

KILCINGTOWN  
ROAD / ROUTE 4  
SEWER  
LINE

&

ALPINE  
DRIVE  
SEWER  
LINE

RULES AND REGULATIONS  
COVERING DISCHARGE OF  
WASTEWATER TO THE  
TOWN OF SHERBURNE  
WASTEWATER COLLECTION SYSTEM.

Adopted By:

BOARD OF SELECTMEN  
TOWN OF SHERBURNE  
MAY 20, 1985

PREFACE

The Selectmen of the Town of Sherburne, acting as such and as a board of sewage disposal commissioners, as applicable, hereby enact the following ordinance pursuant to 24 V.S.A. Chapters 97, 101, and such other statutes as may empower them to do so.

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ARTICLE 1

DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

Sec. 1. "Biochemical oxygen demand" (BOD) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure as defined in the latest edition of "STANDARD METHODS FOR THE EXAMINATION OF WATER AND WASTEWATER" in five (5) days at 20°C, expressed in milligrams per liter.

Sec. 2. "Building connection" shall mean the wastewater connection from the building drain to the Town wastewater collection system.

Sec. 3. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from waste fixtures inside the walls of the building and conveys it to the building connection which begins at least four (4) feet beyond the outer face of the foundation building wall. This segment shall be either ductile iron or cast iron pipe.

Sec. 4. "COD" or "chemical oxygen demand" shall mean the quantity of oxygen utilized in the chemical oxidation of organic matter with a strong chemical oxidant, expressed in milligrams per liter as determined by the procedure described in the latest edition of "STANDARD METHODS FOR THE EXAMINATION OF WATER AND WASTEWATER".

Sec. 5. "Selectmen" shall mean the Town Selectmen for Sherburne, acting as a board of sewage disposal commissioners under 24 V.S.A. §3506 and §3614.

Sec. 6. "Compatible pollutant" shall mean a substance that is amenable to removal in substantial amounts by the wastewater treatment plant. Compatible pollutants include, but are not limited to, coliform bacteria, suspended solids, and those that exert BOD.

Sec. 7. "Town" shall mean the Town of Sherburne.

Sec. 8. "Town Engineer" shall mean the Consulting Engineer for the Town of Sherburne.

Sec. 9. "Domestic Waste" shall mean the wastes from conventional residential or commercial wastewater fixtures as distinct from industrial wastes.

Sec. 10. "Easement" shall mean an acquired legal right for the specific use of land owned by others.

Sec. 11. "Excessive" shall mean more than the limits established in these regulations or of such magnitude that may, in the judgement of the Selectmen, cause damage to any facility, be harmful to the wastewater treatment process or reduce its efficiency, not be removed in the wastewater treatment plant to the degree required to meet the permit issued to the Town, create any hazard in the receiving waters, exceed the capacity of the Treatment System, otherwise endanger life, limb, or public property, or constitute a public nuisance.

Sec. 12. "Floatable oil" shall mean 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 fat if it is properly pretreated and the wastewater does not interfere with the collection system.

Sec. 13. "Garage" shall mean any building wherein is kept or stored one or more motor vehicles, including among others, a public or private garage, carport, motor vehicle repair shop or paint shop, service station, lubritorium, car wash, or any building used for similar purposes.

Sec. 14. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of meats, produce and other organic and inorganic non-liquid, non-gaseous substances.

Sec. 15. "Incompatible Pollutant" shall mean a substance that is not amenable to removal in substantial amounts by the wastewater treatment plant or a substance in excess of that allowed under standards or guidelines issued from time to time pursuant to Section 304, 306 and/or 307 of the Federal Clean Water Act. Incompatible pollutants include, but are not limited to, toxic materials, heavy metals and persistent organics.

Sec. 16. "Industrial wastes" shall mean the wastewater from industrial processes, trade or business as distinct from domestic wastes.

Sec. 17. "Infiltration" shall mean the water unintentionally entering a wastewater collection system, including house connections, from the ground or water body, through such means as, but not limited to, defective pipes, pipe joints, connections or manhole walls and covers.

Sec. 18. "May" is permissive (see "shall", Sec. 24).

Sec. 19. "Person" shall mean any individual, firm, company, association, society, corporation, group or political subdivision.

Sec. 20. "pH" shall mean the negative 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 value of 7 and a hydrogen-ion concentration of  $10^{-7}$  moles/liter.

Sec. 21. "Properly shredded garbage" shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in wastewater collection systems, with no particle greater than 1/2 inch (1.27 centimeters) in any dimension.

Sec. 22. "Receiving waters" shall mean any watercourse, river, pond, ditch, lake, aquifer, ocean or other body of surface or groundwater receiving discharge of wastewater or effluent.

Sec. 23. "Septage" shall mean the liquid and solid wastes of domestic wastewater origin that are removed from a cesspool, septic tank or similar receptacle.

Sec. 24. "Shall" is mandatory (see "may", Sec. 18).

Sec. 25. "Sludge" shall mean waste containing varying amounts of

solid contaminants removed from water, wastewater or industrial wastes by physical, chemical and biological treatment.

Sec. 26. "Slug" shall mean any discharge of water or wastewater 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 flows during normal operation and therefore is likely to adversely affect the collection system and/or performance of the wastewater treatment works.

Sec. 27. "Standard methods" shall mean the current edition of "STANDARD METHODS FOR THE EXAMINATION OF WATER AND WASTEWATER" as published by the American Public Health Association, American Water Works Association and Water Pollution Control Federation as Amended from time to time.

Sec. 28. "Suspended solids" 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".

Sec. 29. "Toxic wastes" shall mean wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of

the wastewater treatment plants, and those wastes so specified in these regulations or in any regulation of the Vermont Water Resources Board or Agency of Environmental Conservation, and any waste which is a toxic pollutant in toxic amounts as defined in standards issued from time to time under Section 307(a) of the Federal Clean Water Act.

Sec. 30. "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.

