

**TOWN OF HARWINTON WATER POLLUTION CONTROL AUTHORITY**

**SEWER USE RULES AND REGULATIONS**

**Effective October 1, 2011**

**HARWINTON WATER POLLUTION CONTROL AUTHORITY**

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## **HARWINTON WATER POLLUTION CONTROL AUTHORITY**

### **SEWER USE RULES AND REGULATIONS**

Adopted by the Harwinton Water Pollution Control Authority Pursuant to Section 7-247 of the Connecticut General Statutes (revised 2011), as amended.

#### **Section I. Purpose**

In order to ensure proper removal and disposal of sewage wastes and sewage waters within the Town of Harwinton, in compliance with the City of Torrington WPCA, to ensure the proper operation and maintenance of public sewers, sewage treatment plants, and other sewage works within said Town; and to provide for the keeping of adequate records and appurtenances and connections thereto, the following Rules and Regulations governing the construction, use, repair, alteration, and discontinuance or abandonment of sewers and appurtenances and connections thereto, including pipes discharging directly or indirectly into and through the sewers and appurtenances of the public sewer system of the Town of Harwinton as provided in Sections 7-245 through 7-273a of the Connecticut General Statutes (revised 2011), as amended, are hereby enacted.

#### **Section II. Definitions**

Where and as the context will admit, the following terms shall have the meanings indicated hereafter where used in these Rules and Regulations.

**Agreement-** Shall mean the current Intermunicipal Agreement, dated December 13, 2006, between the Town of Harwinton WPCA and the City of Torrington WPCA, covering the conditions for discharge of sewage generated within Harwinton to the Torrington Water Pollution Control Facility. The agreement shall also include any and all services provided to the Town of Harwinton WPCA from the City of Torrington WPCA.

**Assessment-** Shall mean: (a) the process of making the official valuation of property for the purpose of taxation; (b) the valuation placed on a property as a result of this process; and (c) the charge against any particular parcel of land within the boundaries of the Service Area for the purpose of constructing improvements, or share of the total cost of such improvements, usually based on the proportionate benefits received by such parcel as a result of the improvement.

**BOD (Biochemical Oxygen Demand)-** Shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in 5 days at 20 degrees C, expressed in parts per million by weight. The determination of BOD shall

be performed in accordance with the procedures prescribed in the latest edition of "Standard Methods for the Examination of Water and Wastewater".

**Building Drain-** Shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from the soil waste drainage pipes inside the walls of the building and conveys it to the House Connector beginning 5ft. outside the inner face of the building wall.

**Capital Costs-** Shall mean the cost of major rehabilitation, improvement, expansion or upgrading required as sewerage facilities reach the end of their useful life and/or as advanced treatment is required and/or if additional capacity is required.

**Collections-** Shall be the collection of the sewer user fees/charges which are to be collected by the Town Tax Collector, reported to the WPCA and deposited in a special account separate from other town funds, designated the O&M account and used solely to operate and maintain the sewerage system and for any other use required and/or permitted by law.

**Collection System-** Shall mean the sewer lines and appurtenances used and useful in the collection and conveyance of wastewater.

**Commercial -** Shall mean an activity or use such as a Bed & Breakfast, retail store, restaurant, gasoline station, office building, commercial laundry, bank, private business, service establishment, and the like, whose/which use is permitted in a residential and/or retail service zone by Zoning Special Permit per Harwinton Zoning Regulations, and is distinguished from residential, institutional, and industrial. Sanitary sewage is the only waste from a commercial operation or property permitted to be discharged into the sewerage system unless otherwise permitted by the City of Torrington. There shall be no use of the Town of Harwinton sewerage system for commercial discharge unless otherwise permitted by the City of Torrington.

**Community Sewerage System-** Shall mean any sewerage system serving two or more residences in separate structures which is not connected to a municipal sewerage system or which is connected to a municipal sewerage system as a distinct and separately managed district or segment of such system. Community Sewerage Systems are subject to separate and specific "Regulation Governing the Construction, Operation and Maintenance of a Community Sewerage System" as adopted by the WPCA February 5, 1992.

**Connection Charge-** Shall mean the fee paid to connect an individual building drain to the Town collection system. Such fees shall be determined and revised by the WPCA.

**Cooling Water-** Shall mean clean wastewater from air conditioning, industrial cooling, condensing and similar apparatus and from hydraulically powered equipment. Cooling

water will include only water which is clean and unpolluted, in accordance with State regulations, to be discharged, without treatment or purification, into any natural open stream or watercourse without offense.

**Director of Health-** Shall mean the director of the Torrington Area Health District.

**Dwelling-** Shall mean a building or a portion thereof designed exclusively for residential occupancy, including one family, two family or multi-family dwellings, but not including hotels, motels, inns or bed and breakfast establishments.

**Dwelling Unit-** Shall mean a building or portion thereof designed for housekeeping and occupied by a single family.

**Equivalent Dwelling Unit (EDU)-** Shall mean the allowance of the sewage flow from a single dwelling unit for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. Multifamily residences shall be rated a number of EDUs equal to the number of dwelling units. Increments of the EDU count are assessed on large commercial, institutional and industrial users based upon the number of employees, fixture count, or some other appropriate factor that equates the flow and strength of the waste stream to that of residential users.

**Garbage-** Shall mean solid wastes from the preparation, cooking and dispensing of food and from the handling, storage, and sale of produce.

**Harwinton Zoning Regulations-** Shall mean the zoning regulations set forth by the Town of Harwinton Zoning Commission and adopted April 28, 1955, revised to March 1, 2011.

**House Connection Lateral-** Shall mean a pipe laid incidental to the original construction of the collection system from that system to some point at the side of the street, highway, easement, or similar location and there capped, having been provided and intended for extension as defined in this section. When a house connection lateral has been connected with and extended for the purpose of installing a house connector, the lateral shall become and thereafter be a part of such house connector.

**House Connector-** Shall mean a pipe which connects a building or structure drain to the collection system or house connection lateral for the purpose of conveying sewage of any kind. The house connection shall be the pipe extending directly from the main sewer or end of the house connection lateral to a point of five feet from the building or structure.

**Industrial-** Shall mean an activity or use resulting in the production of industrial waste and is distinguished from residential, institutional, and commercial that does not produce industrial waste.

**Industrial waste-** shall include the liquid or water-carried wastes of any industrial process not clearly included within the definition of sanitary sewage, storm water, cooling water and subsoil drainage herein. Wastewaters carrying oils, grease, fats, abrasives, chemicals, residues of manufacturing processes, wastes from commercial food preserving or canning, from slaughter houses or meat processing plants, and similar substances whether dissolved, in suspension, or mechanically carried by water, shall be considered industrial wastes. Sanitary sewage is the only waste from an industrial operation or property permitted to be discharged into the sewerage system unless otherwise permitted by the City of Torrington. Refer to City of Torrington regulations regarding industrial waste. Currently the Town of Harwinton does not allow any industrial waste to be deposited into the sewerage system.

**Infiltration-** Shall be any water other than wastewater that enters the town sewer system (including sewer service connections, foundation drains) from the ground through such means as defective pipes, pipe joints, connections or manholes. Infiltration does not include and is distinguished from inflow.

**Inflow-** Shall mean water other than wastewater that enters the sewer system (including sewer service connections) from sources such as, but not limited to, roof leaders, cellar drains, sump pumps, area drains, drains from springs and swampy areas, manhole covers and frames, cross connections between storm sewers and sanitary sewers, catch basins, cooling towers, storm waters, surface runoff, street wash waters or drainage.

**Institutional-** Shall include social, charitable, religious and educational activities and uses such as schools, churches, hospitals, nursing homes, penal institutions and similar uses permitted in a residential and/or retail service zone by Zoning Special Permit per Harwinton Zoning Regulations, as distinguished from commercial, industrial and residential.

**Nitrogen-** Shall mean the total nitrogen content of any sewage discharge as expressed by a concentration in milligrams per liter (mg/l) in accordance with the procedures prescribed in the latest edition of "Standard Methods for the Examination of Water and Wastewater".

**Operation and Maintenance-** Shall mean those functions that result in expenditures during the useful life of the collection system and treatment works for materials, labor, utilities and other items which are necessary for managing and maintaining the system to achieve the capacity and performance for which the system was designed and constructed.

**pH-** Shall mean the logarithm of the reciprocal of weight of hydrogen ions in grams per liters of solution.

**Parcel of Record-** Shall mean a separate lot as shown on the Sewer Service Area Map as of the effective date of these regulations.

**Penalty Fees-** Shall mean any fees charge to a sewer user for illegal discharges of sub-surface water, storm water, sump pump discharge, rain leaders or building drains into the municipal sewage system.

**Person-** Shall mean any individual, firm, company, association, society, corporation, or group.

**Phosphorous-** Shall mean the total phosphorous content of any sewage discharge as expressed by a concentration in milligrams per liter in accordance with the procedures prescribed in the latest edition of "Standard Methods for the Examination of Water and Wastewater".

**Property Owner or Owner-** Shall include both the owner of the fee in any real estate and also all tenants, lessees or others in control or possession and the use of the property in question or any interest therein, and his, her, its, or their agents or representatives.

**Properly Shredded Garbage-** Shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such degree that all particles of food will be carried away freely under the flow conditions normally prevailing in public sanitary sewers, with no particles greater than ½ inch in any dimension.

**Replacement Cost-** Shall mean the cost as of a certain date of a property which can render similar service (but which need not be of the same structural form) as the property being replaced. Replacement is an incremental element of operating costs and is variable depending levels of expenditures for maintenance. The statutory definition of the term means expenditures for obtaining and installing equipment, accessories or appurtenances during the useful life of the collection system necessary to maintain the capacity and performance for which they were designed and constructed.

**Residential-** Shall include all dwelling units such as detached, semi-detached, row houses, mobile homes and multifamily dwellings or similar users as distinguished from industrial or institutional.

**Sanitary Sewage-** Shall mean the common wastewater and water carried wastes from human residential dwellings and from toilet and lavatory fixtures, kitchens, (non-commercial) laundries and similar facilities of commercial, institutional, and industrial buildings. Sanitary sewage shall not include storm water from roofs, yards, street, or open spaces; water from land surfaces or brooks; clean waste or overflows from springs, wells or subsoil drainage; large volumes of clean water from air conditioning or other cooling or condensing facilities; clean wastewater from hydraulically-operated contrivances; clean wastewater from sump pumps or cellar drains; or industrial waste.

**Sanitary Sewer-** Shall mean a sewer intended to convey only sanitary sewage, or, if so stipulated with respect to the particular sewer, sanitary sewage plus industrial or other wastes, excluding storm water.

**Service Area-** Shall mean Sewer Service Area.

**Sewage-** Shall mean wastewater, water carried wastes or a combination of them, discharged into and conveyed by sanitary sewers or intended or customarily so discharged and conveyed.

**Sewage Works-** Shall mean all facilities for collecting, pumping, treating and disposing of sewage.

**Sewer-** Shall include the main pipe or conduit, manholes and other structures and equipment appurtenant thereto, provided to carry sewage, subject in each particular case to the purposes and limitations imposed on the particular pipe or conduit or sewer. Where the intent so indicates, the word "sewer" or "collection system" shall be used only with respect to the main line of pipe or conduit, owned, controlled and maintained by a municipal body for the conveyance of waste or sewage from several properties, and shall not be understood to include house connections or connections between the main sewer and individual properties.

**Sewerage System-** Shall mean any device, equipment, appurtenance facility and method of collecting, transporting, receiving, treating disposing or discharging sewage that is controlled by the Harwinton WPCA or any community system under its charge.

**Sewer Layer or Drain Layer-** Shall mean an individual, partnership or corporation to whom the State of Connecticut shall have issued a valid license under Sections 20-330 through 20-341 of the Connecticut General Statutes (revised 2011), as amended, to install and repair sewers, sewer connections, house connections, etc., during the period when such license is valid as hereinafter provided, and the proper agents and representative of such drain layer.

**Sewer Service Area-** Shall be the area served by the collection system as shown on the Sewer Service Area Map included in the Harwinton Water Pollution Control Plan and in the appendix of these regulations. The Sewer Service Area includes, but is not limited to the area served by the collection system constructed in accordance with the as-built drawings "Water Pollution Control Authority, Scoville Hill Area Sewer Project, Harwinton, CT, March 1984," prepared by Hayden/Wegman Consulting Engineers, sheets 1-1 through 1-21 dated March 4, 1984, revised through December 23, 1985, and sheets 1-24 and 1-25 dated June 5, 1985, revised December 18, 1985.

**Shall-**is mandatory; **May-** is Permissive.

**Slug-** Shall mean any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity flow exceeds for any period of duration longer than 15 minutes more than 5 times the average 24 hour concentration of flows during normal operation.

**Special assessments-** shall mean a direct tax levy assessed against a property to pay for property improvements that ordinarily are a direct benefit to the property itself.

**State-** Shall mean the State of Connecticut.

**Storm Sewer or Storm Drain-** Shall mean a sewer which carries storm, surface waters and subsurface drainage, but excludes sewage and polluted industrial wastes.

**Storm Water-** Shall include the runoff or discharge of rain and melted snow or other clean water from roofs and surfaces of public or private lands or elsewhere. For most purposes within the scope of the rules and regulations, storm water shall not include the flow of any natural brook, rivulet or stream, even if the source of such water is storm runoff from the land or property, once that runoff has entered the channel of such brook or natural watercourse. In general, storm water shall include only water which is sufficiently clean and unpolluted to permit its being discharged, without treatment or purification, into any natural open stream or watercourse without offense.

**Subsoil Drainage-** Shall include water from the soil percolating into subsoil drains or underground pipes or from similar sources.

**Surcharge-** Shall mean the additional fee charged to a sewer user assessed for excessive concentrations of BOD, suspended solids or pollutant discharged to the sewerage system.

**Suspended solids-** Shall mean the solid matter, measured in milligrams per liter, which may be in suspension, floatable or settleable and is removable by laboratory filtration as prescribed in the latest edition of "Standard Methods for Examination of Water and Wastewater".

**Town-** Shall mean the Town of Harwinton, Connecticut and/or its Water Pollution Control Authority (WPCA).

**User-** Shall mean any person who contributes, causes or permits the contribution of wastewater into the sewerage system.

