

**BRISTOL PUBLIC WORKS DEPARTMENT
SEWER**

230 Lake St.
Bristol, NH 03222

RULES AND REGULATIONS

Adopted December 1992
Amended January 1993
Amended October 2000
Amended December 2004
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PUBLIC WORKS DEPARTMENT
TOWN OF BRISTOL

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Public Works Department
(PWD)
Town of Bristol, New Hampshire
Rules & Regulations Water/Sewer

Pursuant to enabling authority in New Hampshire Revised Statutes Annotated 149-I: 6, the following is an ordinance regulating the use of public and private sewers and drains, private wastewater disposal, the installation and connections of building sewers, and the discharge of waters and wastes into the public sewer system(s): and providing penalties for violations thereof: in the Town of Bristol, county of Grafton, State of New Hampshire.

When the user has any doubt as to the interpretation of any rule or regulation contained herein, it shall be the responsibility of the user to contact the Selectmen and secure a definitive resolution prior to use of the sewer system.

Be it ordained and enacted by the Board of Selectmen of the Town of Bristol, State of New Hampshire, as follows:

ARTICLE I
DEFINITIONS

- 1. “Biochemical oxygen demand (BOD)”** 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.
- 2. “Board of Selectmen” (BOS)** shall mean the Selectmen in the Town of Bristol who are responsible for maintenance and operation of the Town’s sewerage system, including enforcement of this sewer use ordinance.
- 3. “Building drain”** shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.
- 4. “Building sewer”** shall mean the extension from the building drain to the public sewer or other place of disposal, also called house connection.
- 5. “Bypass”** shall mean the intentional diversion of waste streams from any portion of an industrial user’s pretreatment facility.
- 6 “Cleanout”** Access point to the sewer line for inspection and cleaning
- 7 “Combined sewer”** shall mean a sewer intended to receive both wastewater and storm or surface water.
- 8 “DES”** shall mean the Department of Environmental Services.
- 9 “Domestic wastewater”** or **“sanitary sewage”** shall mean normal water-carried household and toilet wastes or waste from sanitary conveniences, excluding ground, surface or storm water.

10 “Floatable oil” is oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable oil fat if it is properly pretreated and the wastewater does not interfere with the collection system.

11 “Garbage” shall mean the animal and vegetable waste resulting from the handling, preparation, cooking, and serving of foods.

12. “Holding Tank Waste” shall mean the liquid pumped from a septic tank. Holding tank waste older than 45 days shall be classified as septage.

13. “Industrial User” shall mean a person who discharges industrial wastes to the wastewater facilities of the Town.

14. “Industrial Wastes” shall mean the wastewater from Industrial processes, trade, or business as distinct from domestic or sanitary wastes.

15. “Interference” shall mean a discharge by an Industrial User which, alone or in conjunction with discharges by other sources, inhibits or disrupts the **POTW, (Public Owned Treatment Works)** its treatment processes or operations, or its sludge processes, use or disposal and which is a cause of a violation of any requirement of the POTW, its treatment processes or operations, or its sludge processes, use or disposal and which is a cause of a violation of any requirement of the POTW’s **NPDES (National Pollutant Discharge Elimination System)** permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal by the POTW in accordance with groundwater protection rules, Ws410, solid waste rules, He-P 1901, hazardous waste rules, He-P 1905 and Appendix III, the Clean air Act, the Toxic Substances Control Act, and the Marine Protection Research and Sanctuaries Act.

16. “May” is permissive (see “shall” **29,**)

17. “National Categorical Pretreatment Standard” (NCPS) or “Categorical Pretreatment Standard” (CPS) shall mean any regulations containing pollutant discharge limits promulgated by USEPA in accordance with Section 307 (b) and (c) of the Clean Water Act (33 U.S.C. 1347), which apply to a specific category of industrial users and which are found in the Code of Federal Regulations 40 CFR, subchapter N, parts 401 through 471.

18. “Natural outlet” shall mean any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake, or any other body of surface or groundwater.

19 “Pass through” shall mean the Discharge of Pollutants through the POTW in surface waters in quantities or concentrations which, alone or in conjunction with discharges from other sources, is a cause of a violation of any requirements of the POTW’s permit (including an increase in the magnitude of duration of a violation) or of applicable water quality criteria.

20 “Person” shall mean any individual, firm, company, association, society, corporation, group, partnership, municipality, governmental subdivision or other entity.

21 “pH” shall mean the logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of hydrogen-ions, in grams, per liter of solution. Neutral water, for example, has a pH of 7 and a hydrogen-ion concentration of 10^{-7} .

22 “POTW” or “Public Owned Treatment Works” shall mean a wastewater treatment works which is owned by a State or a municipality. This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial waste of a liquid nature. It also includes sewers, pipes and other conveyances only if they convey wastewater to a POTW wastewater treatment works. The term also means the municipality which has jurisdiction over discharges to, and discharges from such treatment works.

