Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~
~~City~~
Town **of** Duanesburg
~~Village~~

Local Law No. 6 **of the year 2001**

A local law Town of Duanesburg Sewer Use Law
(Insert Title)

Be it enacted by the Duanesburg Town Board **of the**
(Name of Legislative Body)

~~County~~
~~City~~
Town **of** Duanesburg **as follows:**
~~Village~~

Town of Duanesburg Sewer Use Law

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 6 of 20 01 of the (County)(City)(Town)(Village) of Duanesburg was duly passed by the Town Board of Duanesburg on April 12 20 01, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. ---------- of 20------ of the (County)(City)(Town)(Village) of ---------- was duly passed by the ---------- on ---------- 20 ---, and was (approved)(not approved)(repassed after
(Name of Legislative Body)
disapproval) by the ---------- and was deemed duly adopted on ---------- 20----,
(Elective Chief Executive Officer)*
in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. ---------- of 20------ of the (County)(City)(Town)(Village) of ---------- was duly passed by the ---------- on ---------- 20----, and was (approved)(not approved)(repassed after
(Name of Legislative Body)
disapproval) by the ---------- on---------- 20----. Such local law was submitted
(Elective Chief Executive Officer)*
to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on ---------- 20---, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. ---------- of 20------ of the (County)(City)(Town)(Village) of ---------- was duly passed by the ---------- on ---------- 20----, and was (approved)(not approved)(repassed after
(Name of Legislative Body)
disapproval) by the ---------- on ---------- 20---. Such local law was subject to
(Elective Chief Executive Officer)*
permissive referendum and no valid petition requesting such referendum was filed as of ---------- 20---, in accordance with the applicable provisions of law.

*** Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.**

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. ---------- of 20---- of the City of ---------- having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on---------- 20----, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. ---------- of 20---- of the County of ---------- State of New York, having been submitted to the electors at the General Election of November ---------- 20----, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

Deah M. Benson
Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

(Seal)

Date: January 3, 2002

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF Schenectady

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Edward C. Jarrett Jr.
Signature

Town Attorney
Title

~~County~~
~~City~~
Town of Duanesburg
~~Village~~

Date: 1/3/02

FINAL

Resolution # 64-01 April 12, 2001

TOWN OF DUANESBURG SEWER USE LAW

(Incorporating Federal Pretreatment Language)

Developed from Model Sewer Use Law
provided by
New York State
Department of Environmental Conservation
(1994 Revision)

Enacted April 12, 2001

TOWN OF DUANESBURG
SEWER USE LAW
(WHICH INCORPORATES FEDERAL PRETREATMENT LANGUAGE)

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Town of Duanesburg
Sewer Use Law

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Town of Duanesburg
Sewer Use Law

ARTICLE 1

SHORT TITLE AND PURPOSE

Section 101 - Short Title
Section 102 - General Purpose
Section 103 - Specific Purposes

Section 101 - Short Title

For brevity and ease of communication, this Law may be cited as the Town Sewer Use Law.

Section 102 - General Purpose

The general purpose of this Law is the following:

To provide for efficient, economic, environmentally safe, and legal operation of the Town Publicly Owned Treatment Works (POTW), and Sanitary Sewer Collection System.

Section 103 - Specific Purposes

The specific purposes of this Law are the following:

(1) To prevent the introduction of substances into the POTW that will:

(a) interfere with the POTW in any way,

(b) pass through the POTW to the state's waters and cause contravention of standards for those waters or cause violation of the POTW's SPDES permit,

(c) increase the cost or otherwise hamper the disposal of POTW sludge and/or residuals,

(d) endanger municipal employees,

(e) cause air pollution, or groundwater pollution, directly or indirectly,

(f) cause, directly or indirectly, any public nuisance condition.

(2) To prevent new sources of infiltration and inflow and, as much as possible, eliminate existing sources of infiltration and inflow.

(3) To assure that new sewers and connections are properly constructed.

(4) To provide for equitable distribution to all users of the POTW of all costs, associated with sewage transmission, treatment, and residuals disposal, and to provide for the collection of such costs.

END OF ARTICLE 1

ARTICLE 2

DEFINITIONS

Section 201 - Defined Terms
Section 202 - Abbreviations
Section 203 - Undefined Terms

Section 201 - Defined Terms

Unless otherwise stated in the section where the term is used in this Law, the meaning of terms used in this Law shall be as stated below. When not inconsistent with the context, the present tense shall include the future, and words used in the plural shall include the singular and vice versa. Furthermore, a masculine pronoun shall include the feminine. Shall is mandatory; may is permissive.

Abnormal Sewage - Sewage whose concentration of one or more characteristics of normal sewage exceeds the maximum concentrations of the characteristics of normal sewage. See normal sewage.

Act or "THE ACT" - The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et seq., as may be amended.

Administrator - The Regional Administrator of the U. S. Environmental Protection Agency (USEPA), Region 2.

Ammonia - The result obtained, using an approved laboratory procedure, to determine the quantity of ammonia in a sample, expressed as milligrams of nitrogen per liter.

Applicant - That person who makes application for any permit. The applicant may be an owner, new or old, or his agent.

Approval Authority - The USEPA, or the New York State Department of Environmental Conservation (NYSDEC), in the event the NYSDEC is delegated approval authority responsibility by the USEPA.

Approved Laboratory Procedure - The procedures defined as 'Standard Methods' in this article, or other procedures approved by the Town Board, for determination of the concentration of pollutants or their surrogates in waters, wastewaters, and/or sludges.

ASTM, denoting American Society for Testing and Materials -
The latest edition of any ASTM specification, when stipulated in this Law.

Authorized Representative of the Industrial User - An authorized representative of the industrial user may be :

(a) A principal executive officer of at least the level of vice-president, if the industrial user is a corporation;

(b) A general partner or proprietor, if the industrial user is a partnership or proprietorship, respectively;

(c) A duly authorized representative of the individual designated above, if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.