Sec. 31. "User" shall mean any person discharging wastewater or industrial wastes directly or indirectly into the Town Wastewater Collection System and is responsible for all fees and charges associated with that connection.

Sec. 32. "Wastes" shall mean substances in liquid, solid or gaseous form that can be carried in water.

Sec. 33. "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, surface water and storm-water that may be present but not intentionally admitted.

Sec. 34. "Wastewater collection system" shall mean the structures, equipment and processes required to collect transport or conduct wastewater.

Sec. 35. "Wastewater treatment facility" 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 plant" or "water pollution control plant."

Sec. 36. "Wastewater treatment system" shall mean the structures, equipment and processes required to collect, carry away, treat and dispose of the effluent of domestic and industrial wastewater.

Sec. 37. "Watercourse" shall mean a natural or artificial channel for the passage of water either continuously or intermittently.

Sec. 38. "Secretary" shall mean the Secretary of the Agency of Environmental Conservation, State of Vermont, or his or her representatives.

ARTICLE II

PERMIT FOR DISCHARGE

Sec. 1. No unauthorized person(s) shall uncover, make any connections with or opening into, use, alter, or disturb any Town wastewater collection pipe or appurtenance thereof without first obtaining a written permit from the Selectmen.

Sec.2. There shall be two (2) classes of building connection permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the user shall make application on a special form furnished by the Town. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgement of the Selectmen. A fee of \$50.00 for each Residential Unit, \$100,00 for each commercial building connection, and \$200.00 for each industrial building connection permit shall be paid to the Town at the time the application is filed.

A. Residential or Commercial Service

Every person seeking to connect to the Town Wastewater Collection System for the purpose of discharging domestic waste from said person's premises shall obtain a Permit from the Selectmen. Residential or Commercial Permit applicants shall adhere to the following conditions:

- a. Every person shall complete and file at its expense a Permit application form with the Selectmen at least 45 days prior to the proposed construction of connection. Permit application forms may be obtained from the Selectmen.
- b. The Selectmen shall evaluate the adequacy of data furnished in the application form. If insufficient data has been furnished, the Selectmen will notify the person to provide additional data within a specified time. After acceptance of data and if the application complies with this ordinance and the applicant is in compliance with all other Town Ordinances, the Selectmen will issue the Permit. The Committee may stipulate special conditions and terms upon which the Permit will be issued.
- c. Permits may contain the following conditions:
  1. Limits on the constituents and volumes of discharges into the system.
  2. Installation of inspection, flow measurement and sampling facilities, including access to such facilities by the Town.

3. Specifications for monitoring programs which may include flow measurement, sampling, chemical and biological tests and reporting schedule.
4. Pretreatment requirements and schedules for implementation, including schedules for reporting progress towards meeting these requirements.
5. Submission of periodic discharge reports.
6. Special service charges or fees.
7. Regulation of septage disposal in accordance with Article V.
8. Other conditions as deemed appropriate by the Selectmen to ensure compliance with these regulations and with applicable requirements of Federal or state law or permits issued to the Town.

B. Industrial Service

Every industry seeking to connect to the Town Wastewater Collection System for the purpose of discharging industrial wastewater from said industry's premises shall obtain a permit from the Selectmen. Industrial Service Applicants shall adhere to the following provisions:

- a. Every industry shall complete and file at its expense a Permit application form with the Selectmen at least 45 days prior to proposed construction. Permit application forms may be obtained from the Selectmen. There shall be no connection to the system until the permit application is approved by the Selectmen.
- b. The Selectmen shall evaluate the adequacy of data furnished in an application form. If insufficient data has been furnished, the Selectmen will notify the industrial user to provide additional data within a specified time. After acceptance of data, and if the application complies with this ordinance and the applicant is in compliance with other Town Ordinances, the Selectmen may stipulate special conditions and terms upon which the Permit may be issued.
- c. Permits may contain the following conditions:
  1. Limits on rate, time and characteristics of discharge or requirements for flow regulation and equalization.
  2. Installation of inspection, flow measurement and sampling facilities, including access to such facilities.

3. Specifications for monitoring programs which may include flow measurement, sampling, chemical and biological tests, recording of data and reporting schedule.
  4. Pretreatment requirements and schedules for implementation, including schedules for reporting progress towards meeting these requirements.
  5. Submission of periodic discharge reports.
  6. Special service charges or fees.
  7. Other conditions as deemed appropriate by the Selectmen to ensure compliance with these regulations and with applicable requirements of Federal or State law or permits issued to the Town.
- d. An Industrial Permit shall not be reassigned or transferred. It shall stay with that industry at that location.
  - e. If an industrial user discharges amounts or rates of pollutants in violation of these regulations, the Selectmen may revoke the existing Permit in accordance with Article VIII.

- f. If an industrial user shows that changes in the industrial process have improved the characteristics and/or volume of its discharge, the Permit may be modified upon application by the industrial user to the Selectmen.
- g. When required by the Permit, each industrial permittee shall submit a discharge Report signed by an officer or partner of the company to the Selectmen containing all information requested by the Selectmen and in a form acceptable to the Selectmen. The Selectmen will evaluate the data furnished. If insufficient data has been furnished, additional information may be required.
- h. Any records of monitoring required to be kept by an industrial user shall be made available, upon request, by the Selectmen, to other agencies having jurisdiction over discharging to the receiving waters. Where industrial pretreatment permits are issued by the State of Vermont, monitoring records shall also be submitted to the Secretary in accord with such permit. Records of any monitoring will be supplied by the Selectmen to the Secretary on request.
- i. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accord with standard methods, as defined in Article I of this

ordinance. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the wastewater treatment system and to determine the existence of hazards to life, limb, and property.

- j. The issuance of a permit by the Selectmen under this article shall not relieve the industrial user of its responsibility for obtaining and complying with, any pretreatment permit to be issued to the industry by the State of Vermont. Similarly, the issuance of a state pretreatment permit to an industry does not relieve the industrial user from complying with all requirements of this ordinance.