23 “Properly shredded garbage” shall mean the animal or vegetable wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than $\frac{1}{2}$ ” (1.27 centimeters) in any dimension.

24 “Public sewer” shall mean a common sewer controlled by a governmental agency or public utility.

25 “Residential” or **“Residential Unit/Commercial Unit”** shall mean each individual house or dwelling containing habitable space/communal space and contributing sewage to the sewer system. The sewage discharge could be via an independent sewer service connection or common sewer service connecting a number of units in the same building. Units which are subdivided from a single larger dwelling to form separate habitable residences will be deemed as separate residential unit.

26 “Sanitary sewer” shall mean a sewer that carries liquid and water carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm, and surface waters that are not admitted intentionally.

27 “Screening level” means that concentration of a pollutant which, under baseline conditions, would cause a threat to personnel exposed to the pollutant, or would cause a threat to structures of wastewater facilities. To be administered as limits applicable to a particular discharge, the screening levels must be adjusted to account for conditions at the point of discharge which differ from baseline conditions.

28 “Septage” shall mean the liquid and solid material pumped from a septic tank during cleaning. Septage is normally characterized by large quantities of grit and grease, a highly offensive odor, great capacity to foam upon agitation, poor settling and dewatering characteristics, and high solids and organic content. Its high waste strength is due to the accumulation of sludge and scum in the septic tank.

29 “Sewage” is the spent water of a community. The preferred term is “wastewater”, (see **36**)

30 “Sewer” shall mean a pipe or conduit that carries wastewater or drainage water.

31 “Shall” is mandatory (see “may”, **14**).

32 “Significant Industrial User” shall mean all industrial users subject to categorical pretreatment standards and any other industrial user that: discharges an average of 25,000 gallons per day or more of process wastewater (excluding sanitary, non-contact cooling and boiler blow down wastewater); contributes a process waste stream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW or is designated as such by the Control Authority (EPA) on the basis that the industrial user has a reasonable potential for adversely affecting the POTW or for violating any pretreatment standard or requirement.

33 “Slug” shall mean any discharge of water or wastewater 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 flows during normal operation or which shall adversely affect the collection system and/or performance of the wastewater treatment works.

34 “Storm drain” (sometime termed **“storm sewer”**) shall mean a drain or sewer for conveying storm water, groundwater, subsurface water, or unpolluted water from any source.

35 “Superintendent” shall mean the superintendent of the wastewater facilities of the Public Works Department, or their authorized deputy, agent or representative.

36 “Suspended solids” (SS) shall mean total suspended matter that either floats on the surface of, or is in suspension, in water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in “Standard Methods for the Examination of Water and Wastewater” and referred to as non-filterable residue.

37 “Unpolluted water” is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

38 “Wastewater” shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater’s, surface water, and storm water that may be present.

39 “Wastewater facilities” shall mean the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.

40 “Wastewater treatment works” shall mean an arrangement of devices and structures for treating wastewater, industrial wastes, and sludge. Sometime used as synonymous with **“waste treatment plant”** or **“wastewater treatment facility”** or **“water pollution control plant”**.

41 “Watercourse” shall mean a natural or artificial channel for the passage of water, either continuously or intermittently.

ARTICLE II

Use of Public Sewers Required

1 It shall be unlawful for any person to place, deposit, or permit to be deposited any human or animal excrement, garbage, or other objectionable waste, in any unsanitary manner on public or private property within the Town of Bristol, or in any area under the jurisdiction of said Town.

2 It shall be unlawful to discharge to any natural outlet within the Town of Bristol, or in any area under the jurisdiction of said Town, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with federal, state and local requirement.

3 Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater within the sewer service area.

4 The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the Town and abutting on any street, alley, or right-of-way in which a public sanitary sewer of the Town is located, is hereby required at the owner(s) expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within ninety (90) days after date of official notice to do so, provided that said public sewer is within one hundred (150) feet, 46 meters of the house or building, or from granting waivers to the requirement of connection to the public sewer for properties with adequate alternative sewage disposal systems which comply with applicable state and local regulations, designed by a designer licensed in New Hampshire and approved for construction by the New Hampshire department of environmental services after January 1, 1985.

ARTICLE III
Private Wastewater Disposal
and Holding Tank Waste
(information only)

1 Where a public sanitary sewer is not available under the provisions of Article II, Section 4, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this Article.

2 Before commencement of construction of a private wastewater disposal system, the owner(s) shall first obtain design approval from NHDES.

3 A permit for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of DES.

4 The type, capacities, location, layout and installation (including inspection) of a private wastewater disposal system shall comply with all requirements of the DES. No permit shall be issued by DES for any new private wastewater disposal system employing subsurface soil absorption facilities where the lot area is less than is required by subdivision lot size requirements of the DES. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

5 At such time as a public sewer becomes available to a property served by a private wastewater disposal system, as provided in **Article II, #4**, a direct connection shall be made to the public sewer within ninety (90) days, in compliance with this ordinance, and any septic tanks, cesspools and similar private wastewater disposal facilities shall be cleaned of sludge and filled with suitable material.