Board of Commissioners - The members of the Duanesburg Town Board shall act as the Board of Commissioners.

BOD, denoting Biochemical Oxygen Demand - The result obtained when using an approved laboratory procedure to determine the quantity of oxygen utilized in the aerobic biochemical oxidation of organic matter or in a sample, expressed in milligrams per liter.

Builder - Any person who undertakes to construct a building or any part of a building, either under contract or for resale.

Building Drain - That part of the lowest horizontal piping of a building drainage system which receives the discharge from soil, waste, and other drainage pipes inside the building walls, and conveys it to the building lateral, which begins five (5) feet outside the inner face of the building wall.

Chlorine Demand - The result obtained when using an approved laboratory procedure to determine the difference between the amount of chlorine added to a sample and the amount of chlorine remaining in the sample at the end of a specified contact time at room temperature, expressed in milligrams per liter.

COD, denoting Chemical Oxygen Demand - The result obtained when using an approved laboratory procedure to measure the oxygen requirement of that portion of matter, in a sample, that is susceptible to oxidation, by a specific chemical oxidant, expressed in milligrams per liter.

Code Enforcement Officer (CEO) - The Town of Duanesburg Uniform Code Enforcement Officer.

Color - The optical density at the visual wave length of maximum absorption, relative to distilled water. One hundred percent (100%) transmittance is equivalent to zero (0.0) optical density.

Composite Sample - The sample resulting from the combination of individual samples of wastewater taken at selected intervals, for a specified time period. The individual samples may have equal volumes or the individual volumes may be proportioned to the flow at the time of sampling.

Connection - Attachment of one user to a sewer. (See Extension)

Control Authority - The term shall refer to "Approval Authority", or to the Town Board when Town has an approved pretreatment program under the provisions of 40 CFR 403.11.

Control Manhole - A manhole accessible to the Control Authority in or upstream of the street lateral, such that samples collected from the manhole represent the discharge to the POTW.

Conventional Pollutant - A pollutant that the POTW treatment plant was designed to treat, defined in accordance with the Act.

Cooling Water - The water discharged from any system of condensation, air conditioning, refrigeration, or other sources. It shall contain no polluting substances which would produce COD or suspended solids in excess of five (5) milligrams per liter, or toxic substances, as limited elsewhere in this Law.

County - The county in which the Town is located. (Schenectady County, New York)

Designated Representative - The Town Board shall appoint by resolution, an individual or individuals to enforce the rules and regulations herein promulgated, and to carry out the day to day duties as required under this Sewer Use Law as the representative of the Town Board.

Developer - Any person who subdivides land for the purpose of constructing, or causing to be constructed, buildings for which wastewater disposal facilities are required.

Direct Discharge - The discharge of treated or untreated wastewater directly to the Waters of the State of New York. (For reference, see Indirect Discharge.)

Domestic Wastes - see Sewage, Domestic.

Dry Sanitary Sewers - The sanitary sewer installed in anticipation of future connection to a POTW but which is not used, in the meantime, for transport of sanitary sewage.

End of Pipe - For the purpose of determining compliance with limitations prescribed by Article 8, end of pipe shall mean the control manhole, provided the samples collected from the control manhole are representative of the discharge to the POTW.

End of Pipe Concentration - The concentration of a substance in a sample of wastewater at end of pipe.

End of Process Concentration - see National Categorical Pretreatment Standard.

Easement - An acquired legal right for the specific use of land owned by others.

EPA, USEPA, or U.S. Environmental Protection Agency - The agency of the federal government charged with the administration and enforcement of federal environmental laws, rules, and regulations. Also may be used as a designation for the Administrator or other duly authorized official of this Agency.

Extension - Attachment of a sewer line, with more than one user, to an existing sewer line.

Facility - All buildings, other structures, grounds and contiguous property at any locations related to or connected with a user at the user's location.

Floatable Oil - Oil, grease, or fat in a physical state such that it will separate by gravity from wastewater by treatment in a wastewater treatment facility.

Flow Rate - The quantity of liquid or waste that flows in a certain period of time.

Garbage - The solid wastes from the preparation, cooking, and dispensing of food, from the handling, storage, and sale of produce, and from the packaging and canning of food.

Grab Sample - A single sample of wastewater representing the physical, chemical, and biological characteristics of the wastewater at one point and time.

ICS Form - The form used by the NYSDEC to survey industries to perform and update the Industrial Chemical Survey.

Indirect Discharge - The introduction of wastewater into a POTW for treatment and ultimate discharge of the treated effluent to the State's Waters. (For reference, see Direct Discharge)

Industrial - Meaning or pertaining to industry, manufacturing, commerce, trade, business, or institution, and is distinguished from domestic or residential.

Industrial Chemical Survey (ICS) - The survey of industries in New York State, initiated by the NYSDEC, to determine chemical usage and storage by those industries.

Industrial User - See User, Industrial

Industrial Wastes - The liquid or liquid-carried solid, liquid and/or gaseous wastes from industrial manufacturing processes, trade, service, utility, or business, as distinct from sanitary sewage.

Infiltration - Water, other than wastewater, that enters a sewer system (excluding building drains) from the ground through such means as defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from, inflow. Infiltration is inadvertent, that is, not purposely designed or built into the sewer or drain.

Inflow - Water, other than wastewater, that enters a sewer system (including building drains) from sources such as, but not limited to, roof leaders, cellar drains, area drains, drains from springs and swampy areas, manhole covers, cross connections between storm sewers and sanitary sewers, catch basins, cooling towers, storm waters, foundation drains, swimming pools, surface runoff, street wash waters, or drainage. Inflow does not include, and is distinguished from, infiltration. Inflow is purposely designed and/or built into the sewer or drain.

Interference - A discharge which, alone or in conjunction with discharges by other sources,

(a) inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and

(b) therefore is a cause of a violation of any requirement of the Town POTW's SPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal by the POTW in accordance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations):

i	-	Section 405 of the Clean Water Act
ii	-	Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act - RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to Subtitle D or the SWDA),
iii	-	Clean Air Act,
iv	-	Toxic Substance Control Act, and
v	-	Marine Protection Research and Sanctuaries Act.

