more families, or in a single detached dwelling; or a separately sealable, rentable and/or transferable portion or section of a building under construction renovation.
- 1.76 **"Restricted Funds"** – are those amounts reserved for a specific purpose as determined by the formal action of the Water Pollution Control Authority.
- 1.77 **"Unrestricted Funds"** – are funds that represent a residual Fund Balance that has not been restricted by the Water Pollution Control Authority for specific purposes.
- 1.78 **"Rule"** shall mean each Authority statement of general applicability that prescribes law or policy or describes the organization, procedure, or practice requirements of the Authority.
- 1.79 **"Sanitary Equivalents"** shall mean a normal strength of wastewater as measured in terms of suspended solids and B.O.D. concentration.
- 1.80 **"Sanitary Sewer"** shall mean a sewer which carries sewage and to which storm, surface, and groundwaters are not intentionally admitted.
- 1.81 **"Septage"** shall mean the liquids and solids which are removed from a tank used to treat domestic sewage.
- 1.82 **"Sewage"** shall mean any substance, liquid or solid which may contaminate or pollute or affect the cleanliness or purity of any water.

- 1.83 **"Sewer"** shall mean a pipe or conduit for carrying sewage.
- 1.84 **"Sewer Impact Fee"** - Capacity fees are one-time payments used to fund capital improvements needed to expand the utility systems. The capacity charge is proportionate and related to the capital facility demands of the new development. A Sewer Impact Fee shall be assessed on all new or expanded service connections to the public sewer system as published in the fee schedule. The Sewer Impact Fee shall be proportionate to the cost of providing sewer to previously unserved properties and all changes in use that increase water flow to the sewer system.
- 1.85 **"Sewer Lateral"** shall mean a pipe laid incidental to the original construction of a main sewer to some point at the side of the street, highway or similar location.
- 1.86 **"Sewer System"** or **"Sewerage System"** shall mean any device, equipment, appurtenance, facility and method for collecting, transporting, receiving, treating, disposing of or discharging sewage.
- 1.87 **"Shall"** is mandatory; **"May"** is permissive.
- 1.88 **"Slug"** shall mean any discharge of water, sewage, or industrial waste which, in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flow during normal operation.
- 1.89 **"Sludge"** shall mean the solid, semi-solid and liquid residue that results from the treatment of waste water including the ash remaining after the incineration of residue.
- 1.90 **"Small Industries"** shall mean users of 93,000 gallons or less of water annually.
- 1.91 **"Major Industries"** shall mean users of 93,000 gallons or more of water annually.
- 1.92 **"Soluble Oil"** shall mean oil which is of either mineral or vegetable origin and disperses in water or sewage at temperatures between 0° C. and 65°C. For the purposes of these regulations, emulsified oil shall be considered as soluble oil.
- 1.93 **"Storm Drain"** shall mean a pipe or conduit which collects and conveys stormwater or groundwater.
- 1.94 **"Superintendent"** shall mean the Superintendent of the Pollution Control Department of the Town of South Windsor.
- 1.95 **"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.
- 1.96 **"Town"** shall mean the Town of South Windsor, Connecticut.

- 1.97 **"Town Manager"** shall mean the Town Manager of the Town of South Windsor and his/her agents or representative, acting under his/her authority.
- 1.98 **"Toxic Pollutant"** shall mean pollutant or combination of pollutant listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the provisions of Section 307(a) of the Act of other Acts.
- 1.99 **"User"** shall mean any person who contributes, causes or permits the contribution of sewage into the sewerage system.
- 1.100 **"User Charge System"** shall mean one designed to produce adequate revenues required for the operation, maintenance, and replacement of pollution abatement facilities.
- 1.101 **"Wastewater"** shall mean the combined Sewage, Septic and Industrial Wastes and normal Inflow and Infiltration.
- 1.102 **"Wasteshed"** shall mean a specific service area which discharges sewage on a descending gradient to a common point in the sanitary sewerage system.
- 1.103 **"Watercourse"** shall mean a channel in which a flow of water occurs, either continuously or intermittently.
- 1.104 **"Water Pollution Control Authority"** (W.P.C.A.) shall mean the duly appointed authority of the Town of South Windsor.

(Adopted 1/19/70; Amended 1/21/86, 7/9/96, 2/6/07, 7/13/2010, 10/4/2011, 7/7/2015, 2/6/18)

## **SECTION 2**

### **RULES OF PROCEDURE**

#### **2.1    Regular Meetings**

Regular Meetings of the Water Pollution Control Authority (W.P.C.A.) shall be held the first Tuesday of every month except for the months of July and August; the November regular meeting shall be scheduled on the first Wednesday of the month.

#### **2.2    Special Meetings**

Special Meetings of the Authority may be called by or at the request of the Chairperson or any two (2) members of the Authority. The person or persons authorized to call special meetings of the Authority may fix the time and place for holding such meetings. "Work Sessions" shall be considered special meetings except that in meetings designated as work sessions, no formal votes may be taken except votes to go in and out of executive session.

#### **2.3    Notice**

Notice of any special meeting shall be given at least forty-eight (48) hours previous thereto by written notice delivered personally or mailed to each member at his/her home address. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail so addressed, with postage thereon prepaid. Any member of the Authority may waive notice of any meeting. The attendance of a member of the Authority at a meeting shall constitute waiver of notice of such meeting except where a member attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. The business to be transacted at a special meeting of the Authority shall be specified in the notice of such meeting.

#### **2.4    Executive Session**

All meetings of the Authority for the transaction of business shall be open to the public unless by four (4) affirmative votes, the Authority shall vote to go into executive session after stating the reason for such executive session on the record.

#### **2.5    Duties of the Chairperson**

The Chairperson shall preside over all meetings and hearings of the Authority and perform all other duties normally conferred by the basic parliamentary usage on such officers. The Chairperson shall appoint committees. The Chairperson shall be a member of the Authority. He/she shall not be deprived of his/her vote on any question.

## Rules of Procedure

### 2.6 Duties of the Vice-Chairperson

The Vice-Chairperson shall act for the Chairperson when the Chairperson is absent, or if a motion is being made that concerns only the Chairperson, and shall have the authority to perform the duties prescribed for that office. The Vice-Chairperson shall be a member of the Authority.

### 2.7 Duties of the Secretary

The Secretary shall be responsible for keeping all the records of the Authority, keeping an up-to-date list of all the members, notifying members of elections, signing all approved minutes and other certified records of the Authority. The Secretary shall read the legal notice as advertised before each public hearing is held, and shall preside over meetings in the absence or disability of the Chairperson and Vice-Chairperson. The Secretary shall be a member of the Authority.

### 2.8 Quorum

The presence of four (4) members of the Authority shall constitute a quorum.

### 2.9 Agenda

The Chairperson shall be responsible for preparing the agenda for all regular meetings of the Authority and shall see that copies are distributed to members within a reasonable time before such meeting.

### 2.10 Elections

The members of the Water Pollution Control Authority shall elect a Chairperson, Vice-Chairperson, and Secretary from their midst, to serve in such capacity for a period of two (2) years, or until a successor is elected in accordance with Town Ordinance 1-1203.

### 2.11 Order of Procedure

The order of procedure at all regular meetings of the Authority shall be as follows:

- A. Roll Call
- B. Call to Order
- C. Acceptance of Minutes of Previous Meetings
- D. New Business
- E. Communication & Reports
- F. Public Participation (Items not on the Agenda)
- G. Bills, Change Orders, Disbursements
- H. Unfinished Business
- I. Motion to Go Into Executive Session to Discuss Pending Claims
- J. Adjournment

## Rules of Procedure

### 2.12 Suspension of Rules

The purpose is to set aside a rule (except bylaws, fundamental principles of parliamentary law, or rules that protect the absent members or basic rights of the individual). The motion to suspend the rules is used to take up a particular item of business out of its regular agenda order or to set aside a procedural rule. Rules may be suspended by a two-thirds vote of those members in attendance and voting.

### 2.13 Amendment of Rules

Any amendment of the Rules and Regulations, including Rules of Procedure shall require that the proposed change be written and submitted for discussion at a previous regular meeting of the Authority, and shall be adopted only upon the affirmative vote of not less than two-thirds of the entire voting membership.

### 2.14 Parliamentary Authority

The latest edition of Robert's Rules of Order shall serve as the procedure and parliamentary authority for the Authority unless inconsistent with these rules.

### 2.15 Mandatory Adjournment

All meetings shall adjourn by 10:00 p.m. unless this rule is waived by unanimous vote of the members of the Water Pollution Control Authority present at such meeting at such time.

### 2.16 Adoption of Rules & Regulations

Prior to the adoption, amendment or repeal of any rule or regulation, notice shall be given in accordance with the notice provisions of Section 7-247a of the Connecticut General Statutes as amended from time to time. The notice shall state the terms or substance of the intended action and the time, place and manner in which interested persons may present their views. All interested persons shall be afforded a reasonable opportunity to submit data, views, or arguments, orally or in writing. All written and oral submissions in regard to the proposed regulation shall be fully considered.

If the Authority determines that there is a threat to the public health, safety, or welfare requiring the adoption of a rule or regulation forthwith and states in writing its reasons for that finding, it may proceed without prior notice of hearing, or upon any abbreviated notice and hearing that it finds practical, to adopt an emergency rule or regulation. The rule or regulation shall be effective for a period of not longer than 60 days (renewable once for a period not exceeding 15 days), but the adoption of an identical rule as prescribed elsewhere in this section is not precluded. No rule hereafter adopted is valid unless adopted in substantial compliance with this section.