**User Fee/Charge-** Shall mean a charge levied on users of the treatment works and collection system for the cost of operation and maintenance, including the cost of replacement and debt service.

**WPCA-** Shall mean the Water Pollution Control Authority of the Town of Harwinton (or its duly authorized representative) as established by Town ordinance effective January 11, 1980, as amended January 6, 1991, adopted pursuant to Connecticut General Statutes as amended.

**Wastewater-** Shall mean the used water and solids from a community that flow to a sewerage system. From the standpoint of source, it may be a combination of liquid and water carried wastes from residences and commercial businesses.

**Watercourses-** Shall mean rivers, streams, brooks, waterways, lakes, ponds, marshes, swamps, bogs, and all other bodies of water, natural or artificial, vernal or intermittent, public or private, which are contained within, flow through a border upon this state or any portion thereof, not regulated pursuant to sections 22a-28 to 22a-35 of the Connecticut General Statutes, inclusive. Intermittent watercourses shall be delineated by a defined permanent channel and bank and the occurrence of two or more of the following characteristics: (a) evidence of scour or deposits or recent alluvium or detritus, (b) the presence of standing or flowing water for a duration longer than a particular storm incident, and (c) the presence of hydrophitic vegetation.

### **Section III. Use of Public Sewers Required Where Available**

#### **3.00 Use of Public Sewers Where Available**

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

It shall be unlawful to discharge to any watercourse, pond, and ditch, storm sewer or lake within the Town of Harwinton any sanitary sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with the subsequent provisions of the Rules and Regulations and the Connecticut Department of Environmental Protection.

Except as herein after provided, it shall be unlawful to construct or maintain any privy, privy vault, cesspool or other facility intended or used for the disposal of sewage, if a public sanitary sewer is available or the property is deemed suitable for an onsite septic system meeting the current requirements of the Connecticut Public Health Code and the Director of Health. It shall be unlawful for any person to discharge any storm water, sump pump, rain leaders, building drains, area drains and the like into the Town's sewerage system for any reason. Individuals in violation of this will be subject to penalty under these Rules and Regulations.

### **3.01 New Buildings**

The owner of all newly constructed houses, buildings, or properties used for human occupancy, employment, recreation, or other similar purposes, situated within the Town of Harwinton and located within the Sewer Service Area and abutting on any street or right of way which connects to a street in which there is located a public sanitary sewer is hereby required at such owner's expense to install suitable toilet facilities therein, and connect such facilities directly with the proper sanitary sewer, in accordance with the provisions of these Rules and Regulations or install a private subsurface sewage disposal system that has been permitted by the Director of Health.

### **3.02 Existing Buildings**

Any existing building which violates any provision of Section 19 of the Connecticut Public Health Code and to which a public sanitary sewer system is available, shall be required to connect to the public sanitary sewer system or to install a private subsurface sewage disposal system that has been permitted by the Director of Health. A building is judged to require sewage disposal if used for human occupancy, employment, recreation, or other similar purposes. A public sanitary sewer system shall be deemed available if the property or the building in question abuts any street or right of way which connects to a street in which there is located a public sanitary sewer system and the property is within the Sewer Service Area of the WPCA existing collection system. The owner of said property or building is required at such owner's expense to make such connection. The WPCA may order the owner of any building to which a public sanitary sewer system is available to connect such a building with the system. No such order shall be issued until after a public hearing with respect thereto after due notice in writing to such property owner. Upon issuance of an order to connect, the owner shall have 90 days to make such a connection. If any property owner fails to comply with an order to connect within 90 days, the WPCA shall cause the connection to be made and shall assess the expense thereof against the owner of said property.

Notwithstanding the above, an order to connect will not be issued if the property owner presents the following information at a public hearing which proves that a private subsurface sewage disposal system operates in a manner so as to provide the same protection and meet the same standards as provided by the current Connecticut Public Health Code. In presenting such proof, the owner shall provide the WPCA with the following:

1. A detailed plan of the complete existing subsurface disposal system, including but not limited to location, type and size of tank and leaching system.
2. A permit to discharge or certified proof of final inspection issued by the Torrington Area Health District.
3. Proof of septic tank pumping within the past eighteen months.
4. An on-site inspection report by the Torrington Area Health District duly signed by its representative stating that the subsurface disposal system is operating satisfactorily

and listing any variances granted for system construction or deviations from current Connecticut Public Health Code or other state or local requirements.

5. Deep test pit and percolation test information, if sufficient information is not available or on file, even if not required by the Torrington Area Health District.

Any expenses associated with the above shall be the sole responsibility of the applicant. Any decision of the WPCA shall be recorded in the Harwinton Land Records.

#### **Section IV. Private Sewage Disposal**

Where a public sanitary sewer is not available under the provisions of Section III, the building sewer shall be connected to a private sewage disposal system complying with the provisions of the Ordinances of the Town of Harwinton and applicable provisions of the Connecticut Public Health Code and the Torrington Area Health District.

At such time as a public sanitary sewer becomes available to a property served by a private sewage disposal system, connection to such system from such property shall be ordered in accordance with Section III of these regulations.

No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Director of Health, the Connecticut Department of Public Health or the City of Torrington Water Pollution Control Authority.

#### **Section V. Connections to and Work on Sewers**

##### **5.00 Authorized Access to Sewers**

No unauthorized person shall open the cover of, cut into, enter or alter any manhole, catch basin or similar appurtenance of any public sewer, put anything therein or interfere therewith.

No person shall insert or place in any public sewer, manhole or other appurtenance thereof sticks, rubbish or other material which said sewer, manhole or appurtenance thereof was not intended to receive.

No unauthorized person shall break, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the public sewer system of the Town of Harwinton.

##### **5.01 Alteration to Sewers and Appurtenances**

Should it become necessary to relocate, reset the top of or otherwise alter any sewer, manhole, catch basin or other appurtenance thereof belonging to said Town or in its charge, the person or party desiring such change to be made shall make a written request to the WPCA for written

permission. If such permission is granted, said person or party shall bear all expenses concerned with such changes, including such costs of the WPCA or the Town. Any alterations approved as above shall be subject to the various permitting, licensing, bonding, insurance and inspection requirements as outlined in Section VII of these Rules and Regulations.

### **5.02 Connections to Sewers**

No person shall make any connections to any part or appurtenance of any public sewer system of the Town, thereof, or to any pipe or appurtenance discharging there into, or remove or disconnect any existing connection thereto, except as provided in these Rules and Regulations. Provided plumbing work and fixtures within buildings and similar structures may be built and connected pursuant to applicable State and local plumbing and building codes, laws and regulations and by permits issued and inspections performed there under.

### **5.03 Materials and Workmanship for Sewers, Drains, Connections, etc.**

The WPCA shall from time to time establish standard requirements or specifications to regulate the sizes, materials, methods and workmanship to be used in the construction of sewers, house connections, and other similar work and appurtenances thereto connected or intended to be connected to or to discharge, directly or indirectly, into any public sewer of the Town. Such standard requirements shall provide minimum requirements as to size, depth, slope or rate of grade for such pipes, shall regulate the kinds of pipe, fittings, methods of laying, jointing, materials used, manner of connecting to pre-existing sewers and drains, and general considerations as to location and other pertinent features. Any such requirements or specifications shall be in compliance with the American Society of Civil Engineers' Manual of Practice on sewer design and the Inflow and Infiltration Study of 2010.

#### **A. Materials**

1. Pipe extending the first 5ft. outside the inner walls of any building or similar structure shall be in compliance with state building codes.
2. House connection laterals, with the exception of the length of pipe extending through the building wall to a point 5ft. outside the building wall, that is intended to be connected to the collection system, shall be a minimum of 4" diameter Schedule 40 PVC pipe per ASTM 1785 or substitute approved by the WPCA and as per ASCE standards.
3. All buildings connecting to a public sewer shall have a backwater valve inserted into the soil pipe downstream of all connections. The type of valve and its location shall be approved by the WPCA.
4. Any pipe connected to a Town lateral, interceptor or manhole shall be 6" diameter PVC SDR35, 4" diameter Schedule 40 PVC ASTM 1785 or other material approved by the WPCA.

5. Any sewer lateral, as defined in Section II (house connection lateral), which is within 75ft. of any well shall be constructed of pipe as defined in Section V. No sewer laterals shall be constructed within 25ft. of a water supply well.
6. 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 approved artificial means and discharged to the house connection. Said discharge pipe shall not exceed the diameter of the discharge port but in no instance shall be less than 2" diameter Schedule 40 PVC pipe 160psi rated or greater.
7. All house connection laterals shall be installed in compliance with specifications determined by the WPCA.
8. Joints for PVC piping shall be solvent welded. Joints for joining dissimilar materials shall be for PVC with an approved rubber donut.
9. Crossings of domestic water supply lines and sewer lines shall be installed in compliance with the Connecticut Public Health Code, Torrington Area Health District, Torrington Water Pollution Control Authority and Harwinton WPCA.

### **B. Workmanship**

The pipe and fittings shall be homogenous throughout and free from visible cracks, holes, foreign inclusions or other injurious defects. The pipe shall be as uniform as commercially practical in color, opacity, density and other physical properties. Plastic pipe provided under this specification shall be so installed in the ground that a deflection of no more than 5% can be anticipated. Such deflection shall be computed by dividing the amount of deflection (nominal diameter less minimum diameter when measured) by the nominal diameter of the pipe.

Such measurements may be taken or ordered taken by the WPCA at any time during maintenance period and such measurements shall be performed in a manner and by methods approved by the WPCA. No single piece of pipe shall be laid on any project covered by these special provisions unless it is found to be generally straight. Such pipe shall have a maximum ordinate as measured from the concave side of the pipe not to exceed 1/16" per foot length. If the deviation from straightness exceeds this requirement, then the particular piece of pipe shall be rejected for use until it can comply with this provision. Sealed Cleanouts to grade shall be installed at intervals not to exceed 100 feet. The standard length of pipe provided to these specifications shall be a minimum of 12.5ft. The pipe shall have an average outside diameter of 6.275" +/- 0.011" and a minimum wall thickness of 0.180". The pipe shall be marked along the outside of the barrel in bold style type and shall indicate the manufacturer's name, pipe, size, PVC compound used and the American Society for Testing Materials' specification met.

### **C. Testing**

Testing may be required at the discretion of the WPCA. The cost of any such testing shall be borne by the property owner or his agent. The test should be set at a minimum of 100psi for 24hrs with no pressure drop.

**5.04 Applicable Codes**

The requirements of applicable State Building and Plumbing Codes shall be observed with respect to piping and fixtures inside or immediately adjacent to buildings and within the areas of jurisdiction of said several codes, subject only to the general requirements of these Rules and Regulations. Pipe more than 5ft. outside the inner walls of any building or similar structure shall conform to the requirements of these Rules and Regulations as to permits, materials and workmanship. They should also be in accordance with the City of Torrington's Water Pollution Control Authority Rules and Regulations.

**5.05 Separate Connections for each Building**

Each independent house or building to be connected to a sewer shall have one direct connection to the sewer serving it. The WPCA in its discretion and in compliance with the Torrington Water Pollution Control Authority contract (Agreement) and Rules and Regulations, may permit variations of this requirement upon receipt of a written request to that effect from the owner of all structures in any way concerned. All house connections and house lateral connections shall be maintained by the owner or owners of the structures served.

**5.06 Connection at Owner's Expense**

All costs and expense incident to the installation and connection of the house connection shall be borne by the owner. The owner shall indemnify and hold harmless the Town and WPCA from any loss or damage that may be directly or indirectly occasioned by the installation of the house connection. The owner shall also bear all costs to repair any road or existing drainage that may be disturbed during installation in accordance with current roadway and storm drainage ordinances of the Town.

**5.07 Notification Prior to Inspection**

The WPCA shall be notified not less than five (5) working days in advance of the time any connection is to be made to any public sewer of said Town, or to any existing structure connected to a public sewer and such connection shall be made in the presence of said WPCA or its agent and according to its decisions.

The WPCA or its agent shall be afforded all reasonable opportunity during normal working hours (8am-4pm Monday through Friday, excluding holidays), to witness the construction of all parts of any building drain connected to or intended to be connected to any public sewer of the Town and to obtain and record the location and other pertinent facts with respect to such sewer.

No public sewer shall be opened or in any way disturbed except in the presence of and with a permit from the WPCA or its agent. This same requirement shall apply to repairs or alterations to sewers, or pipes discharging thereto.

#### **5.08 Record of Connections by WPCA**

The WPCA shall keep a record of all house connections to public sewers under these Rules and Regulations and all repairs and alterations made to sewers or house laterals connected to or discharging into public sewers of the Town or intended to so discharge. Approved sewer layers and other approved licensed/permitted holders shall provide the WPCA with data needed for such records.

#### **5.09 Guidance of the WPCA**

The WPCA shall provide guidance on the installation, repair and alteration of connections to the public sewers and of house connections discharging there into by furnishing such information as may be in its possession and proper to be furnished to the party performing such work.

#### **5.10 Town to be Reimbursed for Cost of Engineering Services**

The WPCA may, in its discretion, in any case where the quantity or expense of work by the Town incidental to the construction, repair, engineering review, or inspection of any sewer or sewer connection warrants such a requirement, require that the owner of the property concerned or the sewer layer shall reimburse the Town for the cost of services of Town or its agents engaged in work or inspections incidental to said sewer or sewer connection. The WPCA shall make a suitable provision for such reimbursement a condition precedent to the issuance of any permit for the construction, alteration or repair of such sewer or sewer connection, subject to such directions as the WPCA may issue.

#### **5.11 Ends of the Sewer to be Closed**

Adequate precautions shall be taken to exclude from all public sewers all water or other materials which may obstruct, damage or wrongfully fill the sewer into which they may discharge directly or indirectly. To that end, the open ends of sewers or sewer connections shall be kept closed during the construction and throughout any periods when work is suspended on any incomplete sewer. If any sewer or house connections shall have been laid to the site of a proposed building or other structure prior to the time when the building or structure is built, the end of the sewer or house connection shall be kept closed to ensure that no water or materials enter such sewer during the interval prior to the construction of the building or structure.