Lateral, Building - The portion of the sewer lateral between the building drain and street lateral. The building lateral is owned and maintained by the property owner.

Lateral, Street - The portion of the sewer lateral between the public collection sewer and the property line. The street lateral is maintained and kept operational by the property owner. The sewer district owns the street lateral and is responsible for replacement or repair of the street lateral within the public right of way.

National Categorical Pretreatment Standard, or Categorical Standard - Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307 (B) and (C) of the Act (22 U.S.C. 1347), which applies to a specific category of industrial users. These standards apply at the end of the categorical process ("end of process").

National Pollutant Discharge Elimination System (NPDES) Permit - A permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).

National Prohibitive Discharge Standard, or Prohibitive Discharge Standard - Any regulation developed under the authority of Section 307 (B) of the Act, and 40 CFR, Section 403.5.

Natural Outlet - Any outlet, including storm sewers and combined sewer overflows, to State's Waters.

New Owner - That individual or entity who purchased property within the Service Area of the Sewer District after the effective date of this law.

New Source - Any source, the construction of which is commenced after the publication of the proposed regulation prescribing a Section 307 (C) (33 U.S.C 1317) Categorical Pretreatment Standard which will be applicable to such source, if such standard is thereafter promulgated.

Normal Sewage - see Sewage, Normal.

Nuisance - The use or lack of use of the POTW in such a manner so as to endanger life or health, give offense to the senses, or obstruct or otherwise interfere with the reasonable use or maintenance of the POTW.

Oil and Grease - The result obtained when using an approved laboratory procedure to determine the quantity of fats, wax, grease, and oil, in a sample, expressed in milligrams per liter.

Old Owner - That individual or entity who owns or owned a property, within the Service Area of the POTW, purchased prior to the effective date of this Law, who owned or inherited the property at any time and intends to sell the property, or has sold the property to a new owner, also the agent of the old owner.

Other Wastes - Garbage (shredded or unshredded), refuse, wood, egg shells, coffee grounds, sawdust, shavings, bark, sand, lime, ashes, and all other discarded matter not normally present in sewage or industrial wastes. Also, the discarded matter not normally present in sewage or industrial waste.

Pass Through - The discharge which exits the Sewer District POTW into waters of the State in quantities, which, alone or in conjunction with Discharges from other sources, is a cause of a violation of any requirement of the POTW's SPDES permit (including an increase in the magnitude or duration of a violation).

Permit - A temporary revocable written document allowing use of the POTW for specified wastes over a limited period of time, containing sampling locations and reporting frequencies, and requiring other actions as authorized by this Law.

Person - Any individual, public or private corporation, political subdivision, Federal, State, or local agency or entity, association, trust, estate or any other legal entity whatsoever.

pH - The logarithm (base 10) of the reciprocal of the weight of hydrogen ions, in gram moles per liter of solution. A pH value of 7.0, the pH scale midpoint, represents neutrality. Values above 7.0 represent alkaline conditions. Values below 7.0 represent acid conditions.

Phosphorus, total - See total phosphorus.

Pollutant - Any material placed into or onto the State's waters, lands and/or airs, which interferes with the beneficial use of that water, land and/or air by any living thing at any time.

Pollution - The man-made or man-induced alteration of the chemical, physical, biological, and/or radiological integrity of the State's waters, lands and/or airs resulting from the introduction of a pollutant into these media.

Pretreatment (Treatment) - 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 POTW. The reduction or alteration can be achieved by physical, chemical, or biological process, process changes, or by other means, except as prohibited by 40 CFR, Section 403.6 (D).

Pretreatment Requirements - Any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard imposed on an industrial user.

Pretreatment Standard or National Pretreatment Standard - Any Categorical Standard or Prohibitive Discharge Standard.

Priority Pollutants - The most recently revised or updated list, developed by the EPA, in accordance with the Act.

Prohibitive Discharge Standard - see National Prohibitive Discharge Standard.

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

POTW Treatment Plant - That portion of the POTW designed to provide treatment to wastewater, and to treat sludge and residuals derived from such treatment.

Publicly Owned Treatment Works (POTW) - A treatment works, as defined by Section 212 of the Act, (33 U.S.C 1292), which is owned, in this instance, by the Sewer District . This definition includes any sewers and appurtenances that transport wastewater to the POTW treatment plant, but does not include pipes, sewers, or other conveyances not connected directly or indirectly to a facility providing treatment.

Receiving Waters - A natural water course or body of water (usually Waters of the State) into which treated or untreated sewage is discharged.

Records - Shall include, but not be limited to, any printed, typewritten, handwritten or otherwise recorded matter of whatever character (including paper or electronic media), including but not limited to, letters, files, memoranda, directives, notes and notebooks, correspondence, descriptions, telephone call slips, photographs, permits, applications, reports, compilations, films, graphs and inspection reports. For the purposes of this law, records shall mean records of and relating to waste generation, reuse and disposal, and shall include records of usage of raw materials.

Roof Drain - A drain installed to receive water collecting on the surface of a roof for disposal.

Septage - All liquids and solids in and removed from septic tanks, holding tanks, cesspools, or approved type of chemical toilets, including but not limited to those serving private residences, commercial establishments, institutions and industries. Also sludge from small sewage treatment plants. Septage shall not have been contaminated with substances of concern or priority pollutants.

Septic Tank - A private domestic sewage treatment system consisting of an underground tank (with suitable baffling), constructed in accordance with any and/or all local and State requirements.

Service Area of the Sewer District - The Service Area is the legally defined bounds of real property from which wastewater may be discharged into the POTW. The bounds shall be established, altered, changed, modified, reduced, enlarged, combined, or consolidated by action of the Town Board.