## Rules of Procedure

Each adopted rule is effective 7 days after filing with the Town Clerk except where:

1. A later date is required by statute or specified in the rule, the later date is the effective date.
2. Subject to statutory provisions, an emergency rule or regulation becomes effective immediately upon filing with the Town Clerk if the Authority finds that this effective date is necessary because of a threat to the public health, safety, or welfare, the Authority's find and a brief statement of the reasons therefore shall be filed with such rule or regulations.

The Authority shall take reasonable measures to make emergency rules known to the persons who may be affected by them.

### 2.17 Alternates

As set forth by Ordinance No. 103 of the Town of South Windsor, as amended, there shall be two (2) alternate members appointed by the Town Council to the Water Pollution Control Authority. The membership and terms of office shall be as prescribed in Ordinance No. 103. If a regular member of the Authority is absent or is disqualified, the Chairperson of the Authority may designate an alternate to act in place of the member, choosing an alternate in rotation so that they shall act as nearly equal a number of times as possible. If any alternate is not available pursuant to such rotation, such fact will be recorded in the minutes of the meeting. Alternates shall receive notices of all meetings and hearings. Each alternate is expected to attend all scheduled meetings.

### 2.18 Voting Membership – New Item

"Voting memberships" shall mean a maximum number of seven (7) members, either the seven (7) appointed members, or a combination of appointed and alternates acting for appointed members at a given meeting. Motions shall be adopted by a minimum of four (4) votes of those members present. Actions to amend the bylaws shall require both previous notice and a minimum of four (4) votes.

### 2.19 Attendance – New Item

Appointed members and alternates are expected to attend all meetings. If a member or an alternate are absent for three (3) consecutive meetings his/her name shall be referred to the Town Council.

### 2.20 Conflict of Interest – New Item

When a member has a direct personal or monetary interest he or she shall not enter into the discussion or vote on the matter.

Adopted 1/19/70; Amended 1/21/86, 7/9/96, 7/14/98, 2/1/00, 12/07/04)

## **SECTION 3**

### **USE OF PUBLIC SEWERS REQUIRED**

- 3.1 It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Town of South Windsor, or in any area under the jurisdiction of said Town, any human or animal excrement, garbage, or other objectionable waste; provided, however, that agricultural fertilization with animal excrement shall be lawful and permissible, subject to the provisions of other State and Town regulations.
- 3.2 It shall be unlawful to discharge to any natural outlet or stream within the Town of South Windsor, or in any area under the jurisdiction of said Town, any sewage or other polluted waters.
- 3.3 Except as hereinafter provided, it shall be unlawful to construct any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage. Further, it shall be unlawful, in any area, having available to it a public sanitary sewer, to repair, replace or extend any portion of a seepage field of an individual sanitary sewage disposal.
- 3.4 The owner of each house, building, or other structure which has been constructed after the enactment of these regulations, situated within the Town on a parcel of land that has available to it, a public sanitary sewer, shall, at his expense, connect to such public sewer before occupying such premises unless special approval from the Water Pollution Control Authority is given for any reason involving gross financial hardship practical application or onsite disposal is possible. Each house, building, or other structure used for human occupancy, employment or recreation, which employs an individual sanitary sewage disposal system which is inadequate based upon established standards of Town and State Health Departments, and having available to it a public sewer, shall at the owner's expense, be connected to said public sanitary sewer, in accordance with the provisions of this regulation within thirty (30) days from the mailing of written notice by the Director of Health to said owner at his last known address; provided however, that this period may be extended to a maximum of sixty (60) days by the Director of Health if the property owner provides sufficient reason for such extension based on financial hardship, weather or soil conditions, or other suitable reason.
- 3.5 Except as hereinafter provided, whenever a house, building or other structure which has employed an individual sanitary sewerage disposal system shall connect a public sanitary sewer, the individual sanitary sewer shall be promptly abandoned and the septic tank, if it is metal, after cleaning, shall be filled with a suitable material. Any individual sanitary sewer employing a

## Use of Public Sewers Required

concrete tank with a concrete top shall be cleaned and abandoned for sanitary sewer purposes after the house, building or other structure is connected to the public sanitary sewer but said tank need not be crushed but should be filled with suitable medium to coarse sand.

Any house, building or other structure which requires the use of an ejector pump to obtain public sanitary sewer service and which has employed an individual sanitary sewer system utilizing a concrete tank with a concrete top need not abandon said individual sanitary sewer system but may maintain the use of same as a back-up sewage disposal system.

(Adopted 1/19/70; Amended 11/6/72, 1/21/74, 9/16/74, 1/21/86, 7/9/96)

## **SECTION 4**

### **INDIVIDUAL SANITARY SEWAGE DISPOSAL**

- 4.1 Where a public sanitary sewer is not available under the provisions of Section 3.4, the building sewer shall be connected to an individual sanitary sewage disposal system complying with the provisions of this section.
- 4.2 Before commencement of construction, repair, alteration, or enlargement of any individual sanitary sewage disposal system, the appropriately licensed installer shall first obtain a written permit signed by the Town Sanitarian. Such permits shall be available in the Sanitarian's office. The applicant shall supplement the permit with any plans, specifications, and other information as deemed necessary by the Town Sanitarian. A permit and inspection fee shall be paid to the Town at the time the application is filed. Said permit shall become void 60 days after issue if construction is not started. (State Statute – Section 19-13 B-103(a) and B-103(f) – Authority of the Town Sanitarian.)
- 4.3 A final permit for an individual sanitary sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Sanitarian. (State Statute – Section 19-13B-103(a) and B-103(f) – Authority of Town Sanitarian.)
- 4.4 The type, capacities, location and layout of an individual sanitary sewage disposal system shall comply with the requirement of the "Connecticut Public Health Code Regulations and Technical Standards for Subsurface Sewage Disposal Systems."
- 4.5 The owner or occupant shall operate and maintain the individual sanitary sewage disposal system in a sanitary manner at all times in compliance with Connecticut Public Health Code Regulations and Technical Standards for Subsurface Sewage Disposal Systems at no expense to the Town.
- 4.6 The Town of South Windsor, or any other of its agents, shall not be held responsible for the inadequate operations of any disposal system installed under these regulations.
- 4.7 When, in the opinion of the Town Sanitarian, the requirements of these regulations do not appear sufficient to provide adequate waste disposal at a specific location, the Sanitarian may require such facilities or measures as he/she shall deem necessary.

(Adopted 1/19/70; Amended 1/21/86, 7/9/96)

## **SECTION 5**

### **BUILDING SEWERS AND CONNECTIONS**

- 5.1 No person shall make any excavation for or construct, install, lay, alter, abandon, or remove any sewer, lateral or cross country line in a public street or on private lands within the Town of South Windsor which sewer discharges directly or indirectly to or into the South Windsor sewer system without first obtaining written approval from the South Windsor Water Pollution Control Authority.

Approval for emergency repairs to any sewer line must be obtained from the Assistant Director of Public Works or his/her designee who will then oversee and approve subject repair and who will then notify the Water Pollution Control Authority of the repair at their next scheduled meeting.

Any person proposing a new discharge into the public sewer system or a substantial change in the volume or character of pollutants that are being discharged into the public sewer system, shall obtain written approval therefore from the South Windsor Water Pollution Control Authority before such new discharge or change in volume or character of pollution is made.

Written approval from the South Windsor WPCA is not needed for an individual, whose building lot or residence existed at the time of the Town installation of public sewer, to connect his/her private sewer to public sewer which has already been approved by the WPCA. However, the individual must obtain the appropriate permits from the Town and fulfill any other applicable obligations stated in Section 5.11.

- 5.2 When a connection to the public sewer is to be made, each building shall have a direct connection to the public sewer serving it; however, for commercial, industrial, or multi-family residential buildings on the same lot or parcel of land, the Water Pollution Control Authority may permit an external connection of several separate building sewers to one main on-site sewer or lateral which shall have a direct connection to the public sewer. However, written approval must be obtained from the WPCA prior to connection to the public sewer.
- 5.3 All costs and expenses incident to the installation, connection and maintenance of a sewer, lateral or cross country line on public or private lands shall be borne by the owner. The owner shall indemnify the Town of South Windsor from any loss or damage that may directly or indirectly be occasioned by such installation.

## Building Sewers and Connections

- 5.4 Old building sewers may be used in connection with new building only when they are found, on examination and test by the Engineering Department, to meet all the technical requirements of these regulations and any other requirements that may need the approval of the WPCA.
- 5.5 The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform with the requirements as specified in the current "Public Improvement Specifications" of the Town of South Windsor.
- 5.6 Whenever practical, 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 public sewer, sanitary sewage carried by such a building drain shall be lifted by a means approved by the Water Pollution Control Authority and discharged to the building sewer.
- 5.7 No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer which in turn is connected directly or indirectly to a public sanitary sewer.
- 5.8 The connection of the building sewer into the public sewer shall conform to the requirements of the then current "Public Improvement Specifications" of the Town of South Windsor.
- 5.9 All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town of South Windsor.
- 5.10 Once approval is given for an installation, new or revised, of a sewer, lateral or cross country line by the Water Pollution Control Authority, the issuing of required permits shall be under the direction of the South Windsor Public Works Department, Engineering Division.
- Permits to connect to the public sewer may be revoked and annulled by the Engineering Department for just cause, which shall include but not be limited to action or inaction that may damage the Town's sewer system including failure to follow plans or properly construct and failure to use proper materials.
- 5.11 There shall be two (2) classes of connection permits: (a) for residential and commercial service and for service producing other than industrial wastes, and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application for a permit in accordance with the following process on the form furnished by the Town. The permit application

## Building Sewers and Connections

shall be supplemented by any plans, specifications, or other information considered pertinent in the judgement of the Superintendent or his duly authorized agent. Permit applications shall be available in the Town Engineer's office and applications and plans shall be returned to the Engineering Department for review. A permit and inspection fee for a residential or commercial building sewer permit shall be paid to the Town at the time the application is filed; said permit to become void thirty (30) days after issue if construction is not started.