6 The owner(s) shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, and at no expense to the Town of Bristol. Sludge removal from private disposal systems shall be performed by licensed operators. At no time shall any quantity of industrial waste be discharged to a private domestic wastewater disposal facility.

7 Septage from within the Town of Bristol shall be disposed of to the WWTF in either Plymouth, NH or Franklin, NH, or any other WWTF that the Town has an agreement with.

8 Holding tank waste located within the Town of Bristol only, from pre-approved sources, may be discharged into the sewage system at a location determined by the PWD.

9 No septage will be accepted by the PWD. Holding tank waste older than 45 days will be classified as septage. This will include the first holding tank load from seasonal homes in the spring of each year. The holding tank owner shall provide confirmation prior to acceptance of subsequent holding tank loads that the initial load has already been disposed of at an alternate approved waste facility.

10 Deliveries of holding tank waste will be by appointment only and will be accepted only between 8:00 am and 3:00 PM, Monday through Friday. The haulers must be licensed by the State of New Hampshire and pre-approved by the PWD.

11 Any individual in the Town of Bristol wanting to discharge their holding tank waste must formally apply to the PWD, using the sewer connection application. No dumping of holding tank waste will be allowed until permission is granted by the PWD.

12 All violations to the established regulations will be reported to the State of New Hampshire authorities. Any violation of the regulations will be immediate cause for cancellation of hauling and disposal privileges and the respective approvals/permits.

13 Application fees by holding tank owners as part of the sewer service application shall be see Fees addendum B, which is the same price as the per-unit sewer connection fee. The PWD shall assess billing on a quarterly basis and it shall be based upon the actual number of gallons of holding tank waste delivered to the PWD's sewerage system or the rate shall be see (sewer fees

H) gallons of holding tank waste as determined by measuring the actual volume of septage discharge (see **Article IX-Sewer Use Rates**)

14 No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the health officer pursuant to **RSA 147:8**

ARTICLE IV

Building Sewers and Connections

1 No person(s) shall uncover, make any connections with or opening into, use alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the superintendent.

2 There shall be two (2) classes of building sewer permits: (a) for residential unit producing only domestic wastewater, and (b) for service to establishments producing commercial and industrial wastes. A separate sewer permit shall be required for commercial and each individual residential unit or commercial unit that is proposed to be connected to the sewer system. This shall include existing buildings that are divided into a number of smaller individual units. In either case, the owner(s) or his agent shall make application on a special form furnished by the PWD. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the superintendent. An application fee of \$30.00 and inspection fee of \$600.00 for a residential unit or building sewer permit and \$600.00 for an industrial building sewer permit shall be paid to the PWD at the time the application is filed.

3 All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner(s). The owner(s) shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

4 A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the front building sewer may be extended to the rear building and the whole considered as one building sewer, but the Town does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection aforementioned.

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

6 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 to the requirements of the materials and procedures set forth in appropriate specifications of the ASTM and WPCF manual of Practice No.9.

7 Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer at the owner's expense.

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

9 The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town, or the procedures set forth in appropriate specifications of the ASTM and the WPCF manual of Practice No.9. all such connections shall be made gastight and watertight and verified by proper testing.

Any deviation from the prescribed procedures and materials must be approved by the superintendent before installation.

10 The applicant for the building sewer permit shall notify the superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made in the presence of the superintendent or his representative.

11 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 at the expense of the owner. It shall be the applicant's responsibility to obtain all necessary town and state permits.

12 Any person proposing a new discharge into the system, or a discharge of listed or characteristic waste, or an increase in the volume or in the strength or character of pollutants that are discharged beyond limits previously permitted into the system shall notify the superintendent at least 60 days prior to the proposed change or connection. Proposed new discharges from residential or commercial sources involving loading exceeding 50 population equivalents (5,000 gpd), any new industrial discharge, or any alteration in either flow or waste characteristics in industrial discharge must be approved by the (WS & PCD)

ADDENDUM TO ARTICLE IV

6/16/94

13 All sewer mains and laterals to the property line, including the cleanout at the property line, shall be owned by the PWD. The sewer line from the property line to the building shall be installed, owned and maintained by the customer.

All new connections require a cleanout at the property line.

If a blockage occurs anywhere between the building and the sewer main, it is the customer's responsibility to remedy. Digging on Town/State property will be done by the Public Works Department.

Frozen sewer lines between the property line and the main will be thawed by the Public Works Department.

ARTICLE V

Use of the Public Sewers/Pollutants/Interceptors

1 No person(s) shall discharge or cause to be discharged to the wastewater facilities any unpolluted waters such as storm water, groundwater, roof runoff, subsurface drainage, or non-contact cooling water.

2. Pollutants introduced into the sanitary sewer by an industrial user shall not pass through or interfere with operation or performance of the POTW.