Sewage - A combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, and such ground, surface, and storm water as may be inadvertently present. The admixture of sewage, as defined above, with industrial wastes and other wastes shall also be considered "sewage", within the meaning of this definition.

Sewage, Domestic (Domestic Wastes) - Liquid wastes from the non-commercial preparation, cooking, and handling of food, liquid wastes containing human excrement and similar matter from the sanitary conveniences in dwellings, commercial buildings, industrial buildings, and institutions, or liquid wastes from clothes washing and/or floor/wall washing. Therefore, domestic sewage includes both black water and grey water. (See Sewage, Sanitary)

Sewage, Normal - Sewage, industrial wastes, or other wastes, which show, by analysis, the following characteristics:

(a) B.O.D. (Five Day) - 2090 lbs. per million gallons (250 milligrams per liter), or less.

(b) Suspended Solids - 2500 lbs. per million gallons (300 milligrams per liter), or less.

(c) Phosphorus - 125 lbs. per million gallons (15 milligrams per liter), or less.

(d) Ammonia - 250 lbs. per million gallons (30 milligrams per liter), or less.

(e) Total Kjeldahl Nitrogen - 417 lbs. per million (50 milligrams per liter), or less.

(f) Chlorine Demand - 209 lbs. per million gallons (25 milligrams per liter), or less.

(g) Chemical Oxygen Demand - 2920 lbs. per million gallons (350 milligrams per liter), or less

(h) Oil and Grease - 830 lbs. per million gallons (100 milligrams per liter), or less.

In spite of satisfying one or more of these characteristics, if the sewage also contains substances of concern, it may not be considered normal sewage.

Sewage, Sanitary - Liquid wastes from the sanitary conveniences of dwellings (including apartment houses and hotels), office buildings, factories, or institutions, and free from storm water, surface water, industrial, and other wastes. (See Domestic Wastes)

Sewage Treatment Plant (Water Pollution Control Plant) - see POTW Treatment Plant

Sewage, Unusual Strength or Character - Sewage which has characteristics greater than those of Normal Sewage and /or which contains Substances of Concern.

Sewer - A pipe or conduit for carrying or transporting sewage.

Sewer Advisory Board - The Sewer Advisory Board shall consist of the Sewer Department Chairperson (as appointed by the Town Supervisor), The Code Enforcement Officer, and five property owners who reside within the Sewer District, as appointed by the Town Board. The role of the Sewer Advisory Board is to advise the Town Board on any issues that involve the Sewer District.

Sewer, Combined - A sewer designed to receive and transport both surface runoff and sewage.

Sewer Department Chairperson - That member of the Town Board designated by the Town Supervisor as the Sewer Department Chairperson, the Councilperson in charge of overseeing the Sewer Department and to act as liaison between the Town Board and the Sewer District.

Sewer, Public - The portion of the sewer system that is on public property, or that is within an easement that has been granted to the Sewer District.

Sewer, Sanitary - A sewer which carries sewage, and to which storm, surface, and groundwaters are not intentionally admitted.

Sewer, Storm (Storm Drain) - A sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastewaters, other than cooling waters and other unpolluted waters.

Sewerage System (also POTW) - All facilities for collecting, regulating, pumping, and transporting wastewater to and away from the POTW treatment plant.

Sewerage Surcharge - The demand payment for the use of a public sewer and/or sewage treatment plant for the handling of any sewage, industrial wastes, or other wastes accepted for admission thereto in which the characteristics thereof exceed the maximum values of such characteristics in normal sewage.

Significant Industrial User - see User, Significant Industrial

Significant Non-Compliance (SNC) - A User is in significant non-compliance if its violation(s) meet(s) one or more of the following criteria:

(a) Chronic violations of wastewater discharge limits, defined here as those, in sixty-six (66) percent or more of all of the measurements taken during a six-month period, which exceed (by any magnitude) the daily maximum limit or average limit for the same pollutant parameter;

(b) Technical Review Criteria (TRC) violations, defined here as those, in which thirty-three (33) percent or more of all of the measurements for each pollutant parameter taken during a six-month period, which equal or exceed the product of the daily maximum limits multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil and grease; TRC = 1.2 for all other pollutants);

(c) Any other violation of a pretreatment effluent limit (daily maximum or long-term average) that the DPW determines has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of POTW personnel or the general public);

(d) Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the DPW's exercise of its emergency authority under Article 10 of this Law;

(e) Failure to meet, within 90 days after the schedule date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance

(f) Failure to provide, within 30 days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;

(g) Failure to report accurately any non-compliance;

(h) Any other violation which the DPW determines will adversely affect the implementation or operation of the local pretreatment program.

Slug - A substantial deviation from normal rates of discharge or constituent concentration (see normal sewage) sufficient to cause interference. In any event, a discharge which, in concentration of any constituent or in quantity of flow, that exceeds, for any period of duration longer than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hour concentration or flow during normal user operations, shall constitute a slug.

Standard Industrial Classification (SIC) - A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972, and subsequent revisions.

Standard Methods - Procedures contained in the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, procedures established by the Administrator, pursuant to Section 304 (G) of the Act and contained in 40 CFR, Part 136, and amendments thereto. (If 40 CFR, Part 136 does not include a sampling or analytical technique for the pollutant in question, then procedures set forth in EPA publication, "Sampling and Analysis Procedures for Screening of Industrial Effluents for Priority Pollutants", April 1977, and amendments thereto, shall be used.), any other procedure approved by the Administrator, or any other procedure approved by the DPW, whichever is the most conservative.

State - State of New York.

State's Waters - See Waters of the State.

Storm Water - Any flow occurring during or following any form of natural precipitation; also the flow resulting therefrom.

Substances of Concern - Those compounds which the New York State Department of Environmental Conservation has determined may be harmful to man or the environment.

Sump Pump - A mechanism used for removing water from a sump or wet well.

Suspended Solids - The result obtained, using an approved laboratory procedure, to determine the dry weight of solids, in a sample, that either float on the surface of, or are in suspension, or are settleable, and can be removed from the sample by filtration, expressed in milligrams per liter.