- A. Receipt of Application. Applications for drain layer permits are available in the Engineering Division's Office. Application forms are used wherein the applicant is required to provide specific information as to the location of the proposed work, the type of work, and the qualifications of the contractor. The licensed drain layer is required to sign the application.
- B. Review of Application. Engineering staff enters application information into the Town's system wherein the accuracy of the information is verified. Accurate address locations are of particular importance, and addresses are checked electronically against the Assessor's Records to verify locations in terms of a unique street code number/street number designation. The Engineering Division electronically maintains a contractor file that serves as a basis for confirming that a contractor's license, bond and insurance are up to date and in order.

Engineering technical staff reviews the information to insure that the proposed work will meet Town standards as outlined within the Town of South Windsor Public Improvement Specifications manual.

- C. Collection of Fees and Charges. The South Windsor Town Council establishes permit fees, and the South Windsor Water Pollution Control Authority establishes sewer connection charges, prorated user charges, and intertown agreements. The Engineering Office staff collects permit fees, sewer connection charges and prorated sewer user charges.

The collection of fees and charges are electronically recorded in the Town's system. A unique sequential control number is automatically assigned by the system for each transaction. Collected fees and charges, and associated Treasurer's Reports are turned in to the Finance Department each week. Fees and charges are amended and adjusted by the appropriate authority as necessary. Receipts are issued for each collection transaction.

- D. Issuance of Permit. When the application information has been checked and verified, and all associated fees and charges have been collected, a drain layer permit is issued by Engineering. The date of permit issuance is electronically recorded in the Town computer system. A unique sequential

## Building Sewers and Connections

permit number is assigned by the system for every permit issued by Engineering and a copy is given to the applicant.

- E. Monitoring Status of Permits. Permits not completed with thirty (30) days are revoked and a new permit must be obtained in order to complete the work. Regular permit status reports are generated and reviewed by Engineering for reconciliation purposes. Engineering monitors outstanding permits for compliance.
- F. Inspection of Work. An Engineering inspector makes a scheduled inspection of the proposed work and prepares a written report which is submitted to the staff for recording in the system's permit file. The staff records the completed status for each permit in the system.
- G. Closeout of Permit. All permits are closed out as either completed or expired within thirty (30) days of the date of permit issuance. The hardcopies of the permit application, receipts, inspection report(s) and as-built drawings are permanently retained by the Engineering Division in Street Files.
- H. Transfer to the User List. The designated agent for the Water Pollution Control Authority annually reviews the electronic transfers of associated information pertaining to completed sewer connections to the sewer user list (Sewer Maintenance File). Reconciliations are made by this agent to insure that every address connected to the sewer is transferred to and appears on the sewer user list.

- 5.12 Prior to discharge or permission to discharge into the Town's public sewers, the applicant industry shall obtain written approval from the State of Connecticut Department of Environmental Protection, in the form of a permit, allowing the proposed discharge.

There will be no Town approval until DEP approval is obtained where required.

In the event the premises change ownership before the work is completed, or if another contractor is chosen to perform or finish the work, the original permit becomes void and a new permit must be obtained by the new parties in interest.

### 5.13 Building Permit Endorsement

Any person wishing to obtain a Building Permit and/or Certificate of Occupancy shall be required to have the Building Certificate of Occupancy endorsed by the South Windsor Engineering representative. Such an endorsement by the Engineering representative shall be that he has knowledge



## Building Sewers and Connections

of the construction, where connection to the sanitary sewers is anticipated, plans have been submitted and approved, and that connection to the sewage system has been completed at a proper location.

5.14 No building sewer shall be constructed within 75 feet of a water supply well except that if a building sewer is constructed within 75 feet of a water supply well, it shall be constructed in accordance with all applicable guidelines and regulations as prescribed within the Connecticut Public Health Code Regulations and Technical Standards for Subsurface Sewage Disposal Systems.

5.15 All building sewers shall be installed by a drain layer who possesses a valid license issued under Chapter 393 of the Connecticut General Statutes as amended.

(Adopted 1/19/70; Amended 1/21/86, 7/9/96, 7/14/98)

## **SECTION 6**

### **USE OF THE PUBLIC SEWERS**

- 6.1 No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewers. Further, no person shall open the cover of, enter, or alter any manhole or similar appurtenance of any public sewer, or deposit any wood, sticks, unshredded garbage or other material which said sewer, drain, manhole or appurtenance thereto was not intended to receive.
- 6.2 No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the sewerage system. These general prohibitions apply to all such users of the Town of South Windsor sewerage systems whether or not the user is subject to National Categorical Pretreatment Standards or any other Federal or State Pretreatment Standards or requirements. A user shall not contribute the following substance to any sewerage systems:
- (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 gasses in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard in the receiving waters or the sewage treatment plant, including but not limited to cyanides in excess of (.1) ppm. as cyanide in the wastes as discharged to the public sewer. At no time shall two successive readings on an explosion hazard meter at the point of discharge into the system; be more than five (5%) percent nor any single reading over ten (10%) percent of the Lower Explosive Limit (LEL) of the combustible gas.
  - (c) Any waters or wastes having a pH lower than 5.0 or having other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewerage system.
  - (d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow of sewers or other interference with the proper operation of the sewerage, such as but not limited to ashes, cinders, sand, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, whole blood, hair and fleshiness, entrails; paper dishes, cups, milk containers, etc., grease, garbage with particles greater than one-half (1/2") inch in any dimension.

## Use of the Public Sewers

- 6.3 No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes which 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. A pollutant shall include, but not be limited to, any pollutant identified pursuant to Section 307(a) of the Water Pollution Control Act.
- (a) Any substances which may cause the Water Pollution Control Facility's (WPCF) effluent or any other product of the WPCF such as residues, sludges, or scums to be unsuitable for reclamation process where the WPCF is pursuing a resource recovery program. In no case shall a substance discharged to the WPCF cause the facility to be in non compliance with its NPDES Permit guidelines, or regulations developed under Section 405 and Section 503 of the Act or any other criteria guidelines, or regulations affecting sludge use or disposal developed pursuant to the Resource Conservation and Recovery Act, Clean Air Act, the Toxic Substance Control Act, or State criteria applicable to the sludge management method being used.
  - (b) Any liquid or vapor having a temperature higher than one hundred fifty (150°) F. (65°) C.
  - (c) Any water or waste containing fat, wax, grease, petroleum, or mineral oil, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32°) degrees and one hundred fifty (150°) degrees F. (0 & 65°) C.
  - (d) Any garbage that has not been properly shredded.
  - (e) Any water or wastes containing iron pickling wastes or concentrated plating solutions.
  - (f) Any quantity of waste from an industrial or commercial process or processes containing greater concentrations than the minimum indicated by weight or by volume. For any of the following: (See attached addendum at the end of this section.)
  - (g) Any radioactive wastes or isotopes of such life or concentration as may exceed limits established by the Superintendent in compliance with applicable State or Federal regulations.
  - (h) Any water or wastes have a pH in excess of 10.0.

## Use of the Public Sewers

- (i) Materials which exert or cause:
  - (1) Unusual concentration of inert suspended solids (such as, but not limited to, Fuller's earth, lime slurries and lime residues) or of dissolved 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 solutions) as determined by the State of Connecticut DEP.
  - (3) A five (5) day BOD greater than 212 mg/1 by weight or suspended solids greater than 238 mg/1 by weight or a chlorine demand greater than 15 mg/1 by weight such as to constitute a significant load on the sewage treatment works.
  - (4) An unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
- (j) Water having an average daily flow greater than 3.5% of the wastewater treatment plant design flow.
- (k) Water or wastes containing substances which are amenable to treatment only to such degrees that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

6.4 If any waters or wastes are discharged or proposed to be discharged to the public sewers which waters contain the substances or possess the characteristics enumerated in Section 6.3 and which 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 Superintendent may:

- (a) Disapprove the waste discharge and take action to prohibit it.
- (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 as provided in Section 15 of these regulations.

## Use of the Public Sewers

If the Superintendent permits the pretreatment or neutralization of waste flows, the design and installation of the plans and equipment in regard thereto shall be prepared by a registered professional engineer by the State of Connecticut at the owner's sole cost and expense, and shall be subject to the review and approval of the Superintendent and subject to the requirements of all applicable codes, ordinances, and laws.