### **5.12 Sealing Discontinued House Connections, Drains and Laterals**

When any building or other structure previously served by a connection to any public sewer is demolished, destroyed, abandoned or altered so that any sewer, house connection, or portion of an abandoned plumbing system which is directly or indirectly connected to any public sewer is no longer used and is no longer connected to the buildings or structure, the open end of such sewer or house connection which discharges, directly or indirectly, into a public sewer shall be promptly closed and sealed off at the edge of the property line or sanitary sewer easement so that no water or wastes not otherwise permitted shall be so discharged there into.

The WPCA shall be notified of such abandonment or discontinuance and of the closing and sealing of such drain and afforded an opportunity to see such work performed. All of said work shall be the responsibility of the person or party who demolishes the building or structure so as to make such closing and sealing necessary, and, in event of the failure of such person or party to do so, shall be done by the owner, lessee or tenant of the premises to the satisfaction of the WPCA, all without expense to the Town.

### **5.13 Grease Traps, Oil/Water Separators and Gross Particle Separators**

Whenever in the opinion of the WPCA, excessive grease, oil or gross particles are likely to exist for a particular connection, a grease trap, oil separator or gross particle separator shall be installed in the building discharge outside of the building served and at the building owner's expense. The tank capacity for such an installation shall be 1,000 gallons minimum and meet the applicable standards of the Connecticut Department of Environmental Protection. The design of such installation must be approved in advance by the WPCA.

1. The inlet piping to such a structure shall not include any sources of domestic sewage. The outlet piping shall be connected to the sanitary sewer.
2. Oil/Water Separators and Grease Traps shall be inspected by the WPCA or its agent after installation of the tank and prior to placement of backfill material and connection of the inlet building lateral.
3. The location of such structure shall be such that it has manholes to grade accessible for purposes of inspection and maintenance. Each structure is to have a minimum annual maintenance with proof of maintenance provided to the WPCA by the service provider prior to July 1<sup>st</sup> of each year.

### **5.14 Connection Fees**

A connection fee shall be charged to the property owner(s) for connecting to the sanitary sewer system. The basic connection fee shall be as determined by the WPCA and listed in the Fee Schedule in the appendix of these rules and regulations. The connection fee is charged for each building drain defined in Section V 5.05. The connection fee shall be payable to "Harwinton WPCA" prior to any work beginning. An as-built drawing must be provided for every proposed connection. No permit to connect to the sanitary sewer system shall be issued until the connection fee shall have been paid.

## **Section VI. Use of Sewers**

### **6.00 Nature of Discharge**

No person shall discharge or cause to be discharged storm water, surface water, natural streams, ground water, roof runoff, subsurface drainage, cooling water, large continuous flow of water seeping into building or excavation soils or other underground continuous flow of water seeping into building excavation soils or other underground sources, surplus from flow wells or unpolluted industrial process waters, i.e. cooling water and the like, into any sanitary sewer.

No person shall discharge or cause to be discharged industrial waste or polluted industrial process waters into any sanitary sewer.

Any person proposing a new discharge into the system or substantial change in the volume or character of pollutants that are being discharged into the system shall notify the WPCA at least 45 days prior to the proposed change or connection.

In accordance with Section 22a-430 of the Connecticut General Statutes (revised 2011) a permit from the State Department of Environmental Protection (DEP) is required prior to the initiation of a discharge of any of the following wastewaters to a public sewer:

1. Industrial wastewater of any quantity.
2. Domestic sewage in excess of 5,000 gallons per day through any individual building sewer to a public sewer.

A potential discharger must submit a permit application to the DEP not later than 90 days prior to the anticipated date of initiation of proposed discharge.

### **6.01 Classification of Sewers**

If proceedings by or under which any public sewer was laid out, constructed or conveyed to the Town, describes the kinds of wastewaters for which that particular sewer was intended or what

wastewaters should be excluded there from, or what kind of a sewer (i.e. sanitary, storm, etc.) the sewer was to be, such description shall be considered evidence as to which of the several kinds of sewers described in these Rules and Regulations said particular sewer shall be considered for purposes of determining what wastewater may be discharged there into or shall be excluded there from. If the original designation of said sewer or wastes to be conveyed by said sewer has been legally changed since the original proceedings, such amended classification shall be applicable.

#### **6.02 Discharge of Unauthorized Wastes**

If wastes other than those for the conveyance of which a particular sewer was originally intended have been, at any time, discharged there into or conveyed thereby, such discharge shall not constitute any amendment of the originally and formally expressed intended use for the sewer, unless the original shall have been amended by the WPCA.

#### **6.03 Determination of Classification of Sewer**

If the proceedings for the layout and construction of any particular sewer or for its acquisition by the Town did not indicate what kind of sewer it was to be or what wastes could or could not be discharged therein, the WPCA shall consider the pertinent facts and shall determine what kind of sewer the said sewer is to be considered for the application of the provisions of these Rules and Regulations and what waste or wastewaters shall be permitted to be discharged there into or be excluded there from. Except as and until the determination so made by the WPCA of the kind of sewer or kinds of wastes to be permitted in or excluded from any sewer shall have been altered or changed by the WPCA, such determination by the WPCA shall control the classification of the sewer and the kind of wastes which may be permitted to be discharged there into or be excluded there from.

#### **6.04 Wastes Excluded From All Sewers**

No person or property owner shall discharge or permit to be discharged directly or indirectly, from any premises under his control, into any public sewer of any kind or type, any of the following:

1. Any substance or object likely to damage, injure, destroy, or cause an obstruction in any sewer, or appurtenance thereof, into which it may be discharged;

2. Any sticks, stones of material size, coarse rubbish, rags, unground or unshredded garbage, refuse or portions of any animal carcass more than one-half inch in longest dimension;
3. Any debris or substance which by depositing any considerable quantity of sediment, by coagulation, by congealing or by attaching itself to the lining of the sewer or to other substances being transported within the sewer is likely to cause an obstruction to the sewer or appurtenance;
4. Any gasoline, kerosene, alcohol, oil, tar, benzene, naphtha, fuel oil, flammable or explosive gas, solid or vapor or any substance which may generate or form any flammable, explosive or combustible substance, fluid, gas, vapor or mixture when combined with air, water or other substance commonly found in sewers;
5. Any liquid or vapor having a temperature higher than 150 degrees Fahrenheit (65 degrees Celsius);
6. Any waters or wastes having a pH lower than 5.5 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the sewage works;
7. Objectionable poisons, cyanides, or any substances likely to generate poisonous fumes that may interfere with, constitute a hazard to or be dangerous to human beings, or domestic farm animals, or create any hazard in the receiving waters of the sewage treatment plant;
8. Any noxious or malodorous gas or substance capable of creating a public nuisance;
9. Any ashes, cinders, straw, sand, mud, shavings, metal, glass, feathers, tar, plastics, wood, animal manure, animal guts or tissues, entrails, offal, blood, hair, hides, scraps, unshredded vegetables, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage treatment works;
10. Any water containing disinfectants, formaldehyde, toxic or poisonous substances in quantities sufficient to delay or interfere with sewage treatment and sludge digestion process, including the sedimentation, biological and chemical processes used by the City of Torrington or any other town at their sewage treatment plants;
11. Any industrial or commercial wastewaters other than domestic sewage that have not first obtained the necessary permit from the State Department of Environmental

Protection pursuant to Section 22a-430 of the Connecticut General Statutes (revised 2011) and do not meet the applicable State and Federal pretreatment requirements;

12. Any wastewater or sewage likely to cause damage, injury or loss to other persons or to the property of other persons who are lawfully entitled to use the sewer or sewers through which said wastes are discharged, or to any person or equipment engaged in sewage treatment and disposal for the Town. This prohibition shall be understood as applying to the kind or character of wastes discharged into any sewer and as limiting the quantity of wastes or water which may be discharged from any one parcel or plot of property and the rate or rates at which the wastes are discharged to approximately the quantity of sewage or water which the sewer was intended to receive from that particular parcel or plot;

13. Any radioactive wastes or isotopes of such half life or concentration as may exceed limits established by the WPCA in compliance with applicable State or Federal regulations;

14. Any wastes prohibited by State or Federal laws or local rules and regulations in effect in the Town of Harwinton.

15. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32 and 150 degrees Fahrenheit (0 and 65 degrees Celsius).

16. Any water or wastes shall be demonstrated to be of such characteristics as to not exceed 25 mg/l Nitrogen content as determined by the latest edition of "Standard Methods for the Examination of Water and Wastewater" as stated in Section II.

17. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of  $\frac{3}{4}$  horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the WPCA.

18. Any waters or wastes containing iron, chromium, copper, zinc, or similar objectionable or toxic substances, or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the City of Torrington for such material.

19. Any waters or wastes containing phenols or other taste or odor producing substances in such concentrations exceeding limits which may be established by the City of Torrington or the WPCA as necessary, after treatment of the composite sewage to

meet the requirements of state, federal, or other public agencies of jurisdiction for such discharge to the receiving waters.

20. Any materials which exert or cause:

- a) Unusual concentrations of inert suspended solids (such as, but not limited to, Fuller's Earth, lime, slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
- b) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
- c) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
- d) Unusual volume of flow or concentration of wastes constituting "Slugs" as defined herein.

21. Any waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

22. Any sewage with a concentration of pollutants in excess of the following limits:

<u>Pollutant</u>	<u>Concentration, parts/million (mg/l)*</u>
Arsenic as As	0.05
Barium as Ba	5.0
Boron as B	5.0
Cyanides as Cn (amenable)	0.1
Flouride as F	20
Chromium (Total)	1.0

Chromium (Cr + 6)	0.1
Magnesium as Mg	100
Manganese as Mn	5.0
Copper as Cu	1.0
Zinc as Zn	1.0
Cadmium	0.1
Lead	0.1
Tin	2.0
Silver	0.1
Mercury	0.01
Nickel	1.0

\*All metals are to be measured as total metals.

23. Any waters containing strong acid iron pickling wastes or concentrated plating solutions whether neutralized or not.

#### **6.05 Determination for Exclusion**

In determining whether any waste discharged or proposed to be discharged into any public sewer is or is not to be excluded under Section 6 or any subdivision of any of these Rules and Regulations, consideration shall be given to the quantity, time or times, rate and manner of discharge, dilution and character of the waste in question, the size of the sewer into which it is to be discharged, the probable quantities of other objectionable wastes likely in said sewer and other pertinent facts.

#### **6.06 Discharge Regulations**

a. If any waters or wastes are discharged, or are proposed to be discharged into the public sewers, which waters contain the substances or possess the characteristics enumerated in Section VI and which in the judgment of the WPCA and/or the City of Torrington may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the WPCA may in its sole discretion:

1. Reject the wastes,
2. Require pre-treatment to an acceptable condition for discharge to the public sewers,
3. Require control over the quantities and rates of discharge, and/or
4. Require payment to cover the added cost of handling and treating the wastes.

If the WPCA permits the pre-treatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the requirements of all applicable codes, ordinances, and laws.

b. To facilitate compliance with the requirements of this section, the WPCA may require that the owner or party applying for a permit to install a new connection to any sewer, or to alter or extend an existing house connection shall in any case where a sampling well, oil or grease trap or separator, diluting device, or similar appurtenance is or may be required, furnish to the WPCA as part of the application for said permit a plan or satisfactory description, or both, which shall become part of said application and installation of the device in accordance therewith shall be a condition attached to granting of said permit.

c. Grease, oil, and sand removal shall be provided as outlined in Section V 5.13, when, in the opinion of the WPCA, it is necessary for the proposed handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients. Removal facilities shall be of a type and capacity approved by the WPCA and shall be located as to be readily and easily accessible for cleaning and inspection.

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

e. When required by the WPCA, the owner of any property served by a building sewer carrying substances outlined in Section 6.04 shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved

by the WPCA. This manhole shall be installed by the owner at the owner's expense and shall be maintained by him so as to be safe and accessible at all times.

f. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in these Rules and Regulations shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined at the control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be conducted by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazard to life, limb, and property. The particular analyses involved will determine whether a 24 hour composite of all outfalls of a premises is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24 hour composites of all outfalls, whereas pH levels are determined from periodic grab samples.

All industries discharging into a public sewer shall perform such monitoring of their discharge as the WPCA and/or the City of Torrington may reasonably require, including installation, use and maintenance of monitoring equipment, keeping records and reporting the results of such monitoring to the WPCA. Such records shall be made available upon request by the WPCA and/or to other agencies having jurisdiction over discharges to the receiving waters. The results of all sampling and testing shall be provided to the WPCA annually no later than July 1<sup>st</sup> of each year.

g. No statement contained in this section shall be construed as preventing any special agreement or arrangement between the WPCA and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the WPCA for treatment, subject to payment therefore, by the industrial concern, provided that such agreements do not contravene any requirements of existing federal or state laws and are compatible with any User Charge and Industrial Cost Recovery System in effect.

h. All industries discharging into a public sewer shall perform such monitoring of their discharge as required by the Commissioner of Environmental Protection in any State Discharge Permit issued pursuant to Section 22a-430 of the Connecticut General Statutes, (revised 2011), as amended, including but not limited to, installation, use and maintenance of monitoring equipment, keeping records and reporting results to the Commissioner. Such records shall be made available upon request to the Commissioner or the WPCA. **The results of all sampling and testing shall be provided to the WPCA annually no later than July 1<sup>st</sup> of each year.**

i. Each user shall provide protection from accidental discharge of prohibited materials or other substances regulated herein. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or user's own cost and expense. The Commissioner of Environmental Protection may require that plans showing facilities and operating procedures be submitted for review and approval prior to construction of the facilities.

#### **6.07 Powers of Authority of Inspectors**

a. The WPCA and other duly authorized representative bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of these Rules and Regulations. The WPCA or its representative shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries unless that process has a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

b. While performing the necessary work on private properties referred to in Section a above, the WPCA or its duly authorized representative shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for 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.

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

#### **6.08 Use of Storm Drains**

Storm water drains, also referred to as storm drains, storm sewers, conduits or similar terms, are in general intended to be used for conveying surface and storm waters from streets, yards, and other ground surfaces, from roofs and other places. They shall also be used for

conveying subsoil drainage waters, the flow of natural springs, ground water, surplus from flowing wells, and clean cooling water as defined in Section II of these Rules and Regulations, and subject to approval by the WPCA and the Town Highway Department.