Total Kjeldahl Nitrogen (TKN) - The result obtained, using an approved laboratory procedure, to determine the quantity of ammonia in a sample and released during the acid digestion of organic nitrogen compounds, expressed as milligrams of nitrogen per liter.

Total Phosphorus - The result obtained, using an approved laboratory procedure, to determine the total quantity of orthophosphate, in a sample of wastewater, following the hydrolysis of phosphorus compounds, expressed as milligrams of phosphorus per liter of sample.

Town - Town of Duanesburg, Schenectady County, New York

Toxic Substances - Any substance, whether gaseous, liquid, or solid, that when discharged to a public sewer in sufficient quantities may be hazardous to POTW operation and maintenance personnel, tend to interfere with any biological sewage treatment process, or to constitute a hazard to recreation in the receiving waters, due to the effluent from a sewage treatment plant or overflow point. Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the EPA under provisions of CWA 307 (A), or other Acts.

User - Any person who contributes, causes, or permits the contribution of wastewater into the POTW. The following categories of users are identified:

1. Initial users in the service area - parcel that had a street lateral installed during the original construction of the sewer collection system. Each vacant parcel within the service area shall also be provided with one street lateral.
2. New users that are within the service area that require a new connection at the public sewer, (i.e. subsequent subdivision of land that creates additional lot(s) after the original sewer collection system was placed in operation). In these cases, the new user will be responsible for all costs associated with the installation of the street lateral.
3. New users outside the original service area either in a subsequent extension or as outside users. In these cases, the new user is responsible for all costs associated with the extension of the sewage collection system.

User, Industrial - A discharger to the POTW who discharges non-domestic wastewaters.

User, Significant Industrial (SIU) - An industrial user of the Town POTW who is:

(a) Subject to National Categorical Pretreatment Standards promulgated by the EPA,

(b) Having substantial impact, either singly or in combination with other industries, on the operation of the treatment works,

(c) Using, on an annual basis, more than 10,000 lbs. or 1,000 gallons of raw material containing priority pollutants and/or substances of concern and discharging a measurable quantity of these pollutants to the sewer system,

(d) Discharging more than five percent (5%) of the flow or load of conventional pollutants received by the POTW treatment plant.

*Note: A user discharging a measurable quantity of a pollutant may be classified as non-significant if, at the influent to the POTW treatment plant, the pollutant is not detectable.

Wastewater - The liquid and water-carried industrial or domestic wastewaters from dwellings, commercial establishments, industrial facilities, and institutions, together with any groundwater, surface water, and storm water that may be present, whether treated or untreated, which is contributed into or permitted to enter the POTW.

Wastewater Discharge Permit A permit as set forth in Article 9 of this Law.

Wastewater, Unusual Strength or Character -- see Sewage, Unusual Strength or Character.

Waters of the State (State's Waters) - All streams, lakes, ponds, marshes, water courses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State or any portion thereof.

Section 202 - Abbreviations

The following abbreviations shall have the designated meanings:

ANSI	American National Standards Institute
ASTM	American Society for Testing and Materials
AWWA	American Water Works Association
BOD	Biochemical Oxygen Demand
CFR	Code of Federal Regulations
CPLR	Code of Public Law and Rules
COD	Chemical Oxygen Demand
DR	Designated Representative
EPA	Environmental Protection Agency
L	Liter
Mg	Milligram
Mg/l	Milligrams per liter
NCPI	National Clay Pipe Institute
NPDES	National Pollutant Discharge Elimination System
NYSDEC	New York State Department of Environmental Conservation
NYSDOH	New York State Department of Health
NYSDOT	New York State Department of Transportation
P	Total Phosphorus
PSI	Pounds per Square Inch
POTW	Publicly Owned Treatment Works
PPM	Parts per Million, weight basis
SIC	Standard Industrial Classification
SPDES	State Pollutant Discharge Elimination System
SWDA	Solid Waste Disposal Act, 42 U.S.C. 690 L, et seq.
U.S.C.	United State Code of Laws
USEPA	United States Environmental Protection Agency
TSS	Total Suspended Solids

Section 203 - Undefined Terms

Terms not defined in this article, or terms found to be ambiguous or improperly defined in this article, shall be defined by the Act, or Regulations, pursuant thereto.

END OF ARTICLE 2

Town of Duanesburg
Sewer Use Law

Article 3

USE OF PUBLIC SEWERS REQUIRED

Section 301 - Waste Disposal Unlawful
Section 302 - Connecting Private Sewage System to Storm Sewer Unlawful
Section 303 - Discharge of Sewage into Well Prohibited
Section 304 - Wastewater Discharge Unlawful
Section 305 - Building Permit Allowed Only When Approved Wastewater Disposal Available
Section 306 - Private Wastewater Disposal Unlawful
Section 307 - Connection to Public Sewer Required
Section 308 - Limitation on Use of Public Sewers
Section 309 - Wastewater from Outside the POTW Service Area Inter-municipal Agreements
Section 310 - Moratorium
Section 311 - Basis of Sewer Use Requirement

Section 301 - Waste Disposal Unlawful

It shall be unlawful for any person to place, deposit, or permit to be deposited, in any unsanitary manner, on public or private property, within the service area, any human or animal excrement, garbage, or objectionable waste. Also, no person shall discharge domestic sewage onto the surface of the ground or discharge it in a way that permits it to come to the surface of the ground.

Section 302 - Connecting Private Sewage system to Storm Sewer Unlawful

No person shall connect a private sewage system so that sewage flows into a storm sewer or into a drain intended exclusively for storm water.

Section 303 - Discharge of Sewage into Well Prohibited

No person shall discharge sewage into a well.

Section 304 - Wastewater Discharge Unlawful

It shall be unlawful to discharge to any natural outlet, within the service area, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Law, or other State or Federal regulations.