6.5 Fats, oils and grease (FOG) Management Equipment, shall be provided when they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, as specified in Section 6.3.c. of these regulations.

a. FOG Management Equipment shall be required for the following facilities:

1. All new and existing Food Preparation Establishments and other facilities that have the potential, as determined by the Superintendent, to generate FOG in wastewater at concentrations exceeding the limits specified in Section 6.3.c. of these regulations.
2. New and existing facilities which, in the judgment of the Superintendent, require FOG Management Equipment for the proper handling of wastewater containing fats, oils, or grease, except that such FOG Management Equipment shall not be required for residential dwelling units. Major home occupations as defined in the Town of South Windsor Zoning Regulations shall be subject to the requirements for FOG Management Equipment.

b. All new Food Preparation Establishments or other waste generators which generate and discharge wastewater containing fats, oils, and grease requiring FOG Management Equipment pursuant to Section 6.5.e of these regulations, shall include the design, sizing criteria, and specifications for the FOG Management Equipment along with the sewer connection application as described herein Section 5.

c. All existing Food Preparation Establishments or other FOG generators which generate and discharge wastewater containing fats, oils, and grease, and which require new FOG Management Equipment, as determined by the Superintendent, shall submit an application for the installation of new FOG Management Equipment in compliance with the following schedule:

1. A facility, which begins discharging after the effective date of this regulation, shall comply with all conditions of this regulation before initiating such discharge.

## Use of the Public Sewers

2. A facility which began discharging on or before the effective date of this regulation with a grease trap/interceptor not in compliance with Section 6.3.c. of these regulations shall comply with all conditions of the regulation no later than July 1, 2009 with the following exceptions:
  - i. A renovation of the facility shall require compliance with all conditions of this regulation as part of the renovation.
  - ii. The Superintendent may, as necessary, designate any area or areas of the Town sewerage system as a problem area due to accumulations of fats, oils, and grease. Such a designation shall be by a formal action of the Superintendent and shall be based upon evidence of excessive fats, oils, and grease including sanitary sewer overflows, excessive maintenance or any means of inspection. Upon notification by the Superintendent, any facility within the problem area designation shall comply with all conditions of this regulation within a reasonable time schedule established by the Authority.
- d. All costs and related expenses associated with the installation and connection of the FOG Interceptor(s) or AGRU(s) shall be the responsibility of the Food Preparation Establishment or waste generator.
- e. FOG Management Equipment Requirements
  1. An Application/Registration form for the design and installation of FOG Management Equipment shall be subject to review and approval by the Superintendent, and subject to the requirements of all other applicable codes, ordinances and laws.
  2. Except as provided for in Section 6.5.f. the wastewater generated from Food Preparation Establishments or other FOG generators shall be treated to remove FOG using an outdoor in-ground grease interceptor or an automatic grease recovery unit (AGRU) meeting the requirements of the State of Connecticut, Department of Environmental Protection (DEP) General Permit for the Discharge of Wastewater Associated with Food Preparation Establishments. The treatment requirements are as follows:
    - a. Outdoor In-ground FOG Interceptor

## Use of the Public Sewers

1. The FOG interceptor shall be installed on a separate building sewer line serving kitchen flows and shall be connected to those fixtures or drains which would allow fats, oils, and grease to be discharged to the sanitary sewer system. No valve or piping bypass equipment from the fixture that could prevent the discharge of wastewater from entering the FOG Pretreatment Equipment shall be present at the Food Preparation Establishment or other FOG generator. Such fixtures include but not limited to the following:
  - i. pot sinks
  - ii. pre-rinse sinks
  - iii. any sink into which fats, oils, or grease are likely to be discharged.
  - iv. soup kettles, or similar devices
  - v. wok stations
  - vi. floor drains or sinks into which kettles may be drained
  - vii. automatic hood waste units
  - viii. dishwashers without pre-rinse sinks
  - ix. Any other fixtures or drains likely to allow fats, oils and grease to be discharged to sanitary sewer system.
2. An outdoor, in-ground FOG interceptor shall have a minimum depth of four (4) feet and a minimum volume capacity of:
  - i. The volume equivalent to the maximum daily flow over a twenty-four (24) hour period from all fixtures connected to the grease interceptor based upon water meter records or other methods of calculation as approved by the Superintendent, or
  - ii. 1000 gallons, whichever is greater.
3. The FOG interceptor shall be water tight and constructed of concrete or other durable material. It shall be located so as to be accessible for convenient inspection and maintenance. No permanent or temporary structures or containers shall be placed directly over the FOG interceptor. FOG interceptors installed in areas subject to traffic shall be designed to support traffic loading.

4. If the FOG interceptor is constructed of concrete, the following requirements shall apply:
  - i. All concrete FOG interceptors shall be constructed with a minimum of 4000 – psi concrete per ASTM standards with (4) to seven (7) percent air entrainment.
  - ii. The minimum liquid depth of the FOG interceptor shall be thirty-six (36) inches, measured from the bottom of the tank to the outlet invert.
  - iii. The air space provided between the liquid height and the underside of the tank top shall be a minimum of eight (8) inches.
  - iv. All structural seams and/or lifting holes shall be grouted with non-shrinking cement or similar material and coated with a waterproof sealant. In areas where seasonal high groundwater is at an elevation greater than the bottom of the grease interceptor, but below the top of the FOG interceptor, the exterior of the grease interceptor including the exterior top, sides and bottom shall be coated with a waterproof sealant creating a water tight condition for the tank. In areas where seasonal high groundwater is at an elevation greater than the top of the FOG interceptor, the exterior of the manhole extensions to grade shall be coated with a waterproof sealant creating a watertight condition for the extension.
  - v. The invert elevation of the inlet shall be between three (3) inches and six (6) inches above the invert elevation of the outlet.
5. All non-concrete tanks shall meet the requirements set forth in Section 6.5.e.2.a.3, 6.5.e.2.a.4, and 6.5.e.2.a.5 of these regulations.
6. Separate cleanout covers shall be provided over the inlet and outlet of the FOG interceptor so as to provide easy access for inspection and cleaning. Cleanout parts shall be fitted with manhole extensions to grade. In areas subject to traffic, the extensions shall be constructed of a material



sufficient to withstand the traffic load. Where concrete covers are used, the lid must either weigh a minimum of fifty nine (59) pounds or contain a locking mechanism to prevent unauthorized entry. The manholes extensions, and inlet and outlet access holes to the FOG interceptor shall have a minimum inside diameter of seventeen (17) inches.

7. The inlet and outlet piping shall be PVC ASTM D 1785 Schedule 40 with rubber compression gaskets or solvent weld coupling. The joints must meet ASTM D 3212 specifications. The Superintendent may approve alternative piping materials for use. The minimum diameter of the inlet and outlet piping shall be four (4) inches. The inlet and outlet shall utilize a tee-pipe fitting on the interior of the FOG interceptor. The tee-pipe of the inlet and outlet shall extend to within twelve (12) inches of the bottom and at least five (5) inches about the static liquid level of the tank.
8. The FOG interceptor shall be set level on a consolidated, stable base so that no settling or tipping of the FOG interceptor can occur.
9. The outlet discharge line from the FOG interceptor shall be directly connected to a sanitary sewer.
10. The FOG interceptor shall be located at separation distances from wet water supplies as set forth in Section 19-13-B51d of the State of Connecticut Public Health Code.
11. Minimum separation distances shall be maintained between grease interceptors and items such as but not limited to buildings, water courses, drains as listed in Town ordinances, and regulations.
12. Should the Superintendent notify the Contact Person that test is required; the testing shall be conducted by one of the following methods:
  - i. Vacuum Test – Seal the empty tanks and apply a vacuum to four (4) inches (50mm) of mercury. The tank is acceptable if 90% of the vacuum is held for two (2) minutes.

- ii. Water-Pressure Test – Seal the tanks, fill with water, and let stand for twenty four (24) hours. Refill the tanks. The tank is acceptable if the water level is held for one (1) hour.

b. Automatic Grease Recovery Unit (AGRU)

The AGRU shall meet the following requirements:

1. An AGRU(s) shall be installed immediately downstream of each fixture or multiple fixtures listed in 6.5.e.2.1. of this section.
2. The AGRU shall be sized to properly pre-treat the measured or calculated flows for all connected fixtures or drains.
3. The AGRU shall be constructed of corrosion-resistant material such as stainless steel or plastic.
4. Solids shall be intercepted and separated from the effluent flow using an internal or external strainer mechanism. This mechanism shall be an integral part of the unit.
5. The unit shall operate using a skimming device, automatic draw-off, or other mechanical means to automatically remove separated fats, oils, and greases. This automatic skimming device shall be either hard wired or coil and plug connected electrically and controlled using a timer or level control. The operation of the automatic skimming device shall be capable of field adjustment. The AGRU shall operate no less than once per day.
6. The AGRU shall be fitted with an internal or external flow control device to prevent exceeding the manufacturer's recommended design flow.
7. The AGRU shall be located so as to permit easy access for maintenance.
8. No fixture or drain other than those listed in 6.5.e.2.1. of this section shall be connected to the AGRU unless approved by the Superintendent.

9. All AGRU(s) shall be installed in accordance with the manufacturer's specifications.

**f. Alternative FOG Management Equipment**

1. If the Contact Person requests the use of a unit other than an outdoor in-ground FOG interceptor or an AGRU, the Superintendent shall consider alternatives on a case-by-case basis. An application for such consideration shall include the following:
  - a. The Contact Person must demonstrate that the alternative unit can reliably meet the effluent limitations established in Sections 6.2.c., 6.3.c., 6.3.h.
  - b. Plans and specifications for the proposed system shall also be required and shall include a profile of system installation, manufacturer's literature, documentation of performance, and any other information describing the alternate system. Only after receiving written approval by the Superintendent will the permittee be authorized to install the unit.
  - c. A written Operation and Maintenance Plan shall be prepared and implemented by the Contact Person. This plan should include a schedule for cleaning and maintenance, copies of maintenance log forms, a list of spare parts to be kept on hand at the facility, and a list of contacts for the manufacturer and supplier. Following receipt of written notification of approval of Alternative FOG Management Equipment from the Superintendent, the Operation and Maintenance Plan shall be maintained on the premises. The plan and the maintenance log shall be made available for inspection upon demand by the Health Department.
  - d. A written FOG Minimization Plan, which shall include procedures for all Food Preparation Establishment employees to minimize FOG entering the sanitary sewer system.
  - e. Description of a FOG Pretreatment Training Program for Food Preparation Establishment employees in minimization fats, oils and grease disposal procedures.