#### **6.09 Prohibited Discharge into Storm Drains**

No person shall discharge or permit to be discharged from property under his control into a storm drain any waste, wastewater, sewage, or water which is polluted with organic matter, which can decay, which is odorous, oily or unsightly, or for any other reasons is likely to or does give offense or cause damage or injury to nearby persons, animals or fish, when discharged into an open natural stream. No wastewater which is poisonous to persons, animals or fish, when discharged into natural streams shall be discharged through any storm drain.

### **Section VII. Licenses and Permits**

#### **7.00 Authorization to Work on Sewers**

To ensure compliance with the foregoing sections of these Rules and Regulations and to facilitate the supervision of the construction, operation and repair of sewers and the keeping of records thereof, no person other than those described hereinafter shall construct, repair, alter, or remove any sewer, house connection connected to or with or discharging directly or indirectly to or into, any public sewer of said Town or intended to discharge thus at some time, regardless of whether said work is located in a public street or in public or private land. The following may, as indicated, construct, repair, or later remove sewers subject to supervision and approval by the WPCA:

1. Employees of a contractor employed by the Town operating under orders of the WPCA and in the performance of work for said Town;
2. Employees of the Town and employees of the State operating under and subject to permit for the particular job to be issued by the WPCA;
3. Employees of any public utility corporation authorized by State law to construct, maintain and operate pipes or ducts within public highways within said Town, while engaged in work incidental to the regular structures of said utility company and operating under and subject to the conditions of a permit for the particular job issued by WPCA;

4. Any person, firm or corporation holding a valid license issued by the State of Connecticut under Chapters 393, 393a of the Connecticut General Statutes (revised 2011), as amended, to perform the work defined under said General Statutes and when operating under and subject to the conditions of a permit for the particular job and issued therefore by the WPCA or its authorized representative;
5. Any person, firm or corporation holding a valid license issued by the State of Connecticut under Chapters 393, 393a of the Connecticut General Statutes (Revised 2011), as amended, to perform the work defined under said General Statutes and when operating under and subject to the conditions of a permit for the particular job and issued therefore by the WPCA or its duly authorized representative.

### **7.01 Surety Bond and Insurance**

Before any drain layer may receive a permit to do work governed by these Rules and Regulations, the drain layer shall file with the Town a satisfactory bond and protective liability insurance policy in the name of the Town of Harwinton, satisfactory to the Town Highway Supervisor, as specified by Ordinance #88, Section 3, paragraphs A & B, insurance policies or certificates to the effect that the drain layer is properly insured against any claims under the terms of the drain layer's permit. The WPCA bond and said certificates shall be on forms satisfactory to the WPCA. The surety bond shall be in the sum of not less than \$5000. The bond and insurance, in combination, shall provide that the Town and its respective agents shall be indemnified and held harmless from all suits and actions of every name and description brought against any said bodies or their agents, for or on account of any injuries or damages received or sustained by any person or property in consequence of or resulting from any act or omission of the drain layer, his employees or agents while operating under the permit issued or from any negligence regarding said work; that the drain layer shall reimburse the Town for any expense to said Town or its agents arising from any injury or damage to any sewer or drain or other property of said Town or by reason of any violations of the drain layer or his agents or employees of any requirement of these Rules and Regulations; that the drain layer shall faithfully execute in all respects all work performed under the permit issued; that the drain layer shall have made an excavation incidental to work under said permit to as good condition as it was prior to said work and also shall keep said street or public place in like good condition to the satisfaction of the Town or other public office in charge thereof for a period of not less than one year after said restoration; that the drain layer shall reimburse the Town or State for the expense of repairs to such street or public place made necessary by reason of the excavation made by the drain layer; and that the drain layer shall comply in all respects with the rules, regulations, laws,

ordinances, etc., relative to work in such streets or public places and with the terms of the permits which may be issued to the drain layer by any of the foregoing public bodies and shall pay all fines imposed on the drain layer for violation of these Rules and Regulations.

### **7.02 Conduct of Drain Layer**

Each licensed drain layer shall be responsible for the faithful role and safe performance of all work performed under the permits issued to the drain layer and for the conduct of all work by the drain layer's employees or agents. No work shall be sublet by a drain layer under any permit in any manner to divest said drain layer of full control and responsibility for all parts of said work. Only competent persons shall be employed on work performed under such permit and only suitable materials conforming to the standards established by the WPCA shall be furnished on such work.

### **7.03 Suspension of License**

Should the WPCA find that any drain layer licensed under Chapters 393, 393a of the Connecticut General Statutes (Revised 2011), as amended, and doing work governed by these Rules and Regulations, has failed to conform to the requirements of these Rules and Regulations and to the conditions of any permit issued there under; or that such drain layer has not been faithful in the performance or work or furnishing materials under his permit issued by the Town, the WPCA may suspend work under any permit issued to such drain layer and recommend to the State of Connecticut that the drain layer's license issued under Chapters 393, 3931 of the Connecticut General Statutes (revised 2011), as amended, be suspended or revoked as provided under the General Statutes.

Work under any permit suspended by the WPCA shall not resume until:

1. The WPCA is notified by the State that the license has not been suspended or revoked; or
2. If the license has been suspended or revoked that said license has been restored, or
3. In the event that the license has been suspended or revoked that the property owner request, in writing, that the work resume under another licensed drain layer. In such event, the WPCA, may, in its discretion, issue a permit for same.

### **7.04 Drain Layer's Responsibility**

Each licensed drain layer shall hold the Town of Harwinton, its agents and employees, and the State of Connecticut harmless from all loss or claims for loss, damage or injury arising from the operation of such drain layer under any permits issued under his license or any negligence or failure on the part of such drain layer in guarding, protecting or conducting the work there under or from damage to or obstruction or disturbance of any highways, pavements, walks, pipes, sewer, drains, etc., caused by such work.

#### **7.05 Permits Required for All Work**

No person, other than those working for and under the direction of the WPCA or the Town of Harwinton, shall make any excavation for or construct, install, lay, repair, or alter or remove any sewer, sewer connection, or appurtenance thereof, within the Town of Harwinton, which sewer drain, etc., is in any way connected to or discharges directly or indirectly to or into any public sewer of said Town, or is intended at some future time to be so connected or so discharged, until said person or party shall have applied for and secured from the Harwinton WPCA or its duly authorized representative a permit for doing such work. Such permits may be issued only to those who are qualified to perform such work as provided in these Rules and Regulations. The WPCA may authorize competent representatives to act for it in receiving applications and permits and issuing such permits.

#### **7.05A Costs Associated with the Application**

Before any application is accepted, the WPCA may require any part or all of the cost associated with the application be deposited with the WPCA. Any monies used shall not be returned to the applicant.

#### **7.06 Applications for Permits**

Every application for a permit shall be made in writing on forms to be provided by the Town for that purpose and shall be signed by the licensed drain layer or other qualified person or party, or an authorized agent thereof. The application shall state the location and ownership of the property to be served by the sewer in question, the post office address of said property owner, a brief description of the work to be done, and shall contain an agreement that the permittee will do the work in accordance with the requirements of the Town and

local laws, ordinances, regulations and permits of those laws, etc., that may apply to the particular location or work and will save said Town and others harmless from damages, loss, damage claims, etc., in accordance with the terms of the drain layer's surety bond (and insurance) provided for in these Rules and Regulations, all in such form and detail as may be directed by the WPCA in the form provided. The WPCA, in its discretion, may require as a prerequisite to the issuance of any permit that it be furnished evidence:

1. That any and all necessary permits, bond, etc., to open public streets, public or private grounds or property have been or will be issued;
2. That the agent of the applicant is properly authorized to sign the application in question;
3. That the devices or provisions to prevent the entry into public sewers or drains of any substances forbidden entry by these Rules and Regulations will be provided, maintained and/or operated as required by these Rules & Regulations, thereof; and any other information or proof pertinent to the particular job in question.

#### **7.06A Pre-Application Payments**

Before any application for connection with or use is approved, the WPCA shall require that payments of all entitlements, fees, connection fees and permit charges to the WPCA be paid in full.

#### **7.07 Records of Permits and Work There under**

Each completed application for permit, together with a record of work performed, which shall include a sketch and photographic record of any and all pipe or appurtenance installed under said permit issued thereupon shall be kept as permanent record of the WPCA.

#### **7.08 Issuance of Permit**

Each permit to construct, alter or repair any sewer, house connection, or house connection lateral, under this section shall be issued only after fees have been paid and an application is provided and approved. It shall state the location and character of the work to be performed there under; the person granted permission to perform such work; a time limit of sixty days within which the work must be completed and at the expiration of which the privileges for construction under the permit shall terminate; shall indicate the general character of the

wastes which may be discharged into the sewer in question, and any other pertinent information or conditions. Permits shall not be transferable or assignable by the permittee. All permit fees are non-refundable.

#### **7.09 Permits to Be On Premises**

Permits shall be kept on the premises where and at all times when work is in progress and shall be shown to any proper person asking to see the same. All persons operating under such permits shall be held responsible for conformity to the requirements thereof and these Rules and Regulations.

#### **7.10 Revocation of Permit**

Any permit may be suspended, canceled or terminated by the WPCA on written notice to the permittee for violation of the requirements of these Rules and Regulations or of the standards and specifications established by said WPCA for such work as provided by these Rules and Regulations, or for other reasons in the public interest. Suspension, cancellation or termination of a permit may cover all or any portion of the work contemplated there under, as the WPCA may direct. Suspension, cancellation or termination of a permit shall not entitle the permittee to any compensation or reimbursement from the Town of Harwinton or its agents for any alleged loss or expense incurred thereby and permits shall be issued only on this condition.

#### **7.11 Permit Fees**

The WPCA shall establish a schedule of permit fees. No permit will be issued unless the person applying for the permit has deposited a certified bank check or cash payment to the WPCA in the amount determined by WPCA. See Fee Schedule in the Appendix of these Rules & Regulations.

### **Section VIII. Enforcement**

#### **8.00 Violation: Inspection and Correction Thereof**

If any person shall construct, install, alter or repair any sewer, sewer connection or removal facilities to any public sewer of the Town in violation of the requirements of these Rules and Regulations, or, having obtained a permit as provided in these Rules and Regulations, shall construct, install, alter or repair a sewer or connection thereto without having given the WPCA and its representatives adequate notice, time, opportunity and assistance, during regular working hours to inspect such sewer or connection and the work and materials used thereon, the WPCA may, in its discretion, by written notice, order and direct the person who constructed, installed, altered or repaired such sewer and/or the owner of the property in which such sewer may be located or which may be served thereby, or in whose interest and employ said work was done, to uncover and fully expose any or all portions of such sewer, appurtenance, or connection and afford the WPCA and its representatives adequate opportunity to examine and inspect such sewer and to secure such records thereof as may be required. If such sewer or connection and the appurtenances thereof shall be found not to be in full accord with the requirements of these Rules and Regulations and the standards established under its provisions, then the WPCA may by written notice, order and direct such person, owner, or lessee to make such changes in or additions to or remove portions of appurtenances of such sewer so as to conform to the requirements of these Rules and Regulations and of the standards established under its provisions. All of such work shall be performed by said person, owner, or lessee without delay and without expense to the Town.

### **8.01 Assistance and Procedure in Suspected Violations**

If the WPCA shall have reason to believe that a sewer, or any part of appurtenance thereof, which is connected to or discharges into any public sewer of the Town, has been constructed, repaired or altered or is or has been used, operated or maintained, or that substances are being or recently have been discharged through the same in violation of the requirements of these Rules and Regulations or of the standards established under its provisions, the WPCA shall inquire into the matter. The WPCA may require that the owner, lessee or tenant of the property where such sewer may be located or of property served by such sewer, assist the WPCA and its representatives in such inquiry and permit them to examine such sewer and observe the manner in which such sewer is used, operated or maintained and the wastes discharged through the same. If the WPCA shall find on such inquiry that there exists good reason to believe that the requirements of these Rules and Regulations have not been or are not being complied with, it may require the owner, lessee, or tenant of said property to furnish the WPCA with adequate proof that said requirements are being conformed to and will continue to be complied with. If it shall appear that said requirements have not been or are not being conformed to or complied with or that good reason exists to believe they may

not thereafter be conformed to or complied with, the WPCA may, by written notice, order and require that such owner, lessee, or tenant shall immediately take measures, provide and install such appurtenances, or changes in such sewer or the manner of using and maintaining the same as will insure that said requirements will be conformed to or complied with thereafter. All assistance, proof, changes and new appurtenances required by this Section to be furnished or provided by the owner, lessee or tenant of property found to be in violation of these Rules and Regulations shall be promptly furnished by such owner, lessee or tenant without expense to the Town.

### **8.02 Procedure Upon Failure to Correct Violations**

If any person, after proper order or direction from the WPCA, fails to take the remedial steps or perform the acts required by this Section of the Rules and Regulations, or fails thereafter to use, operate and maintain any connection with the public sewers of the WPCA or appurtenance thereof, as required by these Rules and Regulations, the WPCA by such agents and/or facilities as it may choose, may disconnect the house connection or drain which was wrongfully connected, altered, repaired or used, or through which improper wastes were discharged into the public sewer system from the sewer or drainage system of the WPCA. In disconnecting such sewer or house connection, the WPCA may, if required, interfere with or cut off drainage from other portions of the property whereon such violation of these Rules and Regulations has occurred or of any adjacent property which is served by such house connection. If the WPCA shall have disconnected a house connection from the public sewer system, as above provided, the WPCA shall notify the Director of Health and shall collect the cost of making such disconnection from any person responsible for or willfully concerned in or who profited by such violation of the requirements of these Rules and Regulations. If the WPCA has disconnected any property from the public sewer system, as above provided, it may thereafter refuse to permit the restoration of the former connection or of any new connection to the property concerned in the violation of these Rules and Regulations until the claim of the WPCA for the cost of making such disconnection shall have been paid in full plus interest and the reasonable overhead and any legal expense incurred by the WPCA associated herewith.

### **8.03 Damages for Violations**

Any person who requests to make any connection to any public sewer of the Town of Harwinton, or appurtenances thereof, or to any pipe appurtenances discharging there into shall be deemed to agree to abide by these Rules and Regulations of the WPCA and that

because of the difficulty of determining damages for the violations of these Rules and Regulations, shall be deemed to specifically stipulate to pay liquidated damages in the amount of one hundred and fifty dollars for each day any violation of these Rules and Regulations continues – together with attorney’s fees and costs associated with collecting same, and each day that any person continues to discharge any improper wastes or substances into any public sewer shall be deemed a separate act of damage for the purpose of applying the above liquidated damages. In addition, failure to abide by these Rules and Regulations shall result in the subsequent charge of twice the established User Fee until such time as the violation ceases to exist.