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

- a. Pollutants which create a fire or explosion hazard in the POTW, including, but not limited to, waste streams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test methods specified in 40 CFR 261.21.
- b. Any industrial wastes, including oxygen demanding wastes (BOD, etc.) at a flow rate and/or concentration which would cause interference with the wastewater treatment works, constitute a hazard to humans or animals, create a public nuisance, exceed any applicable NPCCS, or cause pass through.
- c. Any waters or wastes having pH lower than 5.0 or higher than 12.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater works.
- d. Solid or viscous substances in quantities or such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshing, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
- e. Wastewater sufficiently hot to cause the influent at the wastewater treatment facilities to exceed 104 F (40 C) or cause inhibition of biological activity in POTW.
- f. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through.
- g. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems.
- h. Any trucked or hauled pollutants, except at discharge points designated by the POTW.

3 The following described substances, materials, waters, or waste shall be limited in discharges to municipal systems to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The superintendent may set limitations lower than the limitations established in the regulations below if, in his opinion, such limitations are necessary to meet the above objectives. In forming his opinion as to the acceptability, the superintendent will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, degree of treat ability of the waste in the wastewater treatment plant, and other pertinent factors. The superintendent shall not permit those discharges which are prohibited by number 2 of this Article. The limitations of restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the superintendent are as follows:

- A. Wastewater containing more than 25 milligrams per liter of petroleum oil, non-biodegradable (chlorine free) cutting oils, or product of mineral oil origin.
- B. Wastewater containing more than 100 milligrams per liter of oil and grease or floatable oil not limited by paragraph A of this Section.
- C. Any garbage that has not been properly shredded (see **Article I, #21**). Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.
- D. Any waters or wastes containing heavy metals, solvents, and similar objectionable toxic substances to such degree that any such material discharged to the public sewer exceeds the

limits established by the superintendent, the WSPCD, or the NCPS, as promulgated by the U.S.E.P.A., for such materials.

- E. Any waters or wastes containing odor-producing substances exceeding limits which may be established by the superintendent.
- F. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the superintendent in compliance with applicable state or federal regulations.
- G. Quantities of flow, concentrations, or both which constitute a “slug”, as defined herein.
- H. Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the permitted discharge.
- I. Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.
- J. Wastewater with any of the following constituents at concentrations greater than those indicated below:

Parameter		Maximum Concentration (mg/l)	
Arsenic	0.167	Lead	0.21
Cadmium	0.075	Mercury	.04
Chromium	2.1	Nickel	1.49
Copper	2.1	Silver	0.52
Cyanide	0.21	Zinc	0.63

4 If any waters or wastes are discharged or are proposed to be discharged to the public sewers, these waters contain the substances or possess the characteristics enumerated in **3** of this **Article**, and which in the judgment of the superintendent may have a deleterious effect upon the wastewater facilities, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the superintendent may, subject to limitations in numbers **2 and 10 of this Article**,

- A. Reject the wastes,
- B. Require pretreatment to an acceptable condition for discharge to the public sewers,
- C. Require control over the quantities and rates of discharge; and or/
- D. Require payment to cover added cost of handling and treating the wastes.

If the PWD permits the pretreatment or equalization of waste flows, the design and installation of the pretreatment facilities shall be subject to the review and approval of the PWD and the WSPCD, and subject to the requirements of all applicable codes, ordinances and laws. Such facilities shall not be connected to the sanitary sewer until said approval is obtained in writing. Such approval shall not relieve the owner of the responsibility of discharging treated waste, meeting the requirements of this ordinance. Plans and specifications for a proposed pretreatment facility shall be the result of the design of a professional engineer registered in New Hampshire.

5 Grease, oil, and sand interceptors shall be provided when, in the opinion of the superintendent, they are necessary for the proper handling of liquid wastes containing floatable oil or grease in excessive amounts, as specified in #4 (b), or any flammable wastes, sand, or other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the superintendent, and shall be located as to be readily and easily accessible for cleaning and monthly inspection. In the maintaining of these interceptors, the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the

dates, and means of disposal which are subject to review by the superintendent. Any removal and hauling of the collected materials not performed by the owner(s) personnel must be performed by currently licensed waste disposal firms.

6 All industrial waste shall be pretreated in accordance with federal and state regulations and this ordinance to the extent required by applicable NCPS, state pretreatment standards or standards established by the superintendent, whichever is more stringent. Where pretreatment of flow-equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner(s) at his expense.

7 When required by the superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control structure together with such necessary meters and other appurtenances in the building sewer to facilitate observations, sampling, and measurements of the wastes. Such structure, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the superintendent. The structure 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 industrial users shall perform such monitoring as the PWD or duly authorized employees of the PWD may reasonably require, including installation, use of maintenance of monitoring equipment, keeping records and reporting the results of such monitoring to the department. Such records shall be made available upon request by the department, to other agencies having jurisdiction over discharges to the receiving waters.