2. A notification of approved Alternative FOG Management Equipment may be granted for a duration not to exceed three (3) years, with extensions, when it can be demonstrated to the satisfaction of the Superintendent that the Alternative FOG Maintenance Equipment, the Operation and Maintenance Plan, the FOG Minimization Plan, and the FOG Pretreatment Training Program are adequate to control FOG concentrations in compliance with Section 6 of these regulations.

**g. FOG Pretreatment Equipment Maintenance**

1. All FOG Management Equipment shall be maintained continuously and in effective operation in accordance with the manufacturer's recommendations at the Food Preparation Establishment's or other waste generator's expense.
2. The Contact Person at the Food Preparation Establishment or at other FOG generator shall be responsible for the proper removal and disposal of the collected material removed from the FOG Management Equipment. The contents of all grease interceptors, AGRU(s) and other approved units shall be disposed of in compliance with all appropriate state regulations.
3. The Contact Person shall use a FOG interceptor cleaner licensed by the State to clean and service the FOG interceptors, including the removal and hauling of fats, oils, grease, and food wastes which are components of sewage.
4. Renderable fats, oils, and grease shall only be disposed of in separate storage containers for recycling by a renderer. No renderable fats, oils, and grease shall be discharged into FOG interceptors or AGRU(s), sanitary sewers, dumpsters or storm sewers.
5. Chemicals and/or biological additives, and hot water (temperature equal to or greater than 150°F) that could release fats, oils, and grease from FOG Management Equipment shall not be permitted without the written approval of the Superintendent.
6. The Contact Person shall ensure that the grease interceptor is inspected when pumped to ensure that all fittings and fixtures inside the interceptor are in good condition and functioning as designed. The depth of grease inside the tank shall be measured and recorded in the maintenance log during every inspection together with any deficiencies, and the identity of the inspector. At a minimum, the Contact Person shall perform quarterly inspections of all interceptors.

7. The Contact Person shall determine the frequency of FOG interceptor pumping/cleaning according to the following criteria:
  - a. An outdoor in-ground FOG interceptor shall be completely emptied by a licensed FOG interceptor cleaner whenever 25% of the operating depth of the FOG interceptor is occupied by fats, oils, grease, and settled solids or a minimum of once every three (3) months, whichever is more frequent.
  - b. After one year of operating a FOG interceptor, the Contact Person may request approval from the Superintendent for less frequent cleaning of the FOG interceptor. The Contact Person shall be required to show by means of at least four consecutive quarterly inspection reports that the operating depth of the FOG interceptor occupied by fats, oils, grease, and settled solids is less than 25% at each of the three month intervals. The Superintendent may extend (in writing) the minimum frequency of cleaning beyond three (3) months based upon the quarterly inspections. The Contact Person shall maintain on site, a written log of FOG interceptor cleaning and maintenance, shall maintain copies of the FOG interceptor cleaner's receipts and shall maintain a copy of such written approval for five (5) years.

#### **h. Reporting and Record Keeping Requirements**

1. A maintenance log shall be kept by the Contact Person on the Food Preparation Establishment premises, and shall include the following information: date of inspection, inspector's name, title, and signature, depth of fats, oils, and grease measured at time of inspection, hauler's name, location of the waste disposal, means of disposal for all material removed from the FOG interceptor, and the name of the individual recording the information. The maintenance log and waste hauler's receipts shall be made available to the Superintendent for inspection upon demand. A copy of the previous year's maintenance record shall be provided to the Superintendent no later than January 31<sup>st</sup> of each year. FOG interceptor cleaning and inspection records shall be maintained on file by the Food Preparation Establishment a minimum of five (5) years.
2. The Contact Person shall immediately notify the Superintendent upon learning or having reasons to believe that an unauthorized discharge may cause or has caused a sewer blockage or may adversely affect the operation of the Town Wastewater Treatment Facility.

3. The Food Preparation Facility shall be responsible for the cost and scheduling of all repairs to FOG Management Equipment. Repairs required by the Superintendent shall be completed within thirty (30) days after the date of written notice of violation has been received by the Contact Person.

**i. FOG Minimization**

1. The Contact Person shall make every practical effort to reduce the amount of FOG discharged to the sanitary sewer system.
2. Residual quantities of FOG scraped or removed from pots, pans, dishes, and utensils shall be disposed of as solid waste.
3. Renderable FOG shall not be disposed of in any sewer or FOG interceptor. All renderable FOG shall be stored in a separate, covered, leak-proof container, stored out of reach of vermin, and collected by a renderer.

6.6 Where preliminary treatment of 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.

6.7 The owner of any property served by a building sewer carrying industrial wastes or property located within an area zoned for industrial use shall be required to install a suitable control manhole within the right-of-way together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the 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.

All industries discharging in a public sewer shall perform such monitoring of their discharge in accordance with requirements of State Law. This includes installation, use and maintenance of monitoring equipment, keeping records and reporting the results of such monitoring to the Superintendent. Such records shall be made available upon request by the Superintendent and other agencies having jurisdiction over discharges to the receiving waters.

6.8 All measurements, tests, and analysis of the characteristics of waters and wastes to which reference is made in these regulations shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Works Association and

## Use of the Public Sewers

shall be determined at the control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property.

6.9 No statement contained in this section shall be construed as preventing any special agreement or arrangement between the Town of South Windsor Water Pollution Control Authority and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Town of South Windsor Water Pollution Control Authority for treatment subject to payment therefor by the industrial concern provided that such agreements do not contravene any requirements of existing State and Federal laws.

6.10 Septic tank cleaning contractors may discharge septage collected from South Windsor properties only into the sewage treatment plant. A tipping fee shall be set annually and shall be based upon the treatment costs for suspended solids and BOD removal using those formulas as described in Sections 15-2B of these regulations. The fee shall be based upon an average suspended solids and BOD concentration of 6830 ppm and 2490 ppm respectively, per 1,500 gallons of septage. Septage may be disposed of at the treatment plant provided:

- (a) That such contents consist only of domestic or commercial waste excluding any industrial wastes or substances prohibited from public sewers by these regulations.
- (b) That such contents are transported in sanitary, watertight vehicles, equipped with a suitable valve outlet and meeting such requirements as may be stipulated by local or State Health Agencies.
- (c) That delivery of such contents is made to the treatment plant site on days and hours as established by the Superintendent.

6.11 A permit from the State Commissioner of Environmental Protection is required prior to the initiation of discharge of any of the following wastewater to a public sewer:

- (a) Industrial wastewater of any quantity.
- (b) Domestic sewage in excess of 5,000 gallons per day through any individual building to a public sewer.

## Use of the Public Sewers

- 6.12 Each user shall provide protection from accidental discharge of prohibited materials or other substances as indicated in these regulations. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or user's own expense.
- 6.13 Within five (5) days following an accidental discharge, the user shall submit to the Superintendent and the Commissioner of Environmental Protection, a detailed written report describing the cause of the discharge and measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage or other liability which may be incurred as a result of damage to the sewage works, fish kills, aquatic plants, or any other damage to persons or property; nor shall such notification relieve the user from any fines, civil penalties or other liability which may be imposed by these regulations or other applicable laws. Failure to take adequate measures to prevent a similar future occurrence shall be grounds for revocation of any permit granted by the Town and action to prohibit discharge by such user.
- 6.14 A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a discharge of prohibited wastes. Employers shall insure that all employees are advised of the emergency notification procedure.



## Use of the Public Sewers

### Addendum to 6.3f.

<u>Pollutant</u>	<u>Concentration Parts/Million (ppm)</u>
Arsenic as As	0.05
Barium as Ba	5.0
Boron as B	5.0
Cyanides as CN (amendable)	0.1
Fluoride as F	20.0
Chromium (Total)	1.0
Iron as Fe	5.0
Magnesium as MG	100.0
Manganese as Mn	5.0
Copper as Cu	1.0
Zinc as Zn	1.0
Cadmium as Cd	0.1
Lead as Pb	0.1
Tin as Sn	2.0
Silver as Ag	0.1
Mercury as Ni	0.01
Nickel as Ni	1.0
Hydrogen Sulfide H <sub>2</sub> S (or any halogen)	10.0
Sulfur Dioxide as SO <sub>2</sub>	10.0
Nitrous Oxide as N <sub>2</sub> O <sub>4</sub>	10.0

Note: All metals are to be measured as total metals.

(Adopted 1/19/70; Amended 2/13/73; 1/21/86, 7/9/96, 7/15/97, 2/6/07, 2/6/18)

## **SECTION 7**

### **PROTECTION FROM DAMAGE**

- 7.1 No person shall negligently, maliciously or willfully damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the sewerage system.