#### **8.04 Interpretation of Requirements**

The provisions of these Rules and Regulations, with respect to the meaning of technical terms and phrases, the classifications of different kinds or types of sewers, the restrictions as to what wastes may be discharged into sewers, the regulations with respect to making connections to sewers and other technical matters, shall be interpreted and administered by the WPCA. Details as to sewer use and sewer connections not otherwise regulated or described by some provision of these Rules and Regulations shall continue as heretofore established by local custom and practice, and as interpreted by the WPCA.

#### **8.05 Appeal for Interpretation**

Any person who may be aggrieved by any interpretation of any provision of these Rules and Regulations made by the WPCA or by an order issued by the WPCA under authority conferred by these Rules and Regulations or by any requirement of these Rules and Regulations, or by any classification of any sewer or any wastewater proposed to be discharged into any sewer made by the WPCA, may appeal such interpretation, order, classification or requirement to the WPCA. Any such appeal shall be in writing, addressed to the Harwinton WPCA, received at the Town of Harwinton, Town Hall, 100 Bentley Drive, Harwinton, during the normal business hours of the Town Hall, within fifteen (15) days of the effective date of such interpretation, order, classification or requirement. Any such appeal shall set out the matter in reasonable detail and completeness. The Harwinton WPCA shall consider any such appeal made to it; and, if so requested by any such person interested

therein, shall afford the aggrieved person a hearing at which all interested parties may be heard. Such hearing shall take place not more than twenty-one (21) days after such written appeal is filed unless the aggrieved person agrees in writing to an extension. Thereafter, said Harwinton WPCA shall take such action in the matter of the appeal as may to it appear proper, and, in its discretion, may alter the interpretation, order, classification or requirement of the WPCA in whole or in part. Until such time as the Harwinton WPCA shall have received and considered an appeal and shall have voted to change its interpretation, the order, classification, or requirement of the WPCA shall be observed and remain in full force and effect.

### **8.06 Amendment**

These Rules and Regulations may be amended in the manner prescribed by law. The WPCA shall provide notice that a public hearing is to be held to amend its Rules and Regulations, Such notice shall be published in a newspaper having general circulation in the Town of Harwinton. The notice shall be published at least ten (10) days prior to said hearing and shall state the date, time, and place of the hearing together with a short, general statement of the action to be considered. At least ten (10) days prior to the hearing, the Rules and Regulations, or amendments thereto, shall be made available to the public by placing a copy of such Rules and Regulations, or amendments thereto, in the office of the Harwinton Town Clerk.

Upon conclusion of the public hearing, the Rules and Regulations, or amendments thereto, may be adopted or amended by a majority vote of the Commissioners, and shall become effective at such date as determined by the WPCA, but no sooner than fifteen (15) days following such vote.

Any Rules and Regulations, or amendments thereto, adopted shall be filed with the Town Clerk; and notice of adoption shall be published in the newspaper within five (5) days after such filing.

### **8.07 Validity of Powers**

If any provision, requirements, or section of these Rules and Regulations, or an interpretation thereof by the WPCA shall be adjudged invalid or unenforceable by reason of conflict with some other provision of law, such adjudication shall not affect the validity of any other

provision hereof, but all other provision, sections and requirements of these Rules and Regulations shall be deemed valid and effective and shall remain in full force and effect.

### **8.08 Notices**

Any and all official notices or correspondence shall be directed to: WPCA, Town of Harwinton, Town Hall, 100 Bentley Drive, Harwinton, CT, 06791.

## **Section IX. Sewer Use Charges**

### **9.00 Purpose**

The purpose of this section is to establish fair and equitable charges for the use of the Town's sanitary sewer system so that the operation and maintenance of said sanitary sewerage system shall be self-supporting. Operation and maintenance shall include replacement, repair or renovation of publicly-owned sanitary sewer system to the pollutant source to promote self-sufficiency of said system with respect to any operation and maintenance.

### **9.01 Sewer User Fees**

Equivalent Dwelling Unit Method Basis. Consideration having been given that the volume and strength of all users' discharges in the predominant user class, Residential, are relatively equal, a single-family dwelling shall be considered to have one unit of usage equal to 42,500 gallons of sewage flow per unit per year. Increments of the rate are assessed on large commercial and industrial users based upon the number of employees, fixture units, or some other appropriate factor that equates the flow volume and strength returned from non-residential users to that of residential users. Where water consumption readings are available in the case of larger users, this basis of computation may be used.

The charge per unit shall be determined by dividing the total operation and maintenance costs, including reserves, minus funds from other sources, if any, by the total number of units and dividing the results by the collectable yearly billings as a percentage of actual billings (95%).

No user charges shall be imposed or revised until a public hearing as required in Section 7-255 of the Connecticut General Statutes (revised 2011) has been held for such a purpose.

Properties to be charged: All properties which are connected to the sanitary sewer system shall be charged for the use of said system for the year as determined by the billing cycle.

### **9.02 Computation Cycle**

Sewer use charges shall be computed and billings distributed on an annual basis.

### **9.03 Liability of Owner**

The owner of record on July 1<sup>st</sup> of the property on which the building served is located shall be liable for the payment of the sewer use charge.

### **9.04 Lien and Collection**

Sewer use charges, together with interest thereon, shall constitute a lien upon the property on which the building served is located. Such lien may be foreclosed upon and such charges may be collected in the manner provided in Section 7-258 of the Connecticut General Statutes (revised 2011) and other applicable statutes.

## **Section X. System Capacity and Service Area Extension**

### **10.00 Sewer Service Area**

The Service Area shall be the area served by the collection system as shown on the Sewer Service Area Map included in the Harwinton Water Pollution Control Plan and in the appendix of these Rules & Regulations.

### **10.01 Existing System Capacity**

The existing system capacity is the current contracted average daily flow by the Harwinton WPCA with the City of Torrington.

**10.02 Flow Allocation**

The existing system capacity is allocated based upon the calculation of average daily flow per connected unit times the number of units connected, plus an allocation of one unit for each separate, non-connected Parcel of Record within the Service Area. System capacity above such calculated reserved flow shall be available to properties within the Service Area on a first-come first-served basis within the contracted capacity, with an additional reserve made for increased system flow and infiltration due to aging. If either the existing system capacity or Nitrogen load allocation has been reached, no further approvals to connect to the sewage system may be granted.

The WPCA may, in its discretion, reserve a portion or all of the unallocated system capacity to serve areas which, in its opinion, are likely to have on-site sewage disposal system with a high probability of failure and without suitable area to provide any system repair that would conform to the current requirements of the Torrington Area Health District, Torrington WPCA or the Connecticut Public Health Code. In making such a decision, the WPCA may rely on information provided by the Torrington Area Health District or the Torrington WPCA.

The calculation of average daily flow per connected unit shall be based on the sum of the average daily flows for those months with sustained wet weather flows for the prior three years divided by the number of months included in that 3-year period, with the result divided by the average number of units connected for that 3-year period.

**10.03 Extension of Service Area**

Requests for extension of the Service Area must be made first to the WPCA. If system capacity is not available to accommodate the extension of the Service Area, the WPCA may require that the applicant pay for the purchase of additional treatment capacity at the City of Torrington Treatment Plant in accordance with the provisions of the Agreement with the City of Torrington. No system extension may take place until treatment capacity is available and contracted for by the WPCA. Furthermore, any extension of the Service Area is subject to the provisions of Sections 7-246, 7-249 and 7-255 of the Connecticut General Statutes (revised 2011), as amended. Pursuant to the above Statute: the applicant must obtain the approval of the Commissioner of the State of Connecticut Department of Environmental Protection.

**10.04 Sewage Classification for System Expansion**

Any expansion of the System under the terms of the present Agreement shall be limited to Residential sewage.

#### **10.05 Effluent Nitrogen Concentration Limits**

The concentration of total nitrogen in proposed sewerage shall be demonstrated to be of such characteristics as to not exceed 25 mg/l as determined by the analytical methods stated in Section II.

### **Section XI. Appendices**

#### **11.00 Fee Schedule**

Fee for Connection to the public sanitary sewer system	\$3500.00
Application Fee for Sewer Connection Permit	\$150.00
Sewer User Charge, Residential, Annual	\$200.00
Sewer User Charge, Commercial/Industrial - Refer to Sewer User Charge System	
Damages for Violations – per Section 8 of these Rules & Regulations - \$150.00 per day	
Additional Damages for Violations – Subsequent charge of twice the established User Fee until such time as the violation ceases to exist.	

**The above listed base fees shall be considered the minimum fees required.**

**Any other costs, such as for outside consultants or attorney fees or costs, associated with proper connection to or use of or correction of violation with regard to use or connection to the sanitary sewer system shall be the responsibility of the sewer user and/or property owner associated therewith, as appropriate, and as according to these Rules and Regulations.**

**11.01 Sewer User Fee (System)**

**HARWINTON WATER POLLUTION CONTROL AUTHORITY**

**SEWER USE CHARGE SYSTEM**

Hearing Date: April 14, 2009

Approval Date: April 14, 2009

Effective Date: May 9, 2009

A. Purpose

This sewer use charge system is designed to produce adequate revenues required for the operation and maintenance (including replacement) of the pollution abatement facilities. Each user that discharges wastewaters to the facilities that causes an increase in the cost of operation and maintenance shall pay for such increased costs.

## B. Application

The Sewer Use Charge System is intended to:

1. Provide that each user or user class pays its proportional share of operation and maintenance (including replacement) costs of pollution abatement facilities within the service area, based on the user's proportionate contribution to the total wastewater loading from all users or user class based on actual (or estimated) use of wastewater treatment services.
2. Generate sufficient revenue to offset the cost of all treatment works operations and maintenance.

For the first year of operation and maintenance, costs were based on past experience. The Sewer Authority shall review the user charges annually and revise them periodically to reflect actual treatment works operation and maintenance costs.

## C. Definitions

1. Biochemical Oxygen Demand (BOD) is the amount of oxygen required by bacteria while stabilizing decomposable organic matter under aerobic conditions for five days. The determination of BOD shall be performed in accordance with the procedures prescribed in the latest edition of "Standard Methods for the Examination of Water and Wastewater."
2. House Connection shall include the term house sewer or building sewer where appropriate and shall mean the extension from the building drain to the public sewer or other place of disposal.
3. Industrial Wastewater means all wastewater from industrial processes, trade, or business and is distinct from domestic sewage.
4. Normal Sewage shall mean wastewater with pollutant strength of 250 mg/l or less of BOD and 300 mg/l or less Suspended Solids (SS).
5. NPDES Permit or National Pollution Discharge Elimination System Permit is a permit issued pursuant to Section 402 of the Federal Water Pollution Control Act.
6. Operation and Maintenance Costs shall mean all costs incidental to the complete operation and maintenance of the treatment works, including replacement.
8. pH means the logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution.
8. Person means any individual, partnership, co-partnership, firm, company, corporation, association or joint stock company.
9. Pretreatment or Treatment means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state

prior to or in lieu of discharging or otherwise introducing such pollutants into a water pollution control facility.

10. Process Waste includes water liquid waste discharged from any trade or process carried on in the establishment, including pretreated wastes and polluted cooling water.

11. Sanitary Sewer means a sewer which collects and conveys domestic sewage from residences, public buildings, commercial establishments, industries and institutions. A sanitary sewer may also collect and convey permitted industrial wastewater and unintentionally admitted ground, storm and surface waters.

12. Sewage means human and animal excretions and all domestic and such manufacturing wastes as may tend to be detrimental to the public health.

13. Sewerage System shall mean any device, equipment, appurtenance facility and method of collecting, transporting, receiving, treating, disposing or discharging sewage that is controlled by the Harwinton Water Pollution Control Authority or any community system under its charge.

14. Surcharge shall mean additional fee charged to a sewer user assessed for excessive concentrations of BOD, SS or other pollutant discharged to the City Sewage System.

15. Suspended Solids (SS) means the solid matter, measured in mg/liter which may be in suspension, floatable or settleable and is removable by laboratory filtering as prescribed in the latest edition of "Standard Method for Examination of Water and Wastewater."

16. Dwelling Unit means a single unit.

17. Unit means single, complete.

#### D. User Classes Defined

I. Residential – All single family, two family and three family dwellings. Discharge is of normal strength sewage incidental to their occupancy.

II. Commercial – Commercial unit establishments, institutions and multi-family dwellings (more than three units), which discharge through one sewer house connection. Discharge is of normal strength sewage incidental to their occupancy.

III-A Industrial (Sanitary) – Industrial units, which discharge all or a portion of their water intake to the sanitary sewer system. These units discharge sewage of normal strength and discharge less than 5,000 gallons/day (GPD) to the sanitary sewer system. (Strength of the discharge as determined per State Department of Environmental Protection inspection and/or independent testing by Harwinton WPCA).

III-B Industrial (High Volume) – Industrial units, which under State Permit, discharge all or a portion of their water intake to the sanitary sewer system. These units discharge sewage of normal

strength and discharge in excess of 5,000 GPD, with the nature of this amount of discharge subject to particular inspection and testing.

III-C Industrial (Surcharge) – Industrial units, which under State Permit, discharge all or a portion of their water intake to the sanitary sewer system. These units have pollutant strengths that directly affect the treatment systems over and above normal sewage. Discharges with pollutant strengths in excess of 250 mg/l of 5 day Biochemical Oxygen Demand (BOD5) and/or 300 mg/l of Suspended Solids (SS) fall under Class III-C users and are subject to a surcharge. Surcharges for total discharge are based on metered flow provided by the Water Company and strength of the flow is based on State DEP testing and independent testing by the Harwinton WPCA. The formulas for calculating the surcharges utilize actual operating cost data.

#### E. Development of User Charges

1. Class I Users (Residential): Flow shall be based on Federal and State standards on a unit basis.  
(2.55 persons/unit) (70 gals/person/day) (365 days/year) = 65,000 gal/unit/year
2. Class II Users (Commercial): Flow shall be determined on the basis of actual water consumption as per the Harwinton WPCA minus any waters discharged under Federal NPDES Permit.