8 The superintendent may require a user of sewer services to provide information needed to determine compliance with ordinance. These requirements may include:

- A.** Wastewater discharge peak rates and volume over a specified time period.
- B.** Chemical analyses of wastewaters.
- C.** Information on raw materials, processes, and products affecting wastewater volume and quality.
- D.** Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control
- E.** A plot plan of sewers on the user's property showing sewer and pretreatment facility location.
- F.** Plans and Specifications of wastewater pretreatment facilities.
- G.** Details of systems to prevent and control the losses of materials through spills to the municipal sewer.

9 All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in those ordinance shall be determined in accordance with EPA approved methods published in the Code of Federal Regulations, Title 40, Part 136 (40 CFR 136) or, if none are available, then with methods specified in the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association. Sampling methods, locations, times, duration's, and frequencies are to be determined on an individual basis subject to approval by the superintendent.

10 No statement contained in this Article, except for # 3, shall be construed as preventing any special agreement or arrangement between the PWD and any industrial user whereby an industrial waste of unusual strength or character may be accepted by the PWD for treatment, provided that such agreements do not contravene any requirements of existing Federal or State laws, and/or regulations promulgated there under, are compatible with any User Charge System in effect, and do not waive applicable NCPS.

11 As provided by New Hampshire Revised Statute annotated 486:13, municipalities need not accept septage at a POTW, if said septage would interfere with the proper operation of the POTW. Due to the type of treatment process provided, the PWD will not accept septage.

12 It shall be illegal to meet requirements of this Sewer Ordinance by diluting wastes in lieu of proper pretreatment.

13 Each industrial user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this ordinance. Facilities to prevent accidental discharges shall be provided and maintained at the industrial user's expense.

14 Bypass is prohibited except where the bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. The industrial user shall notify the superintendent immediately in the event of any bypass.

15 A notice shall be permanently posted plainly visible to an industrial user's personnel responsible for managing wastewater discharges, which shall instruct all employees who to call in the event of a spill, slug discharge, pretreatment upset or bypass. Employers shall insure that all employees who may cause or suffer such a discharge to occur know of the required notification of the superintendent.

16 If sampling performed by an industrial user indicates a violation, the user shall notify the PWD within 24 hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the PWD within 30 days after becoming aware of the violation, except that the Industrial User is not required to resample if:

- A. The PWD performs sampling at the Industrial User at a frequency of at least once per month, or
- B. The PWD performs sampling at the Industrial User between the time when the User performs its initial sampling and the time when the user receives the results of this sampling.

ARTICLE VI Industrial Pretreatment

1 Applicability all persons discharging industrial process wastes into public or private sewers connected to the Town of Bristol Wastewater Facilities, shall comply with applicable requirements of federal and state industrial pretreatment regulations (as amended), in addition to the requirements of these industrial pretreatment rules.

2 Industrial Discharge Permit (IDP)

- A. IDP is required. The discharge of any industrial waste to the Town of Bristol's wastewater treatment plant or to a public or private sewer connected to the Town of Bristol's wastewater facilities is prohibited without a valid IDP.
- B. IDP Application- When required by the PWD, persons subject to these rules shall submit an application for an IDP containing information required under applicable federal and state industrial pretreatment reporting regulations. Such information, as a minimum, shall include:
 - 1. The name and address of the facility, including the name of the operators and owners.
 - 2. A list of all environmental permits held by or for the facility.
 - 3. A brief description of the nature, average rate of production, and Standard Industrial Classification of the operations carried out at such facility.
 - 4. An identification of the categorical pretreatment standards applicable to each regulated process.
 - 5. An analysis identifying the nature and concentration of pollutants in the discharge.

6. Notification to the PWD of any proposed or existing discharge of listed or characteristic hazardous waste (as required by 40 CFR 403.12(p)).
7. In those instances in which the industrial user provides notification of the discharge of hazardous waste, the industrial user shall also provide the following certification: I certify that (the company) has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree (the company) has determined to be economically practical.
8. Information showing the measured averaged daily and maximum daily flow, in gallons per day, to the public sewer from regulated process streams and from other streams.
9. A schedule of actions to be taken to comply with discharge limitations.
10. Additional information as determined by the PWD may also be required.
11. Any other information which may be needed to meet the baseline monitoring requirements applicable to industrial users subject to NCPS.

C. Provisions - IDP will outline the general and specific conditions under which the industrial waste is accepted for treatment at the Town of Bristol's wastewater treatment plant. Specifically included in the agreement are the following:

1. Pretreatment and self-monitoring facilities required.
2. Parameters to be monitored, type of samples, and monitoring frequencies required.
3. Location of sampling site.
4. Notification by the Industrial User of slugs, bypass or noncompliance.
5. Penalties for noncompliance
6. Compliance schedules
7. Effluent limitations on the industrial process waste.
8. Reporting Requirements:
 - A. Industrial Users shall submit periodic reports as required, but not less than semi-annually, indicating the nature and concentration of pollutants in the discharge from the regulated processes governed by pretreatment standards and the average and maximum daily flow of these process units. The report shall state whether the applicable categorical pretreatment standards and effluent limitation are being met on a consistent basis and, if not, what additional operation and maintenance practices and/or pretreatment are necessary. Additional requirements for such reports by be imposed by the PWD
 - B. Of an individual user subject to the reporting requirements in the previous paragraph of this section monitors any pollutant more frequently than required by the PWD, using procedures prescribed in Article V, #9, the results of this monitoring shall be included in the report.