(Adopted 1/19/70; Amended 1/21/86, 7/9/96)

## **SECTION 8**

### **POWERS AND AUTHORITY OF INSPECTORS**

- 8.1 The Superintendent and other duly authorized employees of the Town, bearing proper credentials and identification, shall be permitted to enter all properties with the owner's consent, for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of these regulations. The Superintendent or his representative shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper or other industries beyond that point having a directed bearing on the kind and source of discharge to the sewers or facilities for wastewater treatment. If the Superintendent or duly appointed representative cannot procure the consent of the premises' owner to conduct inspection, the Superintendent is empowered to seek an administrative warrant in order to satisfy the inspection requirements of this regulation.
- 8.2 The Superintendent and duly authorized agents 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 the 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.

(Adopted 1/19/70; Amended 1/21/86, 7/9/96)

## **SECTION 9**

### **PENALTIES**

- 9.1 Any person found to be violating any provision of these regulations, except Section 7, shall be served by the Authority with written notice stating the nature of the violation and providing a reasonable time limit for satisfactory correction thereof. The offender shall, by the expiration of the time limit stated in such notice, permanently cease all violations.
- 9.2 Any person who shall continue any violation beyond the time limit provided for in Section 9.1 or any person who shall commit any violation of Section 7 shall be guilty of a misdemeanor, and upon conviction thereof shall be fined two hundred fifty (\$250) dollars for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

(Adopted 1/19/70; Amended 1/21/86, 7/9/96, 2/6/18)

## **SECTION 10**

### **EXPENSES**

- 10.1 In addition to all penalties specified in these regulations, and in addition to any penalties provided by the General Statutes, any person who shall cause injury or damage to the sewer system or to any of its appurtenances, through violation of any of the provisions of these regulations, shall be liable to the Town for all such injury or damage so caused, together with a reasonable attorney's fee and all court costs that may be incurred by the Town in connection with recovery of compensation of such injury or damage.

(Adopted 8/17/71; Amended 1/21/86)

## **SECTION 11**

### **HEARING BOARD**

11.1 A hearing board is hereby created which shall consist of the Water Pollution Control Authority of the Town of South Windsor.

11.2 The owner of any building or structure or other person who may be aggrieved by the interpretation and/or execution of the provisions of these regulations may appeal to said Authority for such relief as may be consistent with the purpose of these regulations.

11.3 In a contested case, all aggrieved parties shall be afforded an opportunity for a hearing after reasonable notice. The notice shall include:

1. A statement of the time, place, and nature of the hearing.
2. A statement of the legal authority and jurisdiction under which the hearing is to be held.
3. A reference to the particular sections of the rules involved.
4. A clear and concise statement of the matters asserted. An opportunity shall be afforded all parties to respond and present evidence and arguments on all issues involved. Unless precluded by law, informal disposition may be made of any contested case by stipulation, agreed settlement, or default.

A proceeding to contest any rule on the ground of noncompliance with the procedural requirements of this section must be commenced within two (2) years from the effective date of the rule.

11.4 Any person aggrieved by any ruling of the Authority may appeal to the Superior Court within thirty (30) days after the filing of the Authority's decision with the Town Clerk on notification to the parties as hereinafter specified, whichever is later.

11.5 Decisions & Orders

A final decision or order adverse to a party in a contested case shall be in writing or stated in the minutes of the meeting. A final decision shall include findings of fact. Findings of fact shall be accompanied by a concise and explicit statement of the underlying facts supporting the finds. Parties shall be notified either personally or by mail of any decision or order. Depositing notice in the U.S. Mail, postage prepaid, to the parties' last known address should be deemed sufficient notice.

11.6 Judicial Review

Any person aggrieved by any decision or ruling of the Authority may appeal to the Superior Court within thirty (30) days after the filing of the Authority's decision with the Town Clerk or notification to the parties as above specified, whichever is later.

**SECTION 12**  
**PROCEDURES BY WHICH SANITARY SEWER SYSTEMS MAY BE**  
**CONSTRUCTED OR EXTENDED & BENEFITS ASSESSED**  
**AGAINST PROPERTY OWNERS**

12.1 Resolution to Construct a Sewer System

At any time a member of the Authority may introduce, at a meeting of said Authority, a resolution to construct a sewerage system, the costs of which are to be met in whole or in part by assessment of benefits; said resolution to state briefly and intelligibly, the general layout and description of the proposed system.

12.2 Hearing and Notice of Resolution

Said resolution shall not be adopted until said Authority has held a public hearing on the proposed resolution, at which any elector or taxpayer may have an opportunity to be heard. Notice shall be given in accordance with Section 7-247(a) of the Connecticut General Statutes as amended from time to time.

12.3 Action of Proposed Resolution

Within sixty (60) days following the public hearing on the proposed resolution, the Water Pollution Control Authority may, by majority vote, approve said resolution. Said resolution may not be amended to materially change or affect the general layout, character, and scope of the proposed sewer system without additional publication in accordance with 12.2 of this section.

12.4 Passage of Resolution

Following an affirmative vote by the Water Pollution Control Authority on the resolution to construct a sewer system, the Authority shall proceed with said construction in accordance with State Statutes, local ordinances, rules and regulations, and the Town Charter. It shall be the duty of the Collector of Revenue, following said affirmative vote and final action on approval of funds therefor, to have a caveat or caveats warning of the adoption of such resolution prepared and recorded in the Town Land Records on properties to be served by sewers and assessed therefor within thirty (30) days of such action.



Procedures by Which Sanitary Systems May Be  
Constructed or Extended & Benefits Assessed Against Property Owners

12.5 Power of Assessment

At any time after the Water Pollution Control Authority has acquired or constructed a sewerage system or portion thereof, the Water Pollution Control Authority may levy benefit assessments in accordance with the General Statutes. Reference is hereby made to Chapter 103 of the General Statutes as amended.

(Adopted 1/19/70; Amended 1/21/86, 7/9/96)

## **SECTION 13**

### **CONSTRUCTION OF SEWERS BY DEVELOPERS**

To insure that reasonable off site improvements necessitated by a new development are included with approved plans, the following requirements shall apply:

- 13.1 As a condition of final approval, the WPCA may require an applicant to provide reasonable and necessary improvements of sanitary sewerage system, including land and easements, located off site of the developer's property limits but necessitated or required by the development. The Authority shall indicate in its approval the basis for the required improvements.
- 13.2 If the existing sanitary sewerage system does not have adequate reserve capacity to accommodate the applicant's flow given existing and anticipated peak hour flow rates, sanitary sewer improvements may be included (but not limited to): installation, relocation, or replacement of main line, trunk and interceptor sewers, pump stations, and associated structures.
- 13.3 The Authority shall authorize the construction of sanitary sewerage system improvements conditional upon Town's Public Works Department Engineering Division technical approval of the limits, sizes, grades, of the sewers and other appropriate specifications for said improvements.
- 13.4 The full cost of construction or proportional share of the sanitary sewerage improvements and all expenses incidental thereto shall be borne by the developer or owner who shall, before commencing any work, deposit with the Town a sum determined by the Town Engineer to be sufficient to defray the cost of preliminary surveys, if the preparation of designs and plans, of other expenses of preliminary engineering, of inspection, supervisory engineering, grade staking, surveying, testing and all other expenses of the Town incurred prior to ordering construction, or during any maintenance period as stipulated.
- 13.5 After written certification by the Town Engineer that any sanitary sewerage improvements constructed under the terms of the Authority's approval have been completed in accordance with the plans, specifications, and standards of the Town, and that the maintenance period has expired, the Authority, upon the recommendation of the Town Public Works Department, may accept and incorporate by resolution said sanitary sewerage system improvement in the Town of South Windsor sewerage system, to become effective as specified in said resolution.

## Construction of Sewers by Developers

- 13.6 The Authority, at its discretion, may enter into agreements with developers for the construction of sewers by and at the expense of such developers involving the provision for reimbursement of such developers of sanitary sewer lateral charges and connection charges collected by the Town from other owners of land served by the developers sewer. The reimbursement shall be at a rate corresponding to the current rates in effect at the time of connection, but such reimbursement shall not exceed the costs of construction. The limit of time for reimbursement shall be established by the Authority, but no reimbursement shall be made for a period greater than two years from the date the Authority accepts the sewer into the public system. Expiration of the time for reimbursement to the developer shall not release subsequent owners of property connecting to the sewer from paying all appropriate and current sewer assessments and connection charges to the Town.

(Adopted 1/19/70; Amended 1/21/86)

## SECTION 14

### Sewer Benefit Assessments and Sewer Impact Fees

**Preamble:** This SECTION 14 establishes the assessments and fees for the connection to the Town of South Windsor Water Pollution Control Authority ("WPCA") facilities. Specifically, this section establishes a formula for defining benefit assessments for connecting to the wastewater collection system and for allocating costs associated with the prior improvements to the capacity of the wastewater treatment system. This section applies to those property owners that connect to a newly constructed sewerage system and to those property owners that connect to an existing sewerage system that have not previously been assessed or paid for benefit assessments or capacity payments. Property owners connecting to WPCA facilities will be subject to benefit assessment payments and capacity fee payments, which together will constitute a sewer impact fee ("SIF").

**Assessment of benefits.** Pursuant to Section 7-249 of the Connecticut General Statutes ("C.G.S.") the Town of South Windsor Water Pollution Control Authority ("WPCA") is authorized to levy benefit assessments in accordance with the following grant of statutory authority, which states in part:

At any time after a municipality, by its water pollution control authority, has acquired or constructed, a sewerage system or portion thereof, the water pollution control authority may levy benefit assessments upon the lands and buildings in the municipality which, in its judgment, are especially benefited thereby, whether they abut on such sewerage system or not, and upon the owners of such land and buildings, according to such rule as the water pollution control authority adopts.