Section 305 - Building Permit Allowed Only When Approved Wastewater Disposal Available

No property owner, builder, or developer shall be issued a building permit for a new dwelling or structure requiring sanitary facilities unless a suitable and approved method of wastewater disposal, conforming to this Law, is available. All housing construction or building development which takes place after this Law is enacted shall provide for an approved system of sanitary sewers in compliance with these regulations.

Section 306 - Private Wastewater Disposal Unlawful

Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privyvault, cesspool, septic tank, or other facility intended or used for disposal of wastewater within the Service Area.

Section 307 - Connection to Public Sewer Required

(a) The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the service area, and abutting on any street, alley, right-of-way, or easement in which there is now located or may, in the future, be located a public sewer, is hereby required, at the owner's expense to install suitable sanitary facilities therein, and to connect such facilities directly with the proper public sewer, in accordance with the provisions of this law.

(b) At such time that a public sewer becomes available to a property, a direct connection shall be made to the public sewer, in compliance with this Law, and any cesspool, septic tank, and similar wastewater disposal facilities shall be cleaned of septage, by a licensed septage hauler, and finally either filled with clean sand, bank-run gravel, or dirt, or removed and properly disposed. When the connection is made to the public sewer, the connection to the private wastewater disposal facility shall be broken and both ends of the break shall be plugged, as appropriate and in accordance with any other local, state or federal regulations.

(c) If at the time the public sewer becomes available, a wastewater disposal facility exists that is a privately owned residential facility or is a facility owned by a not for profit organization, that was constructed after January 1, 1998 and of the mound type, and meets all of the then current rules, regulations and standards of the New York State Department of Environmental Conservation and the Schenectady County Department of Health, and upon written verification by a New York State licensed engineer that the system meets the required test and evaluation requirements specified by these authorities, and that the engineer certifies that the system is functioning properly and that effluent leaving the system meets standards promulgated by Regulatory Agencies, then the owner shall have the option of continuing to use such facility for a period of three years from the date of such verification, provided re-verification of suitability for use is established each year on the anniversary date of the original verification. This provision shall expire in any event on December 31, 2004. It should be noted that the owners are obligated to pay to the Sewer District all indebtedness costs associated with the construction of the sewer system during this three year period and thereafter.

Section 308 - Limitation on Use of Public Sewers

The use of the Town public sewers shall be strictly limited and restricted, except as provided in Section 307, to receive and accept the discharge of sewage and other wastes, including industrial wastes generated on or discharged from real property within the bounds of the Service Area of the POTW.

Section 309 - Wastewater from Outside the POTW Service Area - Inter-municipal Agreements

The Town Board shall have the authority to enter into agreements to accept sewage and other wastes, including industrial wastes, generated by or discharged from persons outside the service area of the POTW.

If the person is a municipality, that municipality shall have enacted a Sewer Use Law as restrictive on the discharge of sewage and other wastes as the restrictions contained in this Law.

If the person is not a municipality the acceptance shall be made only with the expressed written consent of the Town Board (the issuance of a permit) setting forth the terms and conditions of such acceptance.

Section 310 - Moratorium

The Town Board, on its own volition, or at the recommendation of the DR and the Sewer Advisory Board, who determines that:

(1) one or more segments of the POTW is exceeding its hydraulic capacity at any time

(2) any specific purpose of this Law is being violated

The Town Board shall have the authority to limit or deny new connections to the POTW until the conditions leading to the moratorium are corrected. Such correction may be by:

(1) construction of new facilities
(2) enlarging existing facilities
(3) correction of inflow and infiltration
(4) cleaning and repairing of existing facilities

Section 311 - Basis of Sewer Use Requirement

All requirements, directives, and orders calling for mandatory use of the sewers, within the Service Area of the POTW, for the proper discharge of sewage and other wastes, including industrial wastes, shall be established and given by the Town Board, NYSDEC, USEPA, and/or other such State or Federal agencies, which have enforcement powers.

END OF ARTICLE 3

Article 4

PRIVATE WASTEWATER DISPOSAL

Section 401 - Private Wastewater Disposal Prohibited
Section 402 - Preventing Nuisances - Rehabilitation Required
Section 403 - Sanitary Operation Required
Section 404 - Septage Removal
Section 405 - Additional Requirements

Section 401 - Private Wastewater Disposal Prohibited

No new Private Wastewater Disposal System shall be constructed on any property within the service area of the Sewer District once a public sewer becomes available to that property.

Section 402 - Preventing Nuisances - Rehabilitation Required

When the liquid or liquid-borne effluent from a private wastewater disposal system enters any watercourse, ditch, storm sewer, or water supply system, located in the Sewer District, in such a manner, volume, and concentration so as to create a hazardous, offensive, or objectionable condition, in the opinion of the Schenectady County DOH, the owner of the premises upon which such wastewater disposal system is located, upon receiving written notice from the Town Board, to do so, shall, within ninety (90) days, after receipt of such notice, repair, rebuild, or relocate such wastewater disposal system for the purpose of eliminating such hazardous, offensive, or objectionable conditions. The repair, rebuilding, or relocation of the system shall be accomplished in accordance with the rules and regulations of the Schenectady County DOH, at the owner's expense.

Section 403 - Sanitary Operation Required

The owner shall operate and maintain the private wastewater disposal system in a satisfactory manner at all times, at the owner's expense.

Section 404 - Septage Removal

Where a private wastewater disposal system utilizes a septic tank, septage shall be removed from the septic tank, by a licensed hauler of trucked and hauled wastes, at three year intervals or more frequently, as necessary, and legally disposed of.

Section 405 - Additional Requirements

No statement in this Article shall be construed to prevent, or interfere with, any additional requirements that may be deemed necessary by the Town Board, to protect public health and public welfare.