9. Monitoring Records

- A. Industrial users subject to the reporting requirements under this section shall maintain records of information resulting from monitoring activities required to prepare such reports. Such records shall include for each sample:
 1. The date, exact place, method and time of sampling and the names of person or persons taking the sample;
 2. The date analysis were performed;
 3. The laboratory performing the analysis;
 4. The analytical techniques and methods used; and the results of such analysis.

- B. Such records shall be maintained for a minimum of three years and shall be made available for inspection and copying by the PWD

10. Additional Conditions:

- A. The permit will be in effect for one year and will be automatically renewed for one year periods by issuance on the anniversary or revised cover page or complete IDP, unless the applicant is notified otherwise by the PWD.
- B. The permit is non-transferable, and may be revoked by the PWD for non-compliance, or modified so as to conform to discharge limitation requirements that are enacted by Federal or State Rules and/or Regulations.
- C. An industry proposing a new discharge or a change in volume or composition of its existing discharge must submit a completed IDP application with the required state filing fee to the PWD at least 60 days prior to the commencement of such discharge. The submitted application must include plans and engineering drawings, stamped by a professional engineer registered in New Hampshire, of the proposed pretreatment facilities. Upon approval of the application by the PWD, a Discharge Permit Request is submitted by the community to the WSPCD on behalf of the industry. Upon approval of the Discharge Permit Request by the WSPCD, the industry and the PWD will enter into a new or amended IDP in accordance with the procedure outlined in this subpart.
- D. Industrial users will be assessed a semi-annual fee by the PWD to defray the administrative and monitoring costs of the IDP program.
- E. The PWD of Bristol has the authority to assess an additional charge to commercial and industrial users that discharge a higher strength waste relative to average wastewater characteristics. This additional assessment shall be based upon standard User Charge System complying with EPA standards.
- F. Signature for Reports - the reports required by Article 6 #2-B and signed as follows:
 - 1. By a responsible corporate officer, if the Industrial user submitting the reports required by this Ordinance is a corporation. For the purpose of this paragraph, a responsible corporate officer means:
 - a) a president, manager, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation or
 - b) the manager of one or more manufacturing, production, or operations facilities.
 - 2. By a general partner or proprietor if the Industrial User submitting the reports required by this Ordinance is a partnership or sole proprietorship respectively.
 - 3. By a duly authorized representative of the individual designated in paragraph 1 or 2 of this subsection if:
 - a. the authorization is made in writing by the individual described in paragraph 1 or 2.
 - b. the authorization specified either an individual or a position having responsibility for the overall operation of the facility from which the industrial discharge originates, such as the position of plant manager, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company; and
 - c. the written authorization is submitted to the PWD.

4. If an authorization under paragraph 3 of this subsection is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for environmental matters for the company, a new authorization satisfying the requirements of paragraph 3 of this subsection must be submitted to the PWD prior to or together with any reports to be signed by an authorized representative.
- G. Certification- All reports required to be signed as specified in 2-F Signature for Reports shall include the following certification: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

3 National Categorical Pretreatment Standards:

- A. Notification-The PWD shall provide timely notification to appropriate industries of applicable categorical pretreatment standards.
- B. Compliance Date for Categorical Standards-Compliance with categorical pretreatment standards shall be achieved within three (3) years of the date such standards are effective, unless a shorter compliance time is specified in the standards.
- C. Amendment to IDP Required-An industrial user subject to categorical pretreatment standards shall not discharge wastewater directly or indirectly to Town of Bristol Wastewater Facilities after the compliance date of such standards unless an Amendment to its IDP has been issued by the PWD.
- D. Application for IDP Amendment-Within 120 days after the effective date of a categorical pretreatment standard, an industry subject to such standards shall submit an application for an IDP Amendment. The application shall contain the information noted under #2B of this Article.
- E. Categorical Compliance Schedule Reports-Each user subject to a compliance schedule as required under Article VI, #2, B& 7 or federal regulation 40 CFR 403.12 b, 7 shall report on progress toward meeting compliance with these regulations as follows:
 1. Not later than 14 days following each date in the schedule, and the final date for compliance, the industrial user shall submit a progress report to the BOS indicating whether or not it completed with the increment of progress to be met on such date and, if not, the date on which it expects to comply, the reason for the delay, and the steps being taken by the industrial user to return the progress to the schedule established.
 2. The time for any increment in the schedule, or the interval between reports required in paragraph 1, shall not exceed 9 months. An increment is the time between the dates for commencement and completion of major events leading to the construction and operation of pretreatment facilities necessary to achieve compliance with this ordinance and national categorical pretreatment standards.
- F. Report on Compliance with Categorical Standard Deadline-Within 90 days following the date for final compliance with the applicable categorical pretreatment standards, or in the

case of a new industrial user following introduction of wastewater into town sewer, any industrial user subject to pretreatment standards and requirements shall submit to the PWD a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by pretreatment standards and the average and maximum daily flow for these process lines. The report shall state whether the applicable pretreatment standards are being met on a consistent basis, and if, not, what additional operation and maintenance and/or pretreatment is necessary to bring the industrial user into compliance with the applicable pretreatment standards. This statement shall be signed by an authorized representative (see #2, F) and certified by a qualified professional engineer.