Note: In the case of a commercial unit discharging to the system with a private water supply, flow shall be determined the same as one residential unit (65,000 gallons per year) minimum. Any commercial unit with a private water supply determined by the Sewer Commission to discharge above the normal in quantity and/or strength will be calculated and charged under Class III users as appropriate. Any commercial unit with a private water supply and consisting of more than one establishment such as, commercial or residential flow, will be based on each establishment being considered as a separate residential unit (65,000 gallons per year) and will be charged as two units, three establishments, three units, etc.

3. Class III-A Users (Industrial Sanitary Only) (Under 5,000 GPD): Flow shall be determined on the basis of actual metered water consumption as per the Harwinton WPCA minus any waters discharged under Federal NPDES Permit.
4. Class III-B Users (Industrial – High Volume) (Over 5,000 GPD): Flow shall be determined on the basis of actual metered water consumption as per the Harwinton WPCA minus any waters discharged under Federal NPDES Permit.
5. Class III-C Users (Industrial – Surcharge) (Pollutant strengths above normal sewage, defined in Section D.): Flow shall be determined on the basis of actual metered water consumption as per the Harwinton WPCA minus any waters discharged under Federal NPDES Permit.

Note: Surcharged is calculated on the basis of State or independent testing and is charged under separate agreement.

6. Any industry with a private water supply will be required to meter all water supply sources and/or discharge to sanitary sewer, river or other surface water.
7. The Harwinton WPCA at its option may require any sewer user to meter any private water supply and/or discharge to sanitary sewer, river or other surface water.

#### F. Sewer User Charge Rate

The minimum annual sewer user charge for each residential, commercial or industrial user shall be thirty dollars (\$30.00) to cover administrative costs.

Class I – Residential      Total Annual Charge: \$200.00

Sewer User Charge is billed to generate sufficient revenue to offset the cost of treatment works provided by City of Torrington and the operation and maintenance by Harwinton WPCA of the Harwinton Sewer System.

Class II – Commercial      Charge: Metered Flow x \$1.203/1000 gallons + \$18.00 Base Fee

Class III A & B – Industrial      Charge: Metered Flow x \$1.203/1000 gallons + \$18.00 Base Fee

Class III Industrial – Surcharge      Charge: Metered Flow x 1.203/1000 gallons + \$18.00 Base Fee

Plus BOD Surcharge @ \$0.12/lb.

Plus SS Surcharge @ \$0.16/lb.

#### G. Miscellaneous Requirements

1. Dates – Sewer User Charges shall be in advance of the current fiscal year. Residential user charges shall be due on July 1 and payable by August 1 of each and every year. Bills issued after July 1 shall be payable within thirty (30) days of issuance of bill. In case of a residential property which is not connected during the entire period, the user charge shall be prorated on a monthly basis for the actual number of months within the stated period that the property was connected. A period of less than fifteen (15) days shall be disregarded and a period in excess of fifteen (15) days shall be deemed a full month. Minimum charge is thirty dollars (\$30.00).

2. Liability of Owner – As of the first of July of each year, the owner of record of each dwelling unit, or if non-residential property, of each property on which a building is located and which is connected to the sewer system, shall be liable for the payment of sewer user charges.

3. Lien and Collection – Bills not paid within thirty (30) days of the billing date are delinquent and are subject to late charges at the rate of 1½% per month (18% per year) from the billing date. A period of less than fifteen (15) days shall be disregarded and a period in excess of fifteen (15) days shall be

deemed a full month. Partial payments shall not be accepted. Sewer user charges together with interest thereon shall constitute a lien upon the property on which the building is located and such lien may be foreclosed and such charges may be collected in the manner as provided in Section 7-258 of the Connecticut General Statutes and other applicable Statutes.

4. Collections – Sewer User Charges shall be collected by the Harwinton WPCA and deposited in a special account separate from other Town funds, designated the “O/M Account” and used solely to operate and maintain the sewage system and for any other use required and/or permitted by law.
5. Invalidity – The invalidity of any portion of this regulation shall not affect the remainder thereof, and this regulation may be amended at such time or times pursuant to statute as the Harwinton WPCA in its judgment considers.
6. The User Charge System shall generate sufficient revenue to offset the cost of all treatment works provided by the City of Torrington to the Town of Harwinton and the operation and maintenance by the Harwinton WPCA of the Harwinton Sewer System. Shortfalls will be made up in the next fiscal year.
7. Appeals – Any person aggrieved by any charge for the use of the Harwinton Sewer System may appeal in writing to the Harwinton Water Pollution Control Authority (Harwinton WPCA) within thirty (30) days of the issuance of the bill. Payment in full of the disputed charge must accompany the appeal. The Harwinton WPCA shall hear and decide said appeal within thirty (30) days of receipt. Late charges and penalties shall not occur during the aforesaid appeal period. The Harwinton WPCA may sustain the appeal, dismiss the appeal or modify the user charge owed. Any person aggrieved by any decision of the Harwinton Water Pollution Control Authority may appeal to the Superior Court for the Judicial District of Litchfield in accordance with Section 7-255 of the Connecticut General Statutes.
8. Effective Date of Residential User Charge: For July 1, 09 billing to cover July 1, 2009 to June 30, 2010.

**11.02 City of Torrington Sewer Contract (Agreement) and Emergency Contract**

City Of Torrington



PUBLIC WORKS DEPARTMENT  
Gerald C. Rollett, P.E., Public Works Director  
Email: JerryRollett@TorringtonCT.org

140 Main Street • City Hall  
Torrington, CT 06790-5245  
(860) 489-2232 • Fax: (860) 489-2550

December 13, 2006

Mr. Andrew J. Kasznay Jr., Chairman  
Harwinton WPCA  
Town of Harwinton  
100 Bentley Drive  
Harwinton, CT 06791

Re: Intermunicipal Agreement

Dear Mr. Kasznay:

Enclosed please find one fully executed original copy of the Intermunicipal Agreement between the City of Torrington Water Pollution Control Authority and the Town of Harwinton Water Pollution Control Authority dated December 13, 2006.

I appreciate the efforts of the Harwinton Water Pollution Control Authority in assisting in the development of the Intermunicipal Agreement and look forward to the continuation of the good working relationship between Harwinton and Torrington.

In accordance with Section 6.a of the Agreement, I am requesting a copy of the adopted Harwinton Sewer Use Rules and Regulations.

If you have any questions on the above, please contact me at your earliest convenience.

Sincerely,

Gerald C. Rollett, P.E.  
Public Works Director

cc: Ryan Bingham, Mayor  
Ernestine Weaver, Corporation Counsel  
Ray Drew, Administrator, WPCA

## INTERMUNICIPAL AGREEMENT

This AGREEMENT made and entered into on this 13<sup>th</sup> day of December 2006 by and between the CITY OF TORRINGTON, a municipal corporation acting through its Water Pollution Control Authority ("Torrington") and the TOWN OF HARWINTON, a municipal corporation acting through its Water Pollution Control Authority ("Harwinton")

### WITNESSETH:

WHEREAS, Torrington has constructed and operates a wastewater collection system and wastewater treatment plant located in Harwinton; and

WHEREAS, Harwinton had previously entered into an agreement with Torrington for the disposal and treatment of Harwinton's wastewater and septage at Torrington's wastewater treatment plant; and

WHEREAS, Torrington, under a mandate by the Connecticut Department of Environmental Protection (the "DEP Mandate"), modified its wastewater treatment plant; and

WHEREAS, Torrington received funding through the Clean Water Fund Program to finance said modification; and

WHEREAS, Harwinton desires to reserve a portion of the wastewater capacity at Torrington's wastewater treatment plant for current and future use by Harwinton.

NOW, THEREFORE, in consideration of the mutual promises and covenants of the parties hereto, Torrington and Harwinton hereby agree as follows:

### ARTICLE I – DEFINITIONS

SECTION 1 – DEFINITIONS. For purposes of this Agreement, the following words and terms shall have the respective meanings as set forth below:

**ANNUAL DEBT SERVICE COST** – The annual payments of principal and interest to be made by Torrington on debt incurred by Torrington to finance modifications of the WPCF.

**AVERAGE DAILY FLOW (ADF)** – The total volume of wastewater measured in gallons collected and treated in a given time period divided by the number of days in said time period.

- Annual ADF – The total volume of wastewater measured in gallons collected and treated in a given year divided by the number of days in said year.
- Monthly ADF - The total volume of wastewater measured in gallons collected and treated in a given month divided by the number of days in said month.

**CLEAN WATER FUND PROGRAM** – The grants and loans available to municipalities under Sections 22a-475 through 22a-483 of the Connecticut General Statutes, as amended, to finance eligible water quality project costs.

**DEP** – The Connecticut Department of Environmental Protection.

**DEP MANDATE** – The modified order issued by the DEP dated June 28, 1990 requiring Torrington to modify the WPCF.

## DESIGN FLOWS - TORRINGTON WPCF

Average Daily Design Flow	7.0 MGD
Maximum Month Design Flow	11.6 MGD
Peak Hour Design Flow	20.0 MGD

**DWELLING UNIT** – A single unit providing complete independently owned living facilities for one (1) or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

**FLOW RATIO** – The ratio of the Harwinton monthly average daily flow to the Torrington WPCF monthly average daily flow multiplied by 100.

**HARWINTON CONTRACT CAPACITY** – shall be 77,000 gallons per day of wastewater from Harwinton.

**HARWINTON ANNUAL ALLOCATION** – Harwinton’s Contract Capacity multiplied times 365 days.  $77,000 \text{ gpd} \times 365 \text{ days} = 28,105,000$  gallons per year.

**METER CAPITAL COSTS** – Costs associated with the acquisition and installation of two (2) meters to be installed to compute Harwinton’s average daily flow in accordance with Article IV, Section 2 of this Agreement.

**MGD** – shall mean million gallons per day.

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT** – A permit issued pursuant to Section 401 of the Act (33 U.S.C. Section 1342).

**OPERATION AND MAINTENANCE COSTS** – The costs of labor, materials, chemicals, power, fuel, equipment, administration, replacement and other expenditures, directly attributable to the operation and maintenance of the WPCF and associated collection system, but excluding Annual Debt Service Cost on obligations issued to finance the WPCF and modifications thereof.

**PEAK FLOW RATE** – The Maximum rate of flow expressed in million gallons per day.

**PUBLIC SEWER** – A common sanitary sewer controlled by a governmental agency or public utility.

**PERSON** – Any individual, partnership, co-partnership, firm, company, corporation, association, joint-stock company, trust, estate, governmental entity or any other legal entity or their legal representatives, agents or assigns. The masculine gender shall include the feminine, and the singular shall include the plural where indicated by the context.

**SEWAGE** – Human and animal excretions and all domestic and such manufacturing wastes as may tend to be detrimental to the public health.

**STATE** – The State of Connecticut.

**TOTAL FLOW** – The cumulative flow through a conduit for a given time period.

- Total Daily Flow- That flow that passes through the conduit in a 24-hour period.
- Total Monthly Flow –That flow that passes through the conduit in a one month period.
- Maximum Daily Flow – The Maximum flow that passes through the conduit in a 24 hour period over a given time period (i.e. The maximum daily flow for the month)

**TORRINGTON WATER POLLUTION CONTROL AUTHORITY (WPCA)** – The Board of Councilmen in accordance with Chapter 65 of the Code of the City of Torrington.

**USER** – Any person who contributes, causes or permits the contribution of wastewater into the City of Torrington's sewer system.

**WASTEWATER** – The used water and solids from a community that flow to a treatment plant. 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.

**WASTEWATER CAPITAL COSTS** – Costs associated with the construction or improvement of the WPCF specifically for the treatment of wastewater. The Wastewater Capital Costs may be eligible for grants and loans under the Clean Water Fund Program.

**WPCF or WATER POLLUTION CONTROL FACILITY** – An arrangement of devices and structures for treating wastewater and sludge. The existing Water Pollution Control Facility is located on Bogue Road in Harwinton.

#### ARTICLE II – RESERVATION OF FLOW

##### SECTION 1 – RESERVATION OF HARWINTON'S CONTRACT CAPACITY.

Torrington shall reserve Harwinton's Contract Capacity at the WPCF, for use by Harwinton.

##### SECTION 2 – WASTEWATER CAPITAL COSTS PAYMENTS

- a) Harwinton shall pay for (i) its share of the Wastewater Capital Costs and (ii) the Meter Capital Costs by making an annual payment to Torrington for Harwinton's proportionate share of the Annual Debt Service Cost related to (a) the Wastewater Capital Costs based on Harwinton's Contract Capacity and (b) the Meter Capital Costs. The Wastewater Capital Costs payments to be made by Harwinton under this Agreement shall be calculated as follows: (i) for its share of the Wastewater Capital Costs, Annual Debt Service Costs times the ratio of Harwinton's Contract Capacity (77,000 gallons per day), to the total design capacity of the WPCF (7,000,000 gallons per day) and (ii) for the Meter Capital Costs, the Annual Debt Service Cost related thereto.
- b) Harwinton shall make one (1) annual payment each year for the Annual Debt Service Cost which Torrington paid during its last fiscal year, which payment shall become due and payable from Harwinton beginning September 1, 1995, and continuing on an annual basis. Harwinton may repay Torrington, at any time without penalty, all or any portion of Harwinton's liability for the principal portion of the Annual Debt Service Cost.
- c) Torrington shall send Harwinton the amortization schedule(s) reflecting the Annual Debt Service Cost. Harwinton will make its payments to Torrington based on this schedule. Harwinton shall have the right to review Torrington's books and records substantiating the payments due under this Agreement, and shall have the right to contact the State regarding the modifications of the WPCF and the costs thereof.
- d) Upon Harwinton making said annual payment, Torrington shall indemnify and hold Harwinton harmless for any claim for nonpayment, including any interest or penalty charges, by the State of any other party for amounts due the State under the Clean Water Fund Program.

SECTION 3 – EXCEEDING RESERVED CAPACITY. In the event that Harwinton discharges any Average Daily Flow for any calendar month which exceeds the Harwinton Contract Capacity multiplied by the flow ratio experienced by the Torrington WPCF for the same month or 1.66 which ever is less, Harwinton shall not permit any new connections to be made to its wastewater system that would increase wastewater flow for a period of ninety (90) days. In addition Harwinton shall furnish a written report to the

City of Torrington WPCA outlining the cause of the exceedance and the proposed remedy to prevent further exceedance of Harwinton's Contract Capacity.