END OF ARTICLE 4

Town of Duanesburg
Sewer Use Law

Article 5

NEW SEWERS or SEWER EXTENSIONS

Section 501 - Proper Design
Section 502A - New Sewers Subject to Approval, Fees, Inspection, Testing, and Reporting
Section 502 B - Plans, Specification, and Pipe Test Results Required
Section 503 A - Sewer Pipe
Section 503 B - Safety and Load Factors
Section 503 C - Sewer Pipe installation
Section 503 D - Cleanout Installation
Section 504 - Manholes and Manhole Installation
Section 505 A - Infiltration/Exfiltration Testing
Section 505 B - Test Section
Section 505 C - Test Period
Section 505 D - Pipe Lamping
Section 505 E - Deflection Testing
Section 505 F - Air Testing Alternative
Section 505 G - Vacuum Testing Alternative
Section 506 A - Force Mains
Section 506 B - Force Main Testing
Section 507 - Final Acceptance and Warranty/Surety
Section 508 - Liability Insurance Coverage During Construction Period

Section 501 - Proper Design

New sanitary sewers and all extensions to sanitary sewers owned and operated by the Town shall be designed, by a professional licensed to practice sewer design in the State, in accordance with the Recommended Standards for Sewage Works, as adopted by the Great Lakes - Upper Mississippi River Board of State Sanitary Engineers ("Ten State Standards"), and in strict conformance with all requirements of the NYSDEC. Plans and specifications shall be submitted to, and written approval shall be obtained from the Town Board, the New York State Health Department, and the NYSDEC, before initiating any construction. The design shall anticipate and allow for flows from all possible future extensions or developments within the immediate drainage area.

If, however, there is inadequate capacity in any sewer which would convey the wastewater or if there is insufficient capacity in the POTW treatment plant to treat the wastewater properly, the application shall be denied. Sewer line and POTW treatment plant current use shall be defined as the present use and the unutilized use which has been committed, by resolution, to other users by the Town Board.

Section 502 A - New Sewers Subject to Approval, Fees, Inspection, Testing, and Reporting

When a property owner, builder, or developer proposes to construct sanitary sewers or extensions to sanitary sewers in an area proposed for subdivision, the plans, specifications, and method of installation shall be subject to the approval of the Town Board, and the Schenectady

County Health Department, in accordance with Section 501. Said property owner, builder, or developer shall pay for the entire installation, including a proportionate share of the treatment plant, intercepting or trunk sewers, pumping stations, force mains, and all other Sewer District expenses incidental thereto. Each street lateral shall be installed and inspected pursuant to Article 6, and inspection fees shall be paid by the applicant prior to initiating construction. Design and installation of sewers shall be as specified in Section 503, and in conformance with Paragraphs 3 through 6 of ASTM Specification C-12. The installation of the sewer shall be subject to additional periodic inspection by the DR, without prior notice. The DR shall determine whether the work is proceeding in accordance with the approved plans and specifications, and whether the completed work will conform with the approved plans and specifications. The sewer, as constructed, must pass the infiltration test (or the exfiltration test, with prior approval), required in Section 505, before any building lateral is connected thereto. The DR shall be notified 30 days in advance of the start of any construction actions so that such inspection frequencies and procedures as may be necessary or required, may be established. No new sanitary sewers will be accepted by the DR until such construction inspections have been made so as to assure the DR of compliance with this Law and any amendments or additions thereto. The DR has the authority to require such excavation as necessary to inspect any installed facilities if the facilities were covered or otherwise backfilled before they were inspected so as to permit inspection of the construction. The DR shall report all findings of inspections and tests to the Town Board.

Section 502 B - Plans, Specification, and Pipe Test Results Required

Plans, specifications, and methods of installation shall conform to the requirements of this Article. Components and materials of wastewater facilities not covered in this Law, such as pumping stations, lift stations, or force mains shall be designed in accordance with Section 501, and shall be clearly shown and detailed on the plans and specifications submitted for approval. Force main details are covered in Section 506. When requested, the applicant shall submit, to the Town and to the New York State Health Department, all design calculations and other pertinent data to supplement review of the plans and specifications. Results of manufacturer's tests on each lot of pipe delivered to the job site shall also be furnished, upon request.

Section 503 A - Sewer Pipe

(1) Sewer pipe material shall be:

(a) **Reinforced Concrete Pipe:** (Note that non-reinforced concrete pipe shall not be used.) Portland cement shall conform to ASTM C-150 Type II. The pipe and specials shall conform to ASTM Specification C-76. The reinforcing wire cage shall conform to ASTM Specification A 15, A 82, or A 185, as appropriate. Entrained air shall be 5.0% to 9.0% by ASTM C-890 Water absorption and three-edge bearing tests shall conform to ASTM Specification C-497. Gaskets shall conform to Sections 3.3 and 3.4 of AWWA Specification C-302.

(b) **Cast Iron Pipe** - Extra Heavy Pipe, fittings, and specials shall conform to the requirements of ASTM Specification A-74 or ANSI A-21.11. Gaskets shall conform to ASTM Specification C-564.

(c) **Polyvinyl Chloride (PVC) Pipe** - Heavy Wall Pipe (SDR 26/35) shall be made from Class 12454-B materials or better in accordance with ANSI/ASTM Specification D-1784. Pipe and accessories shall conform to the requirements of the following, with a minimum pipe stiffness of 46 PSI at a maximum deflection of five percent (5%).

ANSI/ASTM D3034	(4" - 15")
ASTM F679 Type I	(18" - 27")

(d) **Ductile Iron Pipe:** Pipe, fittings, and specials shall be manufactured in accordance with ASTM Specification A-746. Pipe shall have a minimum thickness of Class 50. Fittings shall conform to ANSI Specification A-21.11 and have a minimum pressure class rating of 150 PSI.All pipe and fittings shall be cement mortar lined in accordance with ANSI Specification A-21.4 at twice the specified thickness, and have an internal and external bituminous seal coating. Closure pieces shall be jointed by means of mechanical coupling of the cast sleeve type.

(e) **Vitrified Clay Pipe:** Extra strength(Note that standard strength vitrified clay pipe shall not be used.) Pipe shall conform to the current requirements of NCPI Specification ER 3300-67 and meet the requirements of ASTM Specification C 700.