4 Slug Discharge Notification-All industrial users shall notify the superintendent immediately of all discharges which could cause problems to the wastewater treatment facilities, including any slug loadings as defined in #31, Article I. Within five days of the un-allowed discharge, the industrial user shall provide the superintendent with a written report fully describing the un-allowed discharge, the pollutants involved, the cause of the unusual discharge and the measures taken and to be taken to avoid recurrence of the un-allowed discharge.

5 Imminent Endangerment-The PWD may, after informal notice to the industrial user discharging wastewater to the public sewer, immediately halt or prevent any such discharge reasonably appearing to present an imminent endangerment to the health and welfare of person, or any discharge presenting, or which may present an endangerment to the environment, or which threatens to interfere with operation of the public sewer or wastewater treatment facilities. Actions which may be taken by the PWD in response to violations of this ordinance include ex parte judicial injunctive relief, entry on private property to halt such discharge, blockage of a public sewer to halt such discharge, or demand of specific action by the industry.

6 Monitoring and Surveillance-The PWD shall as necessary sample and analyze the wastewater discharges of contributing industrial users and conduct surveillance and inspection activities to identify, independently of information supplied by such industrial users, occasional and continuing non-compliance with industrial pretreatment standards. Each industrial user will be billed directly for costs incurred for analysis of its wastewater. All industrial users shall allow unrestricted access by the PWD, WSPCD and EPA personnel for the purposes of investigating and sampling discharges from the industries.

7 Investigations-The PWD shall investigate instances of non-compliance with industrial pretreatment standards and requirements.

8 Public Information-Information and data submitted to the PWD under this part relating to wastewater discharge characteristics shall be available to the public without restriction. Other such information shall be available to the public at least to the extent provided by 40 CFR Section 2.302.

9 Public Participation-The PWD shall comply with the public participation requirements of 40 CFR Part 25 in the enforcement of industrial pretreatment standards and requirements. A list of significant violators shall be published in the local paper at least annually.

**ARTICLE VII
POWERS AND AUTHORITY OF INSPECTORS**

1 The superintendent and other duly authorized employees of the PWD, bearing proper credential and identification, shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, inspection and copying of records, and testing pertinent to discharge to the wastewater facilities, in accordance with the provisions of this ordinance.

2 The superintendent or other duly authorized employees are authorized to obtain information concerning industrial processes which have a bearing on the kind and source of discharge to the public sewer. The Industrial User may request that the information in question not be made available to the public if it can establish that revelation to the public might result in an advantage to competitors. The information in question shall be made available upon written request to governmental agencies. The burden of proof that information should be held confidential rests with the Industrial User. However, information about wastewater discharged by the Industrial User (flow, constituents, concentration, characteristics and similar information) shall be available to the public without restriction.

3 While performing the necessary work on private properties referred to in Article VII, # 1 above, the superintendent or duly authorized employees of the PWD shall observe all safety rules applicable to the premises, established by the company. The company shall be held harmless for injury or death to the PWD employees, and the PWD shall indemnify the company against loss or damage to its property by PWD employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article V, #7.

**ARTICLE VIII
PENALTIES**

1 No person(s) shall break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is part of the wastewater facilities. Any person(s) violating this provision shall be guilty of a misdemeanor.

2 Any person found to be violating any provision of this ordinance, except # 1 of this Article, shall be served by the PWD with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correcting thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. The PWD may, after informal notice to the person discharging wastewater to the wastewater facilities, immediately halt or prevent any such discharge reasonably appearing to present an imminent endangerment to the health and welfare of the public, or any discharge presenting, or which may present, an endangerment to the environment, or which threatens to interfere with the operation of the public sewer or wastewater treatment facilities. Actions which may be taken by the PWD in response to violations of this Ordinance include ex parte judicial injunctive relief, entry on private property to halt such discharge, blockage of a public sewer to halt such discharge, or demand of specific action by the person.

3 Any person found to be violating any provisions of this ordinance, except # 1 of this Article, shall be fined in the amount not to exceed \$10,000 per day of such violation. Each day in which any such violation shall continue shall be deemed a separate offense.