Sec. 3 The Selectmen may change the conditions of any Permit from time to time as circumstances, including law or regulations enacted or promulgated by the Federal or State Government or its agencies, may require.

Sec. 4 a. No user may increase the daily volume, strength or rate of its Permitted Discharge beyond 15% or change the character of pollutants without first securing an amendment to its permit by application on a form to be furnished by the Selectmen, and following the procedures with respect to Section 2(a) or (b), whichever is applicable. The 45-day advance notification shall apply to these changes. The Selectmen shall have the same powers with respect to such application for an increase or change as it has in the case of an original application.

- b. A User's plans to connect to the Town's wastewater collection system may require local, state or federal reviews and/or permits other than those described herein. It is the User's responsibility to identify and obtain all permits required for any proposed project.
- c. Applicable permits between the Town and other authorities which may affect construction of a connection to the Town's wastewater collection system shall be in force as if attached as appendices to this ordinance.

ARTICLE III  
PROHIBITED WASTES

Sec. 1. No user shall discharge or shall cause or allow to be discharged any substances, water or wastes, likely, either singly or by interaction with other substances, to be excessive, or to be a toxic waste.

Sec 2. Without limiting Section 1, specifically prohibited are:

- A. Ground, storm and surface waters, roof runoff, cellar drains, subsurface drainage, uncontaminated cooling water, and uncontaminated industrial process waters.
- B. Gasoline, benzene, naptha, fuel oil, crude oil, lubricating oils, and flammable or explosive liquids, solids or gases, or any other oils, or greases of hydrocarbon or petroleum origin.
- C. Water or wastes having a pH lower than 6.0 or higher than 8.0 or having any other corrosive or injurious properties capable of causing damage or hazard to structures, equipment, wastewater collection systems or personnel and wastes which would create a fire or explosive hazard in the Town's collection system.
- D. Solids or viscous substances in quantities or of such size as to be capable of causing obstruction to the flow in wastewater collection pipes, or other interference with the proper operation of the wastewater treatment systems, such as, but not limited

to, sand, mud, metal, glass, wood, plastics, rubber, grease, bulky organic matter, natural and artificial fibers, latex and lime slurries.

- E. Liquids or vapors having a temperature higher than one-hundred twenty (120) degrees F or forty-nine (49) degrees C.
- F. Waters or wastes containing fats, wax, grease or oils of vegetable or animal origin in excess of one-hundred (100) mg/l or containing other substances (not specifically prohibited in Article III, Section 2(b)) which may solidify or become viscous at temperatures between thirty-two (32) degrees F or zero (0) degrees C, and one-hundred ten (110) degrees F or forty-three (43) degrees C. Waters or wastes containing such substances, excluding normal household waste, shall exclude all visible floating oils, fats and greases. The use of chemical or physical means (such as temperature variation, emulsifying agents, mechanical mixers) to bypass or release fats, oils and greases into the Town wastewater collection system is prohibited.
- G. Garbage that has not been properly shredded.
- H. Waters or wastes containing amounts of toxic or objectionable metals in excess of the concentrations attainable by acceptable control technology. In general, wastes containing metals shall be treated to reduce their concentrations to the minimum levels attainable by chemical precipitation processes or

other equally effective methods. In no case, however, shall allowable metal concentrations be higher than those concentrations allowed by applicable Federal or State law.

I. Waters or wastes containing amounts of toxic or objectionable nonmetals in excess of concentrations attainable by acceptable control technology.

J. Radioactive wastes or isotopes of such half-life or concentrations as may exceed limits established by the Selectmen in compliance with Federal or State regulations.

K. Sludges or deposited solids resulting from an industrial or pretreatment process.

L. Substances causing excessive discoloration or turbidity

M. Slugs as defined herein.

N. Water or wastes containing incompatible pollutants

Sec. 3. The attainment of specific levels for discharge to municipal wastewater collection systems by dilution in the absence of treatment shall be prohibited.

Sec. 4. Notwithstanding the limitations set forth in Article III, Section 2 above, a special Temporary Permit or amendment to an existing Permit may be issued whereby a waste of unusual character or strength may be accepted on an interim basis when, in the opinion of the Selectmen, unusual or extraordinary circumstances compel special terms and/or conditions of temporary durations. Such

Permit or amendment will be issued only when, in the opinion of the Selectmen, it would not cause any interference with or disruption in the treatment works, would not violate the NPDES permit or State water quality standards, and would not force additional controls on other dischargers to achieve compliance with effluent limitations. Further, no permit or amendment will be issued which would contravene any provisions of the user charge system for allocation of costs of treatment.

ARTICLE IV  
BUILDING CONNECTIONS

Sec. 1. All costs and expenses incidental to the installation of the building connection shall be borne by the user. The user shall indemnify the Town from any loss or damage that may directly and/or indirectly be occasioned by the installation of the building connection.

Sec. 2. A separate and independent building connection shall be provided for every building except where one building stands at the rear of another on an interior part of a lot and no private connection is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway. In this case, the front building connection may be extended to the rear building and the whole considered as one building connection, but the Town does not and will not assume any obligation or responsibility for damage caused by or resulted from any such single connection aforementioned. Such connections are subject to such reasonable terms and conditions as the Selectmen upon application and after notice and hearing may impose. No sewer connection shall pass through the foundation of the front building, into its basement, out the rear foundation and into another building to the rear.

Sec. 3. Design: All residential single or two-family building connections which are a straight run from the building sewer to the house connection at the property line shall be constructed following the Town's standard plans and specifications. All other building connections that connect directly to the Town Wastewater Collection System including private multi-dwelling developments with a wastewater collection system that connects to the Town Wastewater Collection System by a single hook-up shall be designed by a Professional Engineer. This shall be the Town Engineer or another Registered Professional Engineer. In the latter case, the design shall be reviewed and approved by the Town Engineer before construction of the building connections and/or private collection systems may commence. The connection shall be inspected by the Town Engineer.