SECTION 4 – ADDITIONAL CAPACITY.

- a) Harwinton may not at any time resell any portion of its Contract Capacity to any other town or user outside Harwinton's jurisdiction.
- b) Harwinton may request that additional unallocated capacity kept in reserve by Torrington be re-allocated to Harwinton. Said capacity may be allocated by Torrington to Harwinton if Torrington determines that such capacity is not needed by Torrington.
- c) Harwinton shall pay Torrington an amount equal to the percentage difference of the new allocation divided by 7,000,000 and current allocation divided by 7,000,000 multiplied times the Annual Debt Service Costs. This payment shall be retroactive to the date that Torrington began making repayments for said Annual Debt Service Costs.

ARTICLE III – OPERATION AND MAINTENANCE

SECTION 1 – USE OF WPCF. Harwinton may discharge its wastewater into the WPCF at an Annual Average Daily Flow not to exceed the Harwinton's Contract Capacity. Any flow exceeding Harwinton's Annual Allocation shall be subject to appropriate surcharges. See Article III, Section 11.

SECTION 2 – USER CHARGES. Harwinton or Torrington shall each be entitled to bill and collect user charges from any person owning property in their respective municipalities.

SECTION 3 – PAYMENTS FOR OPERATION AND MAINTENANCE COSTS.

- a) Torrington shall maintain the WPCF and shall bill Harwinton annually each year for Harwinton's proportionate share of the Operation and Maintenance Costs of the WPCF. Said proportionate share shall be computed by multiplying the annual Operation and Maintenance Costs to Torrington for the WPCF, which costs shall be tabulated separately, by the percentage of the total annual flow of wastewater into WPCF which is attributable to Harwinton as defined in Article IV, Section 2 of this Agreement. Said bill shall be payable in arrears (in accordance with current practice), and may be paid semiannually in accordance with Chapter 170 of The Torrington Code.
- b) In the event it is deemed necessary during the term of this Agreement to incur capital expenditures to the WPCF, such expenditures shall be paid by both parties to the Agreement in proportionate shares. Said proportionate share for Harwinton shall be computed as the amortized costs of the capital expenditures times the ratio of Harwinton's Contract Capacity to the total design capacity of the WPCF (7,000,000 gpd).
- c) Torrington shall be responsible for all costs of maintenance and repairs of sewers, which it owns, wherever located. Harwinton shall be responsible for all costs of maintenance and repairs of sewers, which it owns, wherever located.
- d) In the event it becomes necessary during the terms of this Agreement to make extraordinary repairs or replacements due to the discharge of prohibitive substances in the wastewater system of either Torrington or Harwinton, the municipality responsible pursuant to subsection (c) above for maintenance of the damaged portion of the wastewater system shall repair such damage and shall obtain reimbursement for all costs incurred therewith from either (i) the discharging party, if the discharge occurred within its corporation boundaries; or (ii) the other municipality, if the discharge occurred within the corporate boundaries of the other municipality.

- e) Harwinton shall, at all reasonable times and without notice, have the right by any of their duly authorized agents to inspect the WPCF to assure themselves that construction, operation and maintenance of the WPCF is being carried out in a satisfactory manner.

SECTION 4 – COMPLIANCE WITH STANDARDS. Harwinton will not connect any combined sewer to Torrington's sewerage system and/or Harwinton's sewerage system and will not discharge into the sewerage system any wastewater, drainage, substances or wastes containing such characteristics and/or such volume determined to be excessive by the DEP and/or The City of Torrington WPCA.

SECTION 5 – DISCHARGE. Harwinton shall not discharge wastewaters specifically prohibited in Chapter 170 of the Torrington Code entitled "Sewers" and will limit the discharge of wastewaters specifically limited therein to the standards and limits contained in said Chapter.

- a) It is understood that Torrington is required to comply with a DEP General Permit for Nitrogen Discharges to significantly reduce the discharge of nitrogen from its WPCF. The denitrification upgrade is expected to occur during the life of this agreement. It is also understood that the current level of treatment may not meet the 2009 or 2014 State requirements. Harwinton is granted a Total Nitrogen yearly average Waste Load Allocation of 9.10 lbs/day. If Harwinton exceeds its WLA for Total Nitrogen, then they will be required to either reduce the level to 9.1 lbs/day or reimburse Torrington to purchase nitrogen credits at the rate per pound as determined by the Nitrogen Credit Advisory Board. The City of Torrington WPCA will at its discretion randomly sample the wastewater discharge from Harwinton and perform the Nutrient analysis parameters as outlined in the State of Connecticut General Permit for Nitrogen Discharges.
- b) In the event that Harwinton discharges waste exceeding the limits set forth in Chapter 170 of the Torrington Code, Harwinton shall be assessed appropriate surcharges as outlined in the Code.

SECTION 6 – TORRINGTON CODE. In the event that Torrington changes Chapter 170 of its Code concerning discharges into the WPCF for any reason, including but not limited to compliance with new State and/or Federal Regulations, Harwinton shall be required to comply with the new or revised requirements in the same manner within the same time guidelines as is Torrington or this Agreement shall be terminated. Harwinton will receive any and all notices concerning changes in the manner provided for in Chapter 170 of the Torrington Code and the Connecticut General Statutes and by Certified Mail at the Harwinton Town Offices, Bentley Drive, Harwinton CT 06791, ATTN: Chairman, WPCA.

- a) Harwinton has developed and adopted a "Sewer Use Rules and Regulations". Harwinton shall submit one copy of the adopted ordinance to the Torrington WPCA. Harwinton shall submit any proposed modifications to said Rules and Regulations to the Torrington WPCA for review prior to their adoption.

SECTION 7 – PENALTIES. The intent and purpose of this section is to set penalties for late payment and NPDES violations.

- a) Late payments – If Harwinton fails to pay any bills properly rendered within sixty (60) days of receipt, Harwinton shall pay a penalty. Said penalty shall not be in excess of that charged by Torrington to all its customers (including penalty and interest) as established by Chapter 170 of the Torrington Code. Harwinton shall have the same rights of appeal as provided for in said Code.
- b) NPDES Violations – If Torrington is required to pay a penalty for non-compliance with the (NPDES) Permit issued for operation and maintenance of the WPCF, then Harwinton shall pay to Torrington an amount equal to the penalty if the cause or causes of such non-compliance can be clearly attributed to Harwinton, and Torrington shall pay the penalty if the cause of such non-compliance can clearly be

attributed to Torrington, otherwise Harwinton shall pay a prorated amount paid by Torrington for such non-compliance.

**SECTION 8 – INTERMUNICIPAL CONSTRUCTION.**

- a) In the event that Harwinton requests to construct necessary sewer system extensions within Torrington's boundaries, Torrington will assist Harwinton in obtaining all necessary permits, easements, and rights of way in connection with said construction, and any approvals required from Torrington in connection thereof will not unreasonably withheld.
- b) Harwinton agrees to assume all capital costs associated with the construction of the sewer system described in this section within Torrington.
- c) If during the term of the Agreement it becomes necessary to rehabilitate or construct a new sewer system as the result of a capacity issue relating to the conveyance of wastewater discharge from Harwinton and the result of increased flows from Harwinton, Harwinton agrees to assume all capital costs associated with the construction of a new sewer system.

**SECTION 9 - CONNECTION CHARGES.** If a resident of Harwinton applies to connect to lines owned by Torrington, Harwinton shall collect Torrington's charges before allowing any connection and forward the connection charge to Torrington. If a resident of Torrington applies to connect to lines owned by Harwinton, Torrington shall collect Harwinton's charges before allowing any connection and forward the connection charge to Harwinton. If either party fails to collect such connection charge for the other party, then, as the case may be, that charge shall be added to or credited against Torrington's annual bill to Harwinton.

**SECTION 10 – CONSTRUCTION STANDARDS.** Any facilities including sewers constructed by Harwinton that will be tied into Torrington's WPCF will be constructed in accordance with State and Federal guidelines and in accordance with Torrington's rules and regulations applicable to sewer systems.

**SECTION 11 – SURCHARGE FOR EXCEEDING RESERVED CAPACITY.** In the event that Harwinton discharges an annual ADF which exceeds the Harwinton Contract Capacity, Harwinton shall not permit any new connections to be made to its wastewater system that would increase wastewater flow for a period of ninety (90) days. In addition Harwinton shall furnish a written report to the City of Torrington WPCA outlining the cause of the exceedance and the proposed remedy to prevent further exceedance of Harwinton's Contract Capacity.

- a) If for any calendar year Harwinton exceeds its Annual Allocation as set out in this agreement; then Harwinton shall pay a flow surcharge according to the following schedule:
  - 1) When the annual flow is greater than 100% but equal to or less than 110% of Harwinton's annual allocation, Harwinton shall pay for all flow in excess of 100% of allocated capacity at one and one-half (1 ½) times the basic rate per gallon.
  - 2) When the annual flow is greater than 110% but equal to or less than 120% of Harwinton's annual allocation, Harwinton shall pay for all flow in excess of 100% of allocated capacity at twice the basic rate per gallon.
  - 3) When the annual flow is greater than 120% of Harwinton's annual allocation, Harwinton shall pay for all flow in excess of 100% of allocated capacity at two and one-half (2 ½) times the basic rate per gallon.

ARTICLE IV – OTHER TERMS

SECTION 1 – TERM. This Agreement shall remain in full force and effect and Torrington will continue to reserve Harwinton's Contract Capacity until the later of a) Torrington's liability to the State of Connecticut for costs incurred for the modification of the WPCF has been paid in full, or b) ten (10) years from the date hereof, c) Torrington reserves the right to reopen this agreement if the Connecticut Department of Environmental Protection establishes more restrictive regulations that were unknown at the time of the Agreement. Modifications shall be limited to only those portions of the Agreement affected by the more restrictive Connecticut Department of Environmental Protection regulations.

SECTION 2 – COMPUTATION OF FLOWS.

- a) Flows from Harwinton used to compute its ADF shall be determined by wastewater meter stations installed upstream of all points of connection between Harwinton's sewer system and Torrington's sewer system, but downstream of the last possible connection, the exact location as determined by Harwinton and Torrington. Said flows shall be reduced by the stipulated flow per dwelling specified in (c) below for each dwelling unit located in Torrington whose flow is included in Harwinton's ADF. Said flows shall be increased by the stipulated flow per dwelling specified in (c) below for each dwelling unit located in Harwinton whose flow is not included in Harwinton's ADF. Said flows shall be increased or decreased based on 175 gpd/unit.
- b) In the event that any wastewater meter station is removed from service for any reason the ADF for the missing time period shall be calculated as the ADF for the next seven (7) days for which actual flow data was obtained. In addition Harwinton shall supply the Torrington WPCA written notification as to the reason for the removal from service and the expected duration. Under no circumstances shall said meter station be removed from service for a period greater than thirty (30) days.
- c) Said meter stations are installed and shall be maintained and read and reported to Torrington Monthly at the sole expense of Harwinton. Said Monthly reports shall contain the Total Weekly Flow for each station, the Total Monthly Flow for each station, the ADF for the quarter and the Maximum Daily Flow for each month. Torrington has the right to add equipment and/or modify existing equipment as necessary to improve efficiency of operation of said stations.
- d) Harwinton shall annually report before the end of each fiscal year to Torrington the number of Dwelling Units connected to the Public Sewer. Said report shall be broken down to include: 1) Units that are upstream of the metering station; 2) Units that are down stream of metering station; 3) Units connected to the Torrington sewer system in other non metered areas.

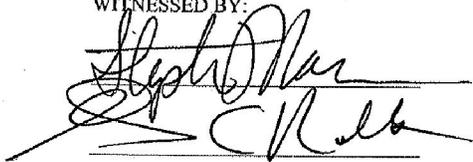
SECTION 3 – MISCELLANEOUS.

- a) This Agreement shall supercede any and all agreements between the parties relating to the use of the WPCF by Harwinton.
- b) DISPUTES - The parties hereto agree that any dispute arising between the City of Torrington and the Town of Harwinton as to the interpretation or application of this agreement shall be submitted to the American Arbitration Association for mediation in accordance with the Construction Industry Rules for Mediation prior to any judicial action by either party.
- c) AMENDMENTS - This Agreement may only be amended in writing and duly executed by each of the parties hereto.
- d) BOOKS AND RECORDS - Torrington hereby agrees to keep books and records of all income, expenditures and disbursements concerning any facilities covered by this Agreement in accordance with generally accepted accounting principles. These records may be inspected by any party after reasonable notice during normal business hours.

- e) COPIES - This Agreement may be executed in multiple copies each of which shall be regarded as an original.

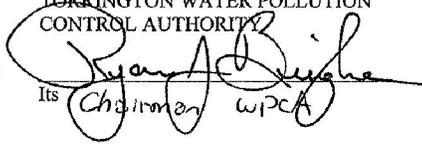
IN WITNESS WHEREOF, we have executed this Agreement as of the date first written above.

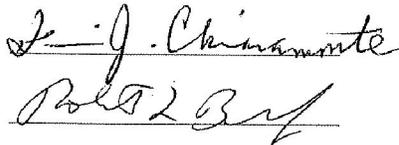
WITNESSED BY:

Handwritten signatures of two witnesses, one appearing to be 'Steph Mar' and the other 'K. L. L.', each with a horizontal line underneath.

TORRINGTON WATER POLLUTION  
CONTROL AUTHORITY

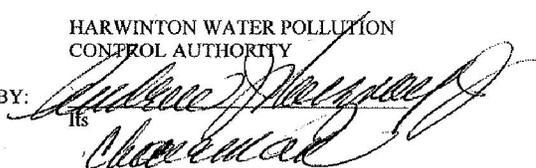
BY:

Handwritten signature of Ryan J. Bigham, with 'Its Chairman WPCA' written below it.

Handwritten signature of J. J. Chinnante, with 'Post 23' written below it.

HARWINTON WATER POLLUTION  
CONTROL AUTHORITY

BY:

Handwritten signature of the Chairman, with 'Its Chairman' written below it.