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

5 All charges for service to users shall create a lien upon the real estate where such services are furnished. Payment of bill shall be due within 30 days of assessment. All charges which are delinquent may be committed to the collector of taxes with a warrant signed by the Selectmen, requiring the collector to collect them. The Collector shall have the same rights and remedies, including a lien on the real estate, as in the collection of taxes as provided in RSA Chapter 80.

6 The Selectmen may terminate sewer services for non-payment of bills due or any violation of these rules and regulations by (a) physically disconnecting the sewer discharge pipe at the lateral, or (b) initiating the process for termination of town water services. In either case, the Selectmen shall provide notice to the user, advising of the intention to terminate service and requesting payment of outstanding bills or compliance with these rules and regulations. A second notice shall be mailed at least 14 days prior to the termination of service. If all delinquent payments have not been satisfied or compliance with these rules and regulations is not achieved, then the Selectmen shall terminate service by either physically disconnecting the sewer discharge pipe at the lateral or cease water service and leave a notice of said termination at the building of the user. In the case of a property which is leased or rented, notice shall be provided to both the owner and all tenants.

In the case where the discharge pipe is disconnected, a reconnection fee to recover costs of excavation must be paid prior to reconnection. See fee schedule

**ARTICLE IX
SEWER USE RATES**

1 Rates for sewer services are as follows:

- i. For the first 500 cubic feet: Base rate: Residential (see addendum L)
- ii. Residential unit (including holding tank waste on Town meter)* (see addendum L)
- iii. Commercial/Industrial Unit (see addendum L)
- iv. Residential Unit holding tank waste not on Town meter \$20.00 per 1000 gallons
(Effective 9/15/94 see Bristol Sewer Commission minutes)

2 Sewer billings will be mailed quarterly and will be payable at the office of Bristol Public Works Department, 230 Lake St.

3 Non-payment of the sewer bill will be grounds for the PWD to assess a tax lien on the property. In addition, the Selectmen may terminate sewer services for non-payment of bills due or any violations of these rules and regulations by (a) physically disconnecting the sewer discharge pipe at the lateral, or (b) initiating the process for termination of town water services

4 Initial Service:

There is a \$30.00 application fee for sewer service, upon approval by the Selectmen/Superintendent there will be a \$600.00 per unit charge for sewer service.

- *Discharge volume based upon 90% of the water use.

**ARTICLE X
COMBINING DEPARTMENTS**

The following regulation is to be incorporated into The Rules and Regulations of the Bristol Board of Selectmen after having been duly read and public comment heard at a Public Hearing of the Bristol Sewer Commission on Thursday, May 31, 1990 at 7:30 PM in The Bristol Town Office Building. Formal adoption of this regulation shall take place at the next regularly scheduled meeting of the Bristol Sewer Commission by voice vote at 7:00 PM on June 14, 1990.

To Wit:

It shall be a regulation of the Bristol Sewer Commission that, effective the second fiscal quarter 1990 of the Bristol Sewer Department, and pursuant to RSA 149-I: 8, charges for sewer service shall be combined with charges for water service to form one joint billing issued by both the Bristol Water Works and the Bristol Sewer Department (Public Works Department). The combined total of charges for water and sewer services must be paid in its entirety within thirty (30) days of issuance or the entire bill will be considered delinquent.

In the event that a combined bill for water and sewer services shall become delinquent, the following procedures shall apply:

- A.** On the thirty-first (31st) day after mailing of quarterly bills, if payment has not been received, a "Late Notice" shall be sent to the customer, addressed to them at the address on file at the offices of the Bristol Public Works Department, advising of delinquency and impending shut-off of water service if unpaid after ten (10) days.
- B.** If, ten (10) days after mailing of said "Late Notice", the bill remains unpaid; a door knocker will be placed on a door of the residence giving them one (1) more day in which to pay their bill. If it is not paid at that time, water service may be terminated without further notice.
- C.** Water service terminated due to non-payment of user charges shall not be re-established until all charges, including late fees and reconnection fees, have been paid at the office of Public Works.
- D.** Charges for re-establishment of water service due to non-payment shall be \$45.00.
- E.** The Public Works Department shall bear no responsibility for damages caused to household plumbing, heat plant or fixtures when water service has been terminated due to non-payment of user fees.
- F.** As charges for water and sewer usage are a regular and quarterly issued bill for services, non-receipt of said bills for services does not constitute a legitimate reason for non-payment of those charges.

**ARTICLE XI
VALIDITY**

1 All ordinances or parts of ordinances in conflicts herewith are hereby repealed.

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

**ARTICLE XII
ORDINANCE IN FORCE**

1 This ordinance shall be in full force and effect from and after its passage, approval, recording and publication as provided by law.

Duly Enacted and Ordained this 26th day of April, 2007 by the Board of Selectmen of the Town of Bristol, in GRAFTON County, State of New Hampshire, at a duly noticed and duly held session of the said Selectmen.

Bristol, New Hampshire
By: Board of Selectmen

Richard Alpers, Jr, Chairman

Paul Fraser, Vice Chair

Joe Denning

Bruce Van Derven

Steve Favorite