Sec. 4. Existing Structures to be Serviced: No part of any existing wastewater disposal system beyond one (1) foot from the interior foundation wall towards the wastewater plumbing fixtures shall be utilized unless the existing building drain section through the foundation is cast iron or ductile iron pipe and is approved for continued use by the Town Engineer. In the latter case, the discontinuity point shall be the first pipe connection beyond the foundation wall. In either case all material beyond the point of discontinuity shall be new material and conform to the criteria stated herein and Figures 1 and 2

Sec. 5. New Construction of Structures to be Serviced. All materials shall be new and conform to the criteria stated herein and Figures 1 and 2. The building drain shall contain a continuous one-piece segment of Class 50 ductile iron or cast iron pipe sized accordingly that it will pass through the foundation wall or floor. In either case, the horizontal segment shall extend at least one (1) foot from the interior side towards the wastewater fixtures and at least four (4) feet beyond the exterior foundation wall towards the wastewater collection system.

Sec. 6. Whenever possible, the building connection 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 Town Wastewater Collection System, wastewater carried by such building drain shall be lifted by a means designed or approved by the Town Engineer and discharged to the building connection. All such lifting mechanisms shall be installed and maintained at the user's expense.

Sec. 7. No person(s) shall make connections of roof downspouts, foundation drains, driveway drains, or other sources of surface runoff or groundwater to a building connection or building drain which in turn is connected directly or indirectly to the Town Wastewater Collection System. In a very unusual case, such connection may be approved in writing by the Selectmen for purposes of disposal of polluted surface drainage.

Sec. 8. Size: For 1 - 2 family dwellings, the building connection and building drain shall be 6-inch diameter, unless an existing 4-inch building drain is accepted for continued use by the Town Engineer. In either case, the building connection shall be 6-inches to the service boundary. For commercial, industrial and dwellings larger than 2-family the minimum building drain and building connection shall be 6-inch diameter.

Sec. 9. Material: The building connection shall be constructed of ABS solid wall pipe SDR 35.0 (ASTM D2751), Polyvinyl Chloride (SDR 35), cast iron/ductile iron pipe (ANSI A21.5) or as approved in writing by the Selectmen. The building drain shall be ductile iron or cast iron pipe (ANSI A21.5)

Sec. 10. Joints and Connections: All pipe joints and connections of the building connection shall be made gastight and watertight, protected against damage by roots and constructed with materials and methods as shown in Figures 1 and 2.

Sec. 11. Foundation: The building connection shall be laid on a 6-inch layer of 3/8" - 3/4" well-graded crushed stone or crushed gravel such that the aforementioned foundation provides a stable bedding as determined by the Town Engineer. Said stone or gravel shall be placed around the pipe and shall be compacted to 95% of Standard Proctor Density. Excavated material may be allowed in the aforementioned bedding zone if upon inspection at the time of installation the Town Engineer determines said excavated

material is acceptable. Fill or excavated material which contains stones, no larger than 3-inches in any dimension, shall be used from the crown of the pipe to 12-inches above said crown. The remainder of the trench shall be backfilled with fill or excavated material with rocks no larger than 12-inches in any dimension allowed in the trench.

Sec. 12. Grade: The building connection shall be designed to provide a minimum velocity of wastewater flow of 2 feet per second during daily peak flows. As such, a minimum grade of 1/4 inch per foot shall be required for all building connections, unless otherwise approved in writing by the Town Engineer.

Sec. 13. Alignment: The building connection shall be laid on a continuous grade and nearly as possible in a straight line to the hook-up provided at the service boundary. No bends equal to or greater than 45° shall be installed without cleanout as described herein and shown in Figure 4.

Sec. 14. Backfill: There shall be a minimum ground cover of three feet over the building drain and connection pipes. A 12-inch layer of fill or excavated material which contains stones no larger than 3-inches in any dimension shall be laid over the pipe and shall be compacted to 95% Standard Proctor Density. The remaining backfill material shall be applied so as not to cause any undue stresses or damage to the building drain or connection.

Sec. 15. Ventilation: The building connection shall be vented through the vent stack or main vent of the building served by it, and no trap shall be installed in the building connection.

Sec. 16. Cleanout: A cleanout appurtenance shall be provided whereby permanent access may be gained to all segments of the building drain and connection. Where the flow direction is altered by 45 or 90 degrees a cleanout appurtenance shall be installed for each straight line segment. The cleanout appurtenance shall contain a removable, water-tight cap that is accessible without removing a permanent encasement of concrete or earth. During the winter season for those cases where the cap may be buried by snow, adequate locating markings shall be provided by the user during such periods of snow cover.

Sec. 17. Service Boundary: The service boundary shall be the user property line. The building drain and connection shall be the responsibility of the user, with regard to construction and maintenance, from the wastewater fixtures to the property line and of the Town from that point to ultimate disposal. Any wastewater collection system appurtenances in a public right-of-way shall be deeded to the Town.

Sec. 18. Inspection: Just prior to backfilling, the entire building connection system shall be inspected and approved by the Town Engineer, or a Representative thereof, to ensure that all provisions stated herein have been followed and are in compliance.

Sec. 19. In the absence of Town code provisions, or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society for Testing and Materials and the Water Pollution Control Federation's Manual of Practice No. 9 shall apply.

ARTICLE V

SEPTAGE

Sec. 1. Septage shall be disposed of in accordance with the following provisions:

A. No user shall discharge or cause to be discharged or allow to be discharged into the Town wastewater collection system any septage which originates within the limits of the Town unless such discharges are in conformance with a permit issued by the Selectmen; application therefor shall be made in accordance with Article II, Section 2(a) and the Selectmen may impose conditions as provided in Section 2(A)(c).

B. No person shall connect any property in any territory outside the limits of the Town to the Town Wastewater Collection System, or any collection system tributary thereto, nor shall any person discharge or cause to be discharged or allow to be discharged into the Town Wastewater Collection System or any collection system tributary thereto any septage which originates in any territory outside the limits of the Town unless the Selectmen in its sole discretion, enters into a contract for such connection and the discharge of such septage contingent upon any terms and conditions that the Selectmen may require.