The following formula shall be used to calculate the benefit assessment of residential and nonresidential properties:

- A. Residential Sewer Benefit Assessment calculation for a new town funded sewer installation where the Town will recover a minimum of 80% of the construction cost:

$$\text{Benefit Assessment} = \frac{\text{EDU}^* \times (80\% \text{ of Project Cost})}{\# \text{ of Properties}}$$

\* **Equivalent Dwelling Unit (EDU):** The unit of measure by which the Capacity Charge for sanitary sewer services provided by the South Windsor sewer system is calculated and imposed upon each improved property served by the sewer system. See sewer assessment schedule for EDU ratio.

## Assessments

- B. A previously installed sewer without a paid assessment  
(Residential/Nonresidential):

Benefit Assessment = Minimum Zone Frontage\*\* x Price per linear foot  
(to be Set by WPCA)

\*\*As defined by Table 3.1.2A of the Town of South Windsor Planning and Zoning  
Regulations

### Capacity Charges.

Pursuant to Section 7-255 of the Connecticut General Statutes ("C.G.S.") the WPCA is authorized to establish charges for the use of the sewerage system in accordance with the following grant of statutory authority, which states in part:

The water pollution control authority may establish and revise fair and reasonable charges for connection with and for the use of a sewerage system. The owner of property against which any such connection or use charge is levied shall be liable for the payment thereof.

The WPCA shall periodically establish a capacity charge for new connections to the sewerage system. The Capacity Charge shall be calculated by using Equivalent Dwelling Units. Equivalent Dwelling Units (EDU) shall be used as the basis to calculate the Capacity Charge for residential and non-residential properties. A calculation worksheet will be established in accordance with statutory requirements and will be available at the Water Pollution Control office. For Commercial and Industrial properties, the size of the building water meter shall be used to determine the EDU factor. For Residential properties, the EDU will be determined by the number of bedrooms in a dwelling.

The following formula shall serve to calculate the capacity charge:

Capacity Charge = EDU\* x Base Fee (Set by WPCA)

\* **Equivalent Dwelling Unit (EDU):** The unit of measure by which the Capacity Charge for sanitary sewer services provided by the South Windsor sewer system is calculated and imposed upon each improved property served by the sewer system. See sewer assessment schedule for EDU ratio.

A Capacity Charge shall not be levied against property owners that have paid a benefit assessment prior to January 1, 2018.

**14.1 Sewer Impact Fee.** The benefit assessment and the capacity charge together shall constitute the Sewer Impact Fee ("SIF") for new connections to the sewerage system. Property owners that connect to the sewerage system after the effective date of this regulation shall pay a SIF at the time of connection, unless such payment is subject to a statutory installment payment recorded on the land records.

## Assessments

A Sewer Impact Fee shall be levied when:

- A. A public sanitary sewer system is constructed and properties so served by the sewer system connect for service;
- B. When an existing sewer is available to a property that has not previously paid a sewer benefit assessment;
- C. When a land developer installs a sewer and a property is connected to said sewer either during construction or after the Town takes ownership;
- D. After the addition of a bedroom(s) at a Residential property; or
- E. After the modification of building size and/or use of a Residential, Commercial or Industrial building.

14.2 A Sewer Impact Fee will not be levied on an existing property that has previously paid a benefit assessment unless 14.1 A-E applies.

### Payment of Sewer Impact Fee

14.3(?) The SIF will be levied at rates established as of the date of the sewer connection. At no time shall a rebate of the SIF be paid back for the reduction of bedrooms, the modification of a building or the modification of the building use.

- A. Residential property owners whose SIF is part of a Town funded sewer project may elect to pay said charges in 15 equal installments upon connection to the sewer. The first installment shall be due in the following month of November or May with no less than 30 days prior notice with subsequent installments shall be due annually thereafter on said due date. There shall not be a penalty for early payment of the outstanding balance.  
The installments in the case of assessments that are a part of a sewer project which is funded by bonds or notes shall bear interest at the maximum rate of interest the Town is obligated to pay on such bonds or notes. In the case of assessments which are not funded by bonds or notes, installments shall bear an interest rate equal to the maximum interest rate charged to the Town on the most recently bond or note funded project.
- B. A sewer impact fee for a Town installed sewer at its expense is due and payable at the time of connection. If the sewer was installed by a property owner at his expense, said property owner shall not be charged the benefit assessment portion of the sewer impact fee.

## Assessments

- C. If an existing property owner connects to a sewer installed by a private developer at its expense prior to Town acceptance of said sewer, and pays the developer for same, said property owner shall not be charged a benefit assessment subsequent to the Town's acceptance of the line. Any other property owner who does not connect to the sewer shall not be charged until the time of connection, and at such time, would be charged at the current rate in effect.
- D. If a private developer installs a main sewer line at its expense within a subdivision, he shall not be charged the benefit assessment portion of the sewer impact fee for the property within said subdivision fronting on said line. The capacity charge will be due at the time of connection.

14.6 Any owner of real property who is eligible for tax relief for elderly taxpayers under the provisions of Section 12-129b and 12-170a of the General Statutes may apply to the Water Pollution Control Authority for approval of a plan of payment of such property owner's Sewer Impact Fees other than as provided under Section 7-253 of the General Statutes. Said plan may include an option to pay only the annual interest charge, as provided in said Section 7-253 on any deferred payments of outstanding balance of principal of said Sewer Impact Fees. Any such plan shall provide that the outstanding balance of principal deferred under such optional method payment shall become due upon any transfer of title to the property subject to such Sewer Impact Fees or upon the death of such property owner. Said plan shall become effective upon the approval of the Water Pollution Control Authority and shall be subject to annual review and re-approval by the Water Pollution Control Authority.

14.7 A caveat shall be placed on a property's land record when said property has public sewer available but is not connected. Said caveat shall be removed from the land record when said property connects to the public sewer system.

(Adopted 11/28/69; Amended 1/16/70, 9/14/71, 12/12/72, 4/10/73, 5/22/73, 5/14/74, 12/10/74, 7/17/79, 1/21/86, 9/17/91, 10/15/91, 7/9/96, 2/6/18)

## **SECTION 15**

### **PROVIDING FOR CONNECTION CHARGES**

- 15.1 Whenever a sanitary sewer has been laid out and constructed by the Water Pollution Control Authority, connections from real estate to said sewer shall not be permitted until a sewer connection charge has been paid by or for the owners of the real estate which is to be served by said connection.
- 15.2 Any owner desiring to make a connection to a sanitary sewer as provided herein shall make application to the Director of Public Works for the Town of South Windsor, submitting such plans and specifications as may be required by said Director. Said plans and specifications shall contain information as to the amount of property to be utilized by the proposed buildings and improvements for which such connection is sought, and giving the type and extent of use contemplated of the sewer system.
- 15.3 A copy of such application and the accompanying information shall be submitted to the Water Pollution Control Authority and such Authority shall, upon making a determination that the planned connection and the necessary pipes, pumping facilities, if such are required and other necessary improvements, are in accordance with applicable statutes, regulations, and ordinances, approve said applications and forthwith levy a connection charge.

Payment of such connection charges shall be made prior to issuance of a permit to connect to the sewer system.

When a property owner is prepared to connect his property to the lateral, a connection charge will be levied. A schedule of said connection charges will be kept on file in the Office of Pollution Control.

To determine amount of Connection Charge:

- A. Dwelling Unit – one single family living quarters, one church building or one school building.
- B. Area – developed land, including streets, parking area, and open spaces; a fractional acre additional to at least one acre shall be prorated, but in no event shall the developed area consist of less than the minimum required by the Zoning Regulations of the Town of South Windsor.



## Providing for Connection Charges

- 15.4           The connection charges provided for under 15.3 hereof shall be determined by the appropriate action of the Water Pollution Control Authority.
- 15.5           When, under the provisions of 15.3 hereof, a connection charge is due and payable, it shall be paid to the Collector of Revenue for the Town of South Windsor.

(Adopted 10/28/69; Amended 1/21/86, 10/15/91, 7/9/96)

## **SECTION 16**

### **SEWER USE CHARGES AND**

### **THE COLLECTION THEREOF**

16.1 Purpose. The purpose of this Regulation is to establish fair and reasonable charges for use of the South Windsor sewerage system and in connection therewith giving consideration to appropriate factors relating to the kind, quality, or extent of use of any property connected to or to be connected to the sewage system. This Regulation is further intended to establish an equitable basis of cost recovery of the industrial share of the local capital and debt service charges.

16.2 An annual sewer use charge shall be imposed on each residential, commercial and industrial building connected into the sewer system and discharging sewerage of any quality, character or quantity into the sewer system. The following methods for calculating rates are hereby prescribed:

- A. Sewer use charges, together with other sources of revenues, shall fund 100 percent of the costs for Pollution Control operation and maintenance (O & M) debt service, capital improvements and operating and replacement reserves, and shall be prorated among the several user categories (residential, commercial, small industrial and major industrial) based upon the quantity of equivalent sanitary wastewater discharged. A user charge shall be computed according to the following general formula:

$$\text{User Charge} = \frac{(C_t - (C_R + R_o)) \times Q_o}{Q_t}$$

Where:

$C_t$  = Total annual cost for operation, debt service, capital projects, contributions to reserves.