**11.03 Application for Sewer Connection Permit**

**HARWINTON WATER POLLUTION CONTROL AUTHORITY**

HARWINTON TOWN HALL, 100 BENTLEY DRIVE, HARWINTON, CT. 06791

**APPLICATION FOR SEWER CONNECTION PERMIT**

Proposed Connection Date: \_\_\_\_\_ FEES: Connection Fee paid? \_\_\_\_\_

Permit Fee, \$150: \_\_\_\_\_

Address of Premises to be connected: \_\_\_\_\_

Assessor's Map-Block-Lot Number: \_\_\_\_\_

Owner Name: \_\_\_\_\_ Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Connection Fee Paid \_\_\_\_\_

**CONSTRUCTION PERMITS ARE ISSUED ONLY FOR HOMES THAT HAVE OBTAINED A CONNECTION PLAN APPROVAL AND PAID IN FULL THE CONNECTION FEE.**

**DRAIN LAYER OR PLUMBING LICENSE INFORMATION (P7 or Better)**

Contractor Name: \_\_\_\_\_ Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ License Number \_\_\_\_\_

Proposed Connection Date: \_\_\_\_\_

**TYPE OF BUILDING: (check one)**

Single family ( ) Multifamily (#units) ( ) Commercial/retail ( )

**CONNECTION DETAILS**

Sewer connections must be made at the service connection lateral if available.

Does a service lateral exist for this property? yes ( ) no ( )

Plans for saddles installed on the main sewer line must be approved by the WPCA prior to installation.  
Pipe bedding to be constructed according to the diagram below.

**PIPING MATERIALS**

4" Schedule 40 PVC ASTM 1785 ( ) 6" SDR # 35 /Compression gasket ( )

If other material to be used please indicate \_\_\_\_\_

Total length of pipe line to be laid \_\_\_\_\_ Number of Cleanouts provided \_\_\_\_\_

**SURETY BOND AND INSURANCE**

Before any permit is issued for work governed by the Harwinton WPCA Rules and Regulations, the installer must file with the Town of Harwinton a satisfactory bond and protective liability insurance policy in the name of the Town of Harwinton. The bond amount is to be determined at the time of application but in no case can it be less than \$5000.00 as a guarantee for all obligations imposed by the town and the Harwinton WPCA upon the permittee. The insurance policy for liability and property damage is a minimum of \$1,000,000 naming the Town of Harwinton as co-insured.

The bond and insurance shall operate to indemnify and hold harmless the Town and its agents from all suits and actions of every name and description brought against the Town and its agents from any injuries or damages resulting from work performed in connection with this permit.

Bonds and insurance filed with the Town of Harwinton for work performed within the Town of Harwinton Right of Way (pavement or off pavement) will cover work performed under this permit. In those cases where a Highway Department permit is not required, the bond and insurance information must be filed with the Harwinton WPCA and attached to this application.

The WPCA does not authorize the opening of any street. This must be handled through the Town Highway Department.

Have you posted a bond and filed insurance with the Town of Harwinton? yes ( ) no ( )

**INSPECTIONS**

A representative of the Harwinton WPCA must inspect all sanitary sewer connections prior to backfilling. The installer must contact the Town Highway Supervisor, Town Hall, 100 Bentley Drive, 860-485-9051, ext. 109, during normal business hours, at least five working days prior to the start of work to arrange for an inspection.

**RECORD OF INSTALLATION**

The installer must provide a digital picture and simple sketch of the connection indicating the measurements to main sewer saddle or to the end of the existing street lateral.

**THE COMPLETED APPLICATION SHOULD BE SUBMITTED TO THE WPCA WITH A CHECK FOR THE PERMIT FEE MADE OUT TO THE HARWINTON WPCA IN THE AMOUNT OF \$150.00.**

PERMITS MAY BE OBTAINED FROM A HARWINTON WPCA DESIGNEE BY CALLING THE TOWN HIGHWAY SUPERVISOR DURING NORMAL BUSINESS HOURS AT THE ABOVE NOTED NUMBER FOR AN APPOINTMENT.

PERMITS ARE VALID FOR 60 DAYS FROM THE DATE OF ISSUANCE.

**HARWINTON**  
**WATER POLLUTION CONTROL AUTHORITY**  
**HARWINTON TOWN HALL**  
**100 BENTLEY DRIVE, HARWINTON, CT. 06791**  
**SEWER CONNECTION PERMIT**

Connection Plan Approved by \_\_\_\_\_, WPCA    Date of Approval \_\_\_\_\_

Permit Expiration Date \_\_\_\_\_ (60 days from date of issuance)

Address of Premises to be connected: \_\_\_\_\_

Assessor's Map-Block-Lot Number: \_\_\_\_\_

Owner Name: \_\_\_\_\_ Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Connection Fee Paid \_\_\_\_\_

#### **11.04 Inflow and Infiltration Study of 2010, Executive Summary**

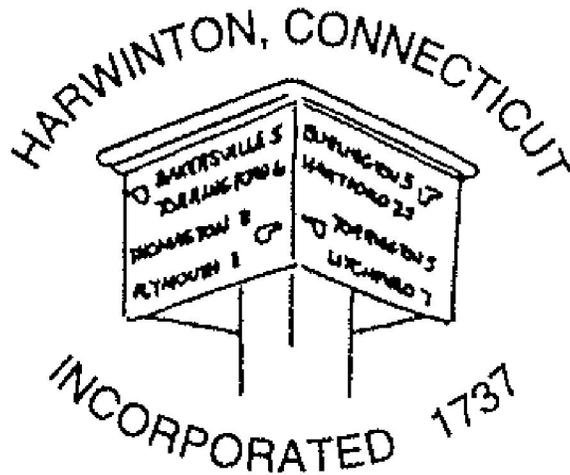
The Town of Harwinton Water Pollution Control Authority (WPCA) retained Wright-Pierce to conduct an Inflow/Infiltration (I/I) Study in an effort to identify sources of excess water entering the sewer system that could be cost-effectively removed and to develop a long-term plan to meet the needs of the community.

Wright-Pierce and their subcontractors performed various tasks within the sewer system to identify locations and specific sources of excess water, including flow isolations, smoke testing, manhole inspections and house to house inspections. In addition, a sewer system base map and manhole numbering system were developed utilizing as-built sewer drawings coupled with the findings of the various field investigations. This base map was then overlaid on the State of Connecticut Office of Policy and Management (OPM) Plan of Conservation and Development (C&D) Mapping showing that the current sewer service area is generally in conformance with the State C&D Plan.

As a result of these efforts, Wright-Pierce has identified a recommended rehabilitation program to repair collection system defects. All of the defects identified were categorized as private I/I with the exception of resetting and re-grouting two manhole frames and covers. Six sump pumps, one roof leader, nine open or broken cleanouts and one potential basement drain connection were identified. It is recommended that the Harwinton WPCA develop a private I/I removal program that addresses both the disconnection of prohibited connections as well as the repair of defective cleanout covers. Specific program elements that the Town should consider as part of this program are presented in Section 7 (of the detailed report). In addition, it is recommended that the Town conduct television inspection of approximately 4,200 linear feet of pipe to conduct dye testing on the suspect basement drain at 254 Scoville Hill Road to determine if it is connected to the sewer system.

**11.05 Town of Harwinton Water Pollution Control (WPC) Plan Including Sewer Service Area Map**

**TOWN OF HARWINTON, CONNECTICUT  
WATER POLLUTION CONTROL AUTHORITY**



**WATER POLLUTION CONTROL PLAN**

Adopted by the Town of Harwinton Water Pollution Control Authority

Approved: August 30, 2011

Published: September 1, 2011

Effective: September 1, 2011

TOWN OF HARWINTON  
WATER POLLUTION CONTROL AUTHORITY  
WATER POLLUTION CONTROL PLAN

The Harwinton Water Pollution Control Authority (WPCA) was established by Town Ordinance No. 50, effective on January 11, 1980, and is responsible for the operation and maintenance of Harwinton's wastewater collection system.

The WPCA, pursuant to Chapter 103, Section 7-246(b) of the Connecticut General Statutes, hereby establishes this Water Pollution Control Plan for the Town of Harwinton.

1. Purpose - The purpose of this plan is to set forth the WPCA's policies and objectives for the control of water pollution. The fundamental purpose of this plan is to implement a water pollution control policy consistent with the following:
  - 1.1. To support and complement the Town of Harwinton's Plan of Conservation and Development.
  - 1.2. To designate and delineate the boundaries of the areas served by the Town's sanitary sewer collection system.
  - 1.3. To designate areas where sewers are to be avoided.
  - 1.4. To manage and maintain wastewater infrastructure.
  - 1.5. To maintain the rural character of the Town of Harwinton.
  
2. Sewer Service Area – The Sewer Service Area includes all properties that require sewer service currently or in the future as determined during the preparation of this Water Pollution Control Plan. The Sewer Service Area boundary is as designated on the attached figure titled “Harwinton, CT, Sanitary Sewer Service Area”. The Sewer Service Area is broken down into four separate areas as follows:
  - 2.1. Areas Currently Sewered – These are the areas identified within the Sewer Service Area as currently having sanitary sewer infrastructure already installed and in service as of September 1, 2011. These areas include parcels in Harwinton that are connected to the Harwinton Collection System, parcels in Torrington that are connected to the Harwinton Collection System and parcels in Harwinton that are connected to the Torrington Collection System.
  
  - 2.2. Areas Entitled to Connect – Certain areas within the Sewer Service Area exist in which sanitary sewer infrastructure does not exist but may be provided. These areas constitute all remaining

areas within the sewer service area that are not currently sewered that are designated as undeveloped, developed with existing sub-surface disposal systems, or private development, all with direct frontage to the sewer system. As of September 1, 2011, there are twenty one (21) individual lots of record and two areas of private development, Sunset Ridge and Oakmeadow Estates, within the Sewer Service area that are entitled to connect.

- 2.3. Expansion Areas - There are no planned areas for sewer expansion at this time.
  - 2.4. Sub-Surface Disposal System Areas – The WPCA recognizes that outside of the Sewer Service Area there exist areas that are currently developed and served by sub-surface disposal systems. The WPCA also recognizes that these areas may require remediation of water pollution resulting from the failure of such systems in the future and anticipates that the current sanitary sewer infrastructure may be extended to serve these currently developed areas. The WPCA currently has no plans for providing public sewer to these areas, but will be receptive to sewer extension proposals that are submitted for the sole purpose of remediation of water pollution in conjunction with the local Health Department.
3. Sewer Avoidance – In accordance with the recommendations contained in the January, 1978 report published by the Connecticut Department of Environmental Protection entitled *“A Report to the Joint Standing Committee on the Environment on the Establishment and Administration of a Municipal and Town Sewer Avoidance Program”* the WPCA agrees that sewer avoidance is a desirable policy in rural areas where sewers do not currently exist. The WPCA therefore adopts a policy of sewer avoidance and designates all areas outside the boundaries of the Sewer Service Area as sewer avoidance areas. The WPCA will not extend, nor permit the extension of its sanitary sewer infrastructure to serve areas or individual properties outside the boundaries of the Sewer Service Area.
    - 3.1. The only exception to this sewer avoidance policy is when municipal sewers are the only means of mitigating water pollution problems caused by the failure of single or multiple subsurface disposal systems located in close proximity to the Sewer Service Area and in existence as of September 1, 2011. Refer to section 2.4 regarding the connection of sub-surface disposal systems outside of the Sewer Service Area.
    - 3.2. New development and construction outside the boundaries of the Sewer Service Area shall not exceed the capacity of the land on which it is located to adequately support a sub-surface disposal system. The WPCA expects that appropriate municipal agencies such as but not limited to Planning and Zoning, Building Department, and Health Department will incorporate policies that will ensure the long-term reliability of subsurface disposal systems.
  4. Capacity Management – Wastewater collection capacity will be made available to existing and proposed users of the system within the Sewer Service Area. Allocation of collection capacity shall be made in a manner that is consistent with the WPCA's policies.

- 4.1. The WPCA hereby adopts the following priorities for the allocation of Collection Capacity as of September 1, 2011 based on the current contractual agreement of 77,000 gallons per day (gpd) with the City of Torrington:
    - 4.1.1. 53,000 gpd (68.8%) - Existing development within the Sewer Service Area.
    - 4.1.2. 24,000 gpd (31.2%) - Potential future development, both public and private, meeting current zoning and within the Sewer Service Area as described in Section 2.2, including sub-surface disposal systems within the Sewer Service Area. This allocation also includes a 15% capacity reserve to account for existing development immediately outside the Sewer Service Area served by on-site subsurface disposal systems as well as to ensure that the average daily wastewater flows conveyed to the City of Torrington do not exceed their contractual limits.
  - 4.2. With respect to residential development capacity allocation set forth in section 4.1.1, existing lots of record within the Sewer Service Area and with direct frontage to the sewer main line, are limited to a single connection from a single structure regardless of parcel size as of September 1, 2011 in accordance with the Authorities Rules and Regulations.
  - 4.3. With respect to the reserve capacity allocation set forth in section 4.1.2, refer to section 2.4 regarding the connection of sub-surface disposal systems outside of the Sewer Service Area.
  - 4.4. Allocation of collection capacity shall lie solely with the WPCA.
  - 4.5. Authority over and approval of the expansion/extension of the public sewer system lies solely with the WPCA. No individual, partnership, co-partnership, firm, company, corporation, association, joint-stock company, trust, estate, governmental entity or any other legal entity or their legal representatives, agents or assigns shall cause the expansion/extension of the public sewer system without the express written consent of the WPCA.
  - 4.6. Under no circumstances will allocation be authorized that will cause the Collection Capacity to exceed 77,000 gpd (100%).
5. Community Sewerage Systems - Community Sewerage System shall mean any sewerage system serving two or more residences in separate structures which is not connected to a municipal sewerage system or which is connected to a municipal sewerage system as a distinct and separately managed district or segment of such system.

- 5.1. Community Sewerage Systems shall not be used as a method to extend sewer service for new construction beyond the limits of the Sewer Service Area.

6. Miscellaneous

- 6.1. If any portion of this Water Pollution Control Plan is found to be contrary to any provision of the Town of Harwinton, Sewer Use Ordinance and/or WPCA Rules and Regulations, the Sewer Use Ordinance shall prevail.
- 6.2. The Water Pollution Control Authority (WPCA) of the Town of Harwinton may amend this Water Pollution Control Plan at any time.
- 6.3. In accordance with section 7-246(b) of the Connecticut General Statutes a copy of this plan and any amendments shall be filed with the Commissioner of the Department of Environmental Protection.