ARTICLE VI

GREASE, OIL AND SAND INTERCEPTORS AND GREASE TRAPS

Sec. 1. Grease, oil and sand interceptors shall be provided when in the opinion of the Town Engineer, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in Section 4(c), or any flammable wastes, sand or other harmful ingredients; except that such interceptors may not be required for dwelling units. All interceptors shall be of a type and capacity approved by the Town engineer, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors the user(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 Selectmen. Any removal and hauling of the collected materials not performed by user(s)' personnel must be performed by Town approved waste disposal firms.

Sec. 2. Grease Traps: Grease traps shall be installed as a part of the building connection system for all motels, cafeterias, restaurants, hospitals, schools, lodges and other institutions at the Selectmen's discretion, which regularly serve meals to the public. Grease traps are also required for any kitchen facility which has a meal seating capacity of 25 or more persons.

A separate plumbing system shall be installed where high organic loadings which include but are not limited to fats, wax, grease or oils of vegetable or animal origin and dissolved food particles shall be discharged directly to a grease trap. No sanitary wastewater or wastewater from garbage grinders shall be connected to allow such flow to enter the grease trap. The grease trap effluent pipe shall then be connected to or become the building connection for disposal to the Town wastewater collection system. The grease trap shall be sized to provide a grease-retention capacity in pounds of twice the flow capacity in gallons per minute.

A cleanout schedule and pertinent flow and concentration data shall be submitted to the Selectmen for review to ensure that the efficiency of the grease trap will not fall below 90%. An annual inspection of all grease traps will be conducted by the Town.

ARTICLE VII

POWERS AND AUTHORITY OF INSPECTORS

Sec. 1. The Selectmen and other duly authorized representatives of the Town bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing and items pertinent to discharge to the Town's system and for the purpose of copying any records pertinent to the user's discharge.

Sec. 2. The Selectmen or other duly authorized representative, upon request, shall be furnished by the user with all information concerning industrial processes which have a direct bearing on the kind, volume and source of discharge to the wastewater collection system. The user may withhold information considered confidential, but must establish that the revelation to the public of the information in question might result in an advantage to competitors. In this case, an agreement shall be used whereby the Selectmen will keep all requested industry process information and data confidential in exchange for access to such information and data for the purpose of the analysis of the industrial discharge impact on the wastewater treatment system. Such information shall be furnished upon signing of such agreement by the Selectmen.

Sec. 3. A user shall notify the Selectmen at least forty-five days in advance, in writing of a:

- A. Proposed substantial change in volume or character of pollutants over that being discharged into the Town's treatment works at the time of issuance of a permit, and
- B. Proposed new discharge into the Town's treatment works of pollutants from any source which would be a new source as defined in Section 306 of the Federal Clean Water Act if such source were discharging pollutants, and
- C. Proposed new discharge into the Town's treatment works of pollutants from any source which would be subject to Section 103 of the Federal Clean Water Act if it were discharging such pollutants.

No such substantial change or new discharge shall be made or accomplished without prior application for a permit and approval therefore in compliance with the terms of this ordinance.

ARTICLE VIII

PENALTIES

- Sec. 1. When the Selectmen find that a discharge of wastes has been taking place or threatens to take place in violation of these regulations or the provisions of a Permit, the following actions may be taken.
- A. The Selectmen may issue an order to cease and desist any such discharge or violation to any user not complying with such regulations or permit and direct such user as follows:
1. To comply in accordance with a time schedule set forth by the Selectmen, or
  2. To take appropriate remedial preventative action in the event of a threatened violation.
- B. The Selectmen may require the user to submit a detailed time schedule setting forth specific actions to be taken subject to modifications as the Selectmen deem necessary for the user to follow in order to prevent or correct a violation. The Selectmen may issue an Implementation Schedule to the user containing such specific actions and time schedule.
- C. The Selectmen may revoke the permit to discharge to the Town wastewater collection system.
- D. The Selectmen may, in addition to the above, resort to any other legal remedy.

Sec. 2. A person who violates any provision of these regulations, or the terms or conditions of a permit issued under these Regulations, or who violates an order, directive, requirement or implementation scheduled under Section 1(A) or (B) above, shall be fined not more than \$100.00 for each violation. Each day that a violation continues shall constitute a separate offense.

Sec. 3. Each user shall be responsible for assuring that no discharge from any source originating within its boundary shall be of such a nature as to cause obstruction, damage or any other impairment to the Town's wastewater treatment system and shall be liable for any losses, damages or expenses caused the Town as a result of any violation of these Regulations, or the user's permit, or as a result of the negligent or intentional acts of the user. The Town of Sherburne may recover any such loss, damage, or expense in an action in tort or by such other legal means as may be available.

Sec. 4. Should a user's violation cause the NPDES permit to be violated the user shall be liable for the full penalties assessed to the Town as set forth in State and Federal regulations. Penalties for violations are presently \$10,000 per violation per day, these may be changed from time to time.

Sec. 5. A person shall not knowingly make or file any false statement, representation, record, report, plan or other document with the Town, nor falsify, tamper with or knowingly render inaccurate any monitoring device or method required under these Regulations.

Sec. 6. In the implementation and enforcement of these regulations the following provisions shall be observed:

- A. Whenever the Selectmen issues, denies or modifies a Permit; issues an order; or assesses charges for damage or other violations occasioned by noncompliance with any Permit or other lawful requirement, the Selectmen shall inform the user to whom such action is addressed of his right to submit, within 10 working days, a written request for reconsideration of that action. The request shall set forth in detail the facts supporting it. The Selectmen shall schedule a hearing with the user submitting the request, to be held within 15 working days of receiving it, and shall rule in writing on the request within ten working days after the closing of the hearing.
- B. When the Selectmen proposes to revoke a Permit, the Selectmen shall notify the user in writing of such proposed ruling and of his right to submit, within 10 days, a written request for reconsideration of that ruling. The request shall set forth in detail

the facts supporting it. The Selectmen shall schedule a hearing with the user submitting the request, to be held within 15 days of receiving it, and shall rule in writing on the request within 10 working days of the close of the hearing.