$C_R$  = Surcharges for removal of excess Total Suspended Solids (T.S.S.) and Biochemical Oxygen Demand (B.O.D.).

$R_o$  = Other Sources of Revenue

- Septic Dumping Fees
- Permit Fees
- Assessments

## Providing for Connection Charges

- Interest & Lien Fees
- Connection Charges
- Grants/loans
- Transfers from Operating and Replacement Reserves
- Internal Services Transfers
- Investment Interest Earnings

$Q_0$  = Annual individual user discharge (gallons)

$Q_t$  = Total annual industrial/commercial and residential discharge (gallons)

### B. Residential User Charges

1. There shall be a uniform rate for single and multifamily residential buildings
2. A resident subject to a sewer user charge and found to be eligible by the Town of South Windsor Human Services Department for property tax relief under the State of Connecticut Qualifying Income for the Elderly and Totally Disabled Tax Relief Program shall have said user charge reduced by a percentage corresponding to the percentages and income levels for married and unmarried owners as described in the aforesaid Qualifying Income for the Elderly and Totally Disabled Tax Relief Program. The difference between the revenue received from sewer user charges paid by all Qualified Users and such revenue as would have otherwise been received had the full residential rate been applied shall be absorbed by all other sewer user classes, which shall be adjusted accordingly.

### C. Industrial Surcharges

Industries shall be assessed a surcharge when suspended solids (s.s.) and biochemical oxygen demand (B.O.D.) concentrations exceed 238 mg/l and 212 mg/l, respectively. A separate surcharge shall be computed for both suspended solids and B.O.D. In the computation of suspended and B.O.D. surcharge rates, the annual allocated cost for suspended solids and B.O.D. removal shall be divided by the annual quantity of each parameter removed in the treatment process.

$$\text{Cost per pound s.s. removed} = \frac{\text{Annual Costs for s.s. Removed}}{\text{Pounds of s.s. Removed}}$$

$$\text{Cost per pound B.O.D. removed} = \frac{\text{Annual Costs of B.O.D. Removed}}{\text{Pounds of B.O.D. Removed Annually}}$$

Treatment costs shall be allocated according to flow (Q), B.O.D. and s.s. in the following proportions:

Activity Unit	Allocation %		
	Q	s.s.	B.O.D.
Pretreatment	100	---	---
Primary Treatment	20	25	55
Secondary Treatment	10	60	30
Effluent Disinfection	90	10	---
Sludge Thickening	---	40	60
Sludge Dewatering	---	40	60
Sludge Disposal	---	40	60
Laboratory	10	60	30

### 16.3 Small Industries

- A. The owner is required to submit a sworn statement of water use or discharge into the sewer system from January 1 through December 31; such statement to be supported by any available records or evidence of water use or discharge to which applicable rate shall be applied; or
- B. In the case of disagreement, the owner is required to install and maintain, at his own expense, a meter measuring sewerage outflow. Such measurements to be used in arriving at sewer use charge. Said meter to be installed in a place easily accessible to the Authority or its duly authorized agent for recording purposes.
- C. In the case where the owner is required to install and maintain, at his own expense, a meter used for the purpose of measuring water not discharged to the sewer system, the owner is required to provide to the Town in January of each year a written report on company letterhead of the meter readings for the preceding calendar year; said report must be provided no later than the final business day in January to receive credit in arriving at the sewer user charge.

## Sewer Use Charges and the Collection Thereof

### 16.4 Major Industries

- A. The owner shall install and maintain, at his own expense, a meter measuring waste outflow; such measurements to be used in arriving at sewer use charge. Said meter to be installed in a place easily accessible to the Authority or its duly authorized agent for recording purposes.
- B. A suitable sampling manhole shall be provided at the owner's expense in a place easily accessible to the Authority or its duly authorized agent for monitoring B.O.D. and solids. Location of flow measuring equipment and sampling manhole may be combined upon approval of the Authority.
- C. In the case where the owner is required to install and maintain, at his own expense, a meter used for the purpose of measuring water not discharged to the sewer system, the owner is required to provide to the Town in January of each year a written report on company letterhead of the meter readings for the preceding calendar year; said report must be provided no later than the final business day in January to receive credit in arriving at the sewer use charge.

### 16.5 Billing Cycle

- A. Residential and Qualified Residential Users – the user fee per fiscal year (July 1<sup>st</sup> through June 30<sup>th</sup>) (annual charge) for each single-family living quarters, due and payable on October 1<sup>st</sup>.
- B. Prorate Charges – a residential user charge shall be paid by the property owner to the Town at the time of connection to the sanitary sewer system. The prorate charge shall be the annual minimum (flat rate) charge prorated for the balance of the fiscal year pursuant to the schedule of prorated charges in effect at the time. The effective date for determination of the prorated charge shall be thirty (30) calendar days from the date of drain layer's permit issuance.

If, at the end of a fiscal year within which a prorated user charge had been collected, the residential unit remains unconnected to a potable water supply, and therefore, unable to use the sanitary sewer system, the property owner may request a refund of said charge. The property owner must provide evidence by means of arranging for an onsite inspection by a Town official. In the event that a prorated user charge is refunded, the property shall continue to be listed on the Account Master Maintenance

File for the purposes of billing in subsequent years. Future requests for refunds may be granted by the Authority at the end of each fiscal year based upon Town inspections. In order to be eligible for a refund, the user charge must be paid at the time of billing.

## Sewer Use Charges and the Collection Thereof

During any fiscal year, refunds of a portion of a paid sewer user charge may be granted by the Authority based upon written evidence provided by the property owner that the residential unit had been connected to a potable water supply.

- C. Commercial and Industrial – user fee per fiscal year (annual charge) for each building connected into the sewer system, due and payable on April 1<sup>st</sup>.

16.6 The Water Pollution Control Authority shall establish special charges when water use is not related to sewer use, or when water is obtained from an unmetered source.

### 16.7 Reserve Fund Policy

Purpose: The purpose of this Policy is to ensure the proper functioning and continuous operation of South Windsor's sanitary sewage system is essential for public health and safety, economic development, environmental protection, and the quality of life for those living and working in our town. The Water Pollution Control Authority (WPCA) is responsible for this system, and as such must establish prudent fiscal policies to ensure adequate funding for proper maintenance, repair and replacement of the system's many components. Planning for the future needs of this complex and widespread system entails a degree of unavoidable uncertainty, including, among other things, exposure to unforeseen natural events, accidents, revenue fluctuation, and unplanned facility repair, maintenance and improvement needs.

The purpose of the Reserve Fund Policy is to mitigate the economic consequences of current and future risks, to ensure sound fiscal management and stabilization of annual sewer user rates, and to allow for greater flexibility with long term planning.

1. The Reserve Fund shall be made up of restricted funds for specific purposes and shall include the following:
  - a. An Operating Reserve equal to a three (3) month (25%) reserve of the operating budget (Operation & Maintenance and Debt Service) to maintain sufficient cash reserves to offset variations in revenue and expenditures using a three year trend to project the actual amount, and
  - b. A Replacement Reserve equal to two (2) percent of the Pollution Abatement Facility Asset Value , adjusted to reflect replacement costs based upon an industry construction cost index, and

## Sewer Use Charges and the Collection Thereof

2. The WPCA intends to fully fund the Reserve Fund over a Five Year period for the Operating Reserve and over a Ten Year period for the Replacement Reserve beginning with the adoption of this policy. It is understood, however, that these goals may require modification depending on the actual use of such Reserve Funds, and will be subject to regular review pursuant to Paragraph 5, *infra*.

### Procedure

1. Until the Restricted Fund targets are met, the WPCA will transfer into the Reserve Fund all revenues exceeding expenditures after payment of debt service and on-going equipment replacement costs.
2. Reserve Fund balances will be maintained pursuant to the standards and procedures found in the Generally Accepted Accounting Principles (GAAP) and the Governmental Accounting Standards Board (GASB).
3. Unrestricted fund balances that are the result of revenues exceeding expenditures in any given fiscal year shall be utilized at the discretion of the WPCA for purposes consistent with the Reserve Fund Policy.
4. For the purpose of rate stabilization, Funds shall be transferred from the Reserve Fund on an "as needed basis" to compensate for unusual operating or other expenses, as, for example, when a future replacement project is expected to significantly increase rates. Such rate stabilization funds will be utilized in conjunction with the distribution of any necessary rate increase over a period of years, in order to avoid an excessive rate increase in any one given year. The amount of rate stabilization funds used and the distribution of rate increases shall be at the discretion of the WPCA.
5. The Reserve Fund Policy may be reviewed and revised at any time by the WPCA upon motion by its members, but will, in any case, be subject to annual review at budget and rate-setting meetings. Such policy review may include, but is not limited to, consideration of changes in reserve fund target balances, the time period for achieving full funding, and the use of reserve funds to offset sewer use rate increases. Such policy review will include due consideration of current sewer system conditions, future needs, current reserve fund balances, and the Town's economic circumstances. The South Windsor Town Council and Town Manager will be advised of such a review to allow for input from these parties.

(Adopted 10/28/69; Amended 5/13/75, 9/27/77, 11/27/79, 12/4/79, 1/21/86, 7/9/96, 11/5/97, 6/15/99, 6/2/2009, 7/13/2010, 10/4/2011, 7/7/2015, 6/7/2016)

## **SECTION 17**

### **VALIDITY**

- 17.1 All regulations or parts of regulations in conflict herewith are hereby repealed.
- 17.2 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.

(Adopted 1/19/70; Amended 1/21/86)