- C. The Selectmen reserve the right to take direct enforcement action through the courts in any case of violation of these regulations.

ARTICLE IX

MISCELLANEOUS

Sec. 1. 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.

Sec. 2. The Selectmen may delegate to an administrative officer any acts required under these Regulations to be taken by the Selectmen, except acts required by law to be taken by the Selectmen. Any interested party aggrieved by any decision or act of the administrative officer may appeal to the Selectmen by filing a notice of appeal with the administrative officer. Such notice of appeal must be filed within fifteen (15) days of the date of such decision or act. The Selectmen shall thereupon after notice and hearing, either affirm, modify or reverse the administrative officer's action.

Sec. 3. All provisions as set forth in the "Alpine Pipeline Company Sewer Use Ordinance" are hereby incorporated in this Ordinance. Any conflict which may arise shall be settled by mutual agreement between officers of said Alpine Pipeline Company and the Selectmen.

Sec. 4 The Selectmen shall establish the user charge and industrial cost recovery system (if required) in accordance with appropriate federal and state rules and regulations.

Sec. 5 The Selectmen shall, in establishing the rates referred to in Article IX, Sec. 4 above, make specific reference to the sewer use rate structure in force at the time of any connection. The sewer use rate structure shall incorporate the requirements of 40 CFR Sec. 35.2140 and 24 USA, Chapter 101.

ARTICLE X

ORDINANCE IN FORCE

Sec. 1 This ordinance shall become effective sixty (60) days after the date of its adoption as provided by law.

  
Enrico Monti

  
Harold Anderson

  
Patricia M. Zack  
BOARD OF SELECTMEN  
TOWN OF SHERBURNE

Adopted May 20, 1985

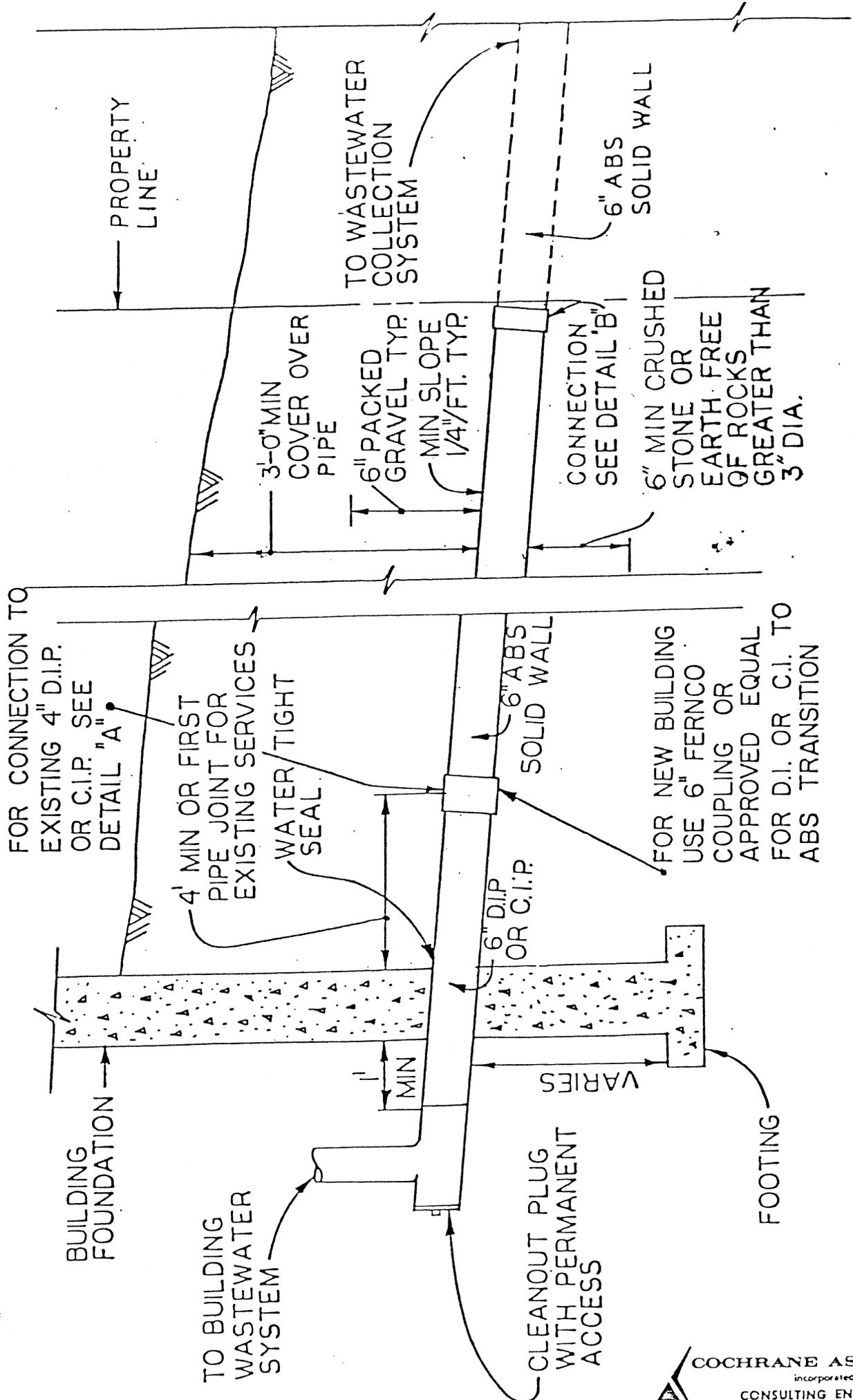


FIG #2

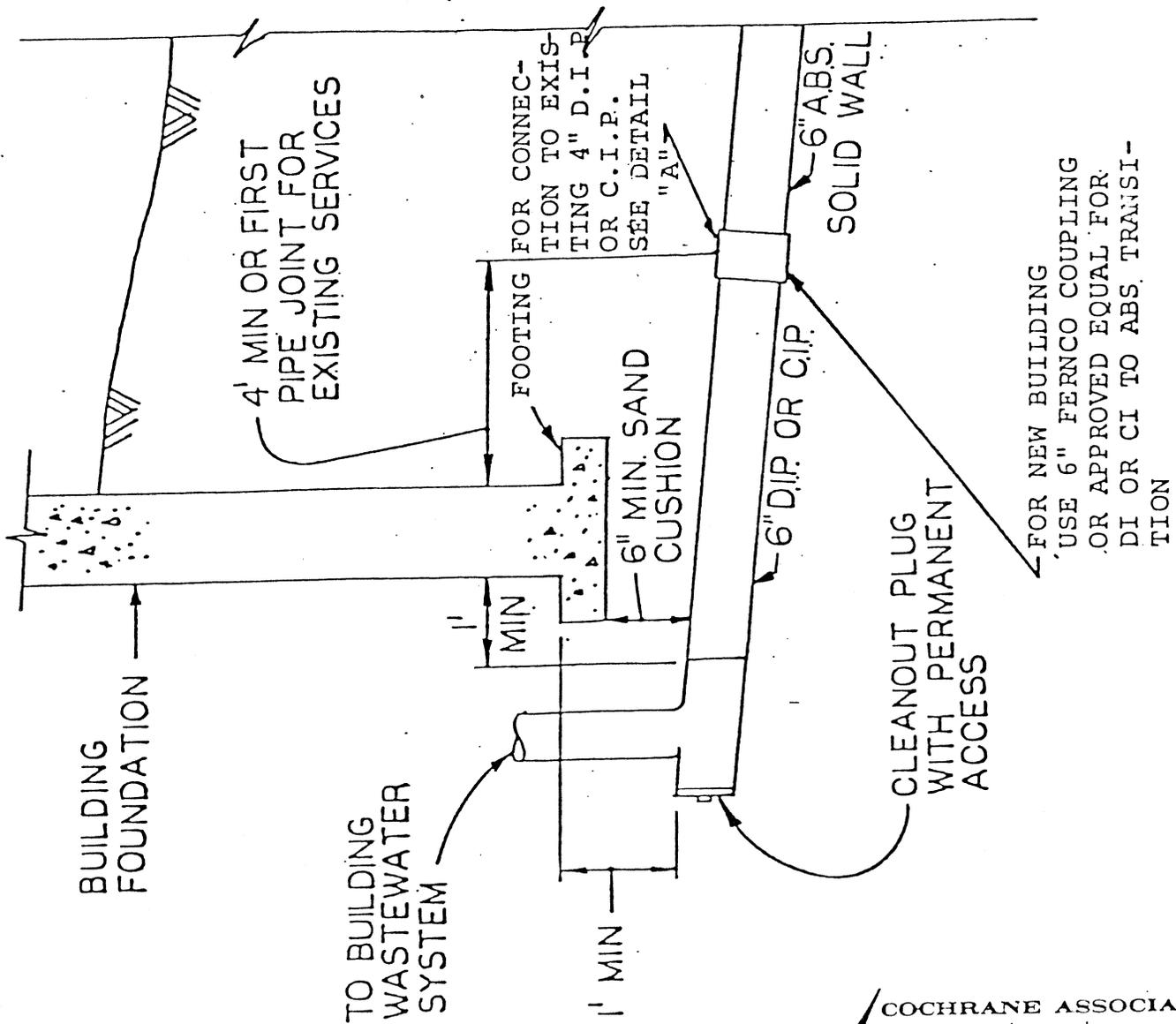


FIGURE #3

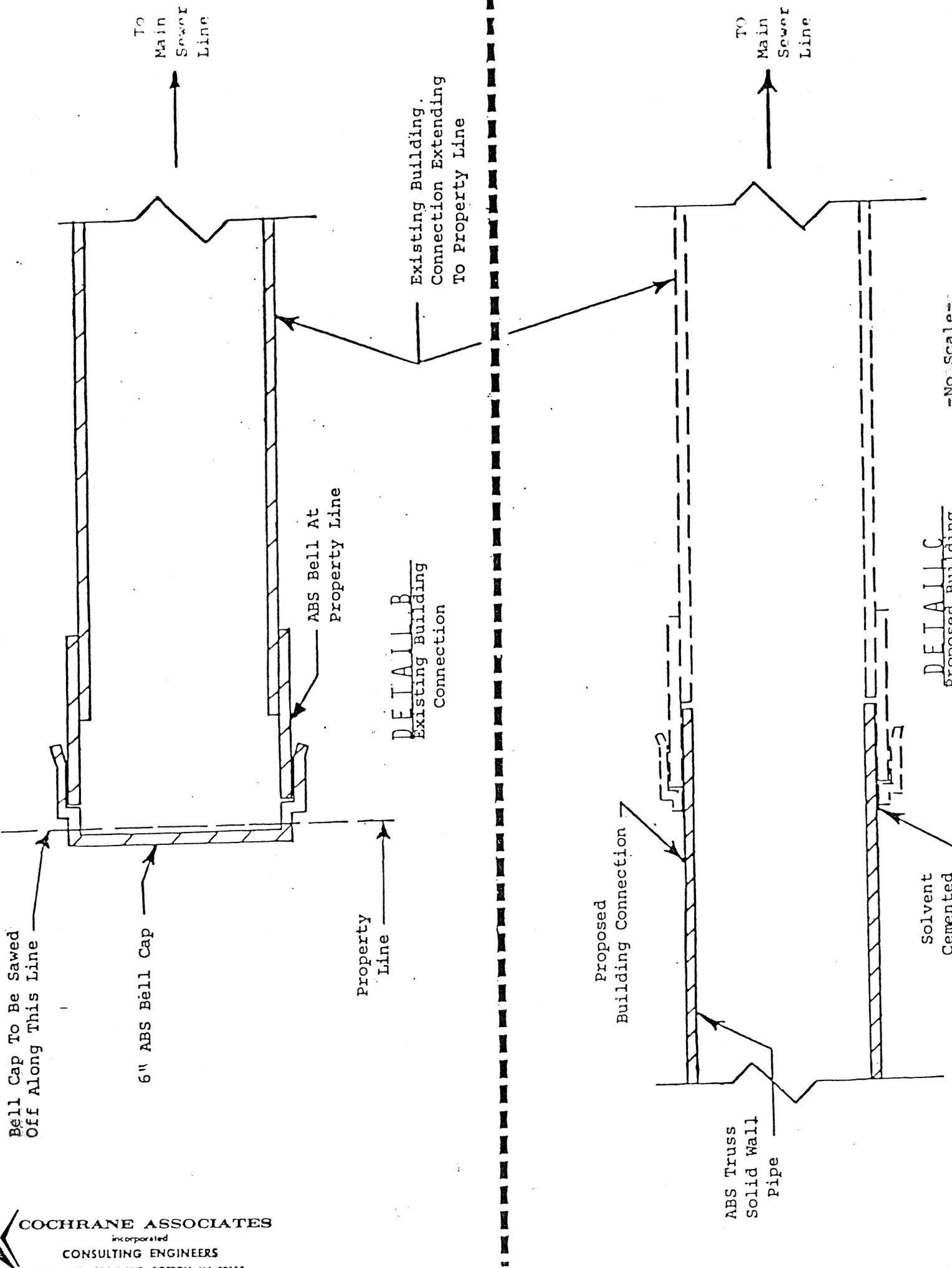
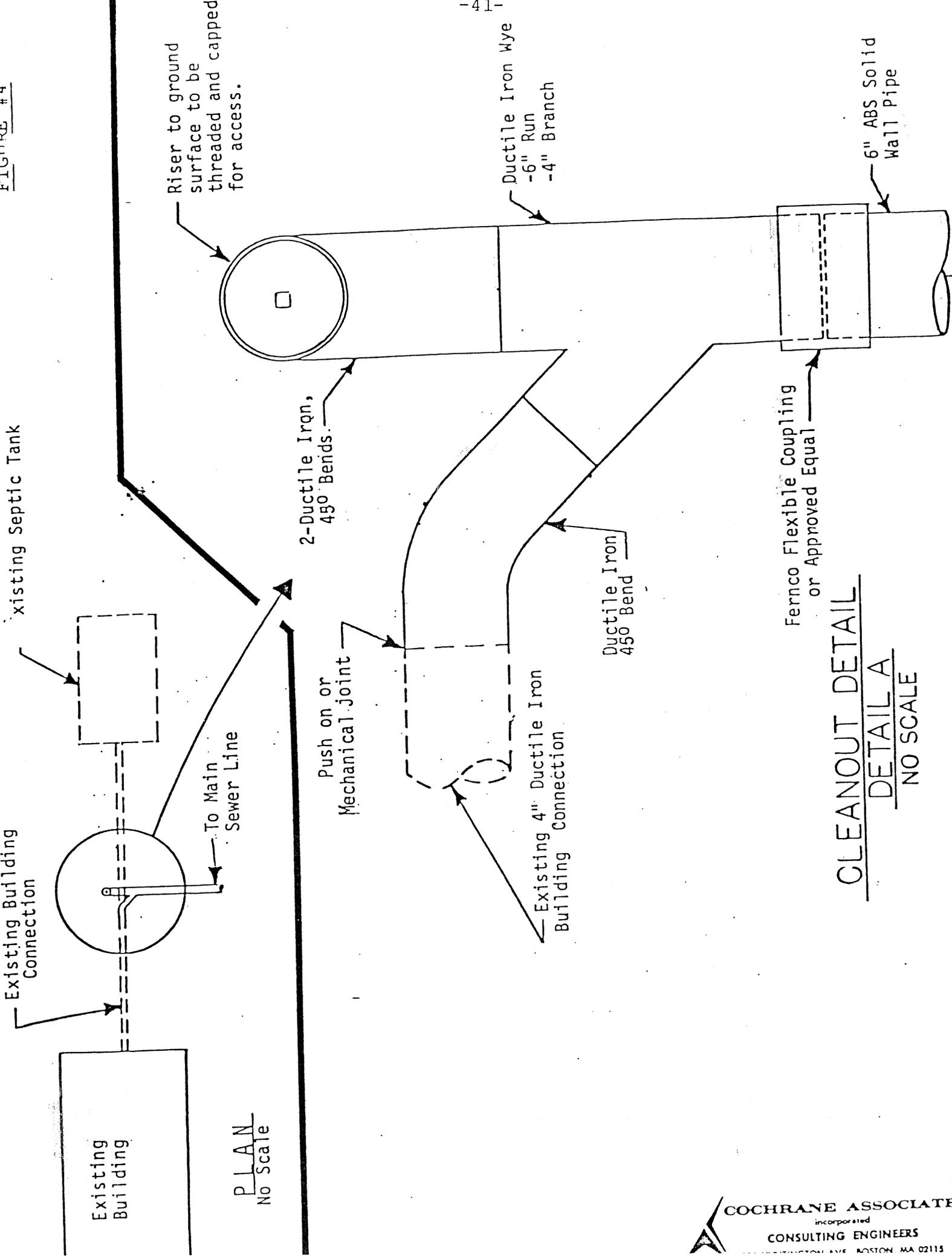


FIGURE #4



PLAN  
No Scale

CLEANOUT DETAIL  
DETAIL A  
NO SCALE

Citizens have the right to petition for a vote on the question of disapproving this Ordinance at an annual or special meeting as provided in Title 24, Section 1973. Citizens may contact David W. Lewis, Town Manager, who is knowledgeable of the Ordinance and is available to answer questions at the Sherburne Town Office, P. O. Box 129, River Road, Killington, VT 05751, or call 422-3241. The full text of the Ordinance is described above and may be examined at the Town Office from 9 a.m. to 3 p.m. Monday through Friday.