(f) **Acrylonitrile-Butadiene-Styrene (ABS) Pipe:** Pipe and fittings shall conform to the requirements of ASTM Specification D 2661.

(g) **Other pipe materials:** Other pipe materials require prior written approval of the Town Board before being installed.

(2) The minimum internal pipe diameter shall be eight (8) inches for gravity sewers and three (3) inches for low pressure sewers.

(3) Joints for the selected pipe shall be designed and manufactured such that "O" ring gaskets of the "snap-on" type are used.

(4) Gaskets shall be continuous, solid, natural or synthetic rubber, and shall provide a positive compression seal in the assembled joint, such that the requirements of Section 505 are met.

(5) Joint preparation and assembly shall be in accordance with the manufacturer's recommendations.

(6) Wye branch fittings, as approved by the Town Board, shall be installed, for connection of street laterals, in accordance with Section 606.

Section 503 B - Safety and Load Factors

Selection of pipe class shall be predicated on the following criteria:

Safety Factor	1.5
Load Factor	1.7
Weight of Soil	120 lbs/cu. ft.
Wheel Loading	16,000 lbs.

Utilizing the foregoing information, design shall be made as outlined in Chapter IX of the Water Pollution Control Federation Manual of Practice No. 9, latest edition, "Design and Construction of Sanitary and Storm Sewers", and the pipe shall have sufficient structural strength to support all loads to be placed on the pipe, with a safety factor as specified above.

PVC pipe shall not be encased in concrete due to their different coefficients of linear thermal expansion.

Section 503 C - Sewer Pipe Installation

(1) Local utilities shall be contacted to verify construction plans and to make arrangements to disconnect all utility services, where required to undertake the construction work. The utility services shall later be reconnected. The work shall be scheduled so that there is minimum inconvenience to local residents. Residents shall be provided proper and timely notice regarding disconnection of utilities.

(2) The construction right-of-way shall be cleared only to the extent needed for construction. Clearing consists of removal of trees which interfere with construction, removal of underbrush, logs, and stumps, and other organic matter, removal of refuse, garbage, and trash, removal of ice and snow, and removal of telephone and power poles, and posts. Any tree which will not hinder construction shall not be removed, and shall be protected from damage by any construction equipment. Debris shall not be burned, but hauled for disposal in an approved manner.

(3) The public shall be protected from personal and property damage as a result of the construction work.

(4) Traffic shall be maintained at all times in accordance with applicable highway permits. Where no highway permits are required, at least 1/2 of a street shall be kept open for traffic flow.

(5) Erosion control shall be performed throughout the project to minimize the erosion of soils onto lands or into waters adjacent to or affected by the work. Erosion control can be effected by limiting the amount of clearing and grubbing prior to trenching, proper scheduling of the pipe installation work, minimizing time of open trench, prompt grading and seeding, and filtration of drainage.

(6) The trench shall be excavated only wide enough for proper installation of the sewer pipe, manhole, and appurtenances. Allowances may be made for sheeting, de-watering, and other similar actions to complete the work. Roads, sidewalks, and curbs shall be cut, by sawing or by other methods as approved by the DR, before trench excavation is initiated.

(7) Under ordinary conditions, excavation shall be by open cut from the ground surface. However, tunneling or boring under structures other than buildings may be permitted. Such structures include crosswalks, curbs, gutters, pavements, trees, driveways, and railroad tracks.

(8) Open trenches shall be protected at all hours of the day with barricades, as required.

(9) Trenches shall not be open for more than 30 feet in advance of pipe installation nor left unfilled for more than 30 feet in the rear of the installed pipe, when the work is in progress, without permission of the DR. When work is not in progress, including over night, weekends, and holidays, the trench shall be backfilled to ground surface.

(10) The trench shall be excavated approximately six (6) inches deeper than the final pipe grade. When unsuitable soils are encountered, these shall be excavated to a maximum depth of 2-1/2 feet below the final pipe invert grade and replaced with select materials.

(11) Ledge rock, boulders, and large stones shall be removed from the trench sides and bottom. The trench shall be over-excavated at least 12 inches for five (5) feet, at the transition from rock bottom to earth bottom, centered on the transition.

(12) Maintenance of grade, elevation, and alignment shall be done by some suitable method or combination of methods.

(13) No structure shall be undercut unless specifically approved by the DR.

(14) Proper devices shall be provided, and maintained operational at all times, to remove all water from the trench as it enters. At no time shall the sewer line be used for removal of water from the trench.

(15) To protect workers and to prevent caving, shoring and sheeting shall be used, as needed. Caving shall not be used to backfill the trench. Sheeting shall not be removed but cut off no lower than one foot above the pipe crown nor no higher than one foot below final grade, and left in the trench, during backfill operations.

(16) The pipe barrel shall be supported, along its entire length, on a minimum of six (6) inches of crusher run max. 1/2 inch stone free of organic material. This foundation shall be firmly tamped in the excavation.

(17) Bell holes shall be hand excavated, as appropriate.

(18) Pipe shall be laid from low elevation to high elevation. The pipe bell shall be up-gradient; the pipe spigot shall be down-gradient.

(19) Joint preparation and assembly shall be in accordance with the manufacturer's written instructions.

(20) The grade and alignment shall be checked and made correct. The pipe shall be in straight alignment. Any negotiation of curves shall be at manholes, except when site conditions require alternative pipe laying procedures. These alternative procedures, including bending the pipe barrel, deflecting the joint, and using special fittings, shall require prior written approval of the plans and also written confirmation approval of need by the DR after examination of the site conditions.

(21) When a smaller sewer joins a larger one the invert of the larger sewer shall be lowered sufficiently to maintain the same hydraulic gradient. An approximate method which may be used for securing this result is to place the 0.8 depth of both sewers at the same elevation.

(22) Crushed stone shall be placed over the laid pipe to a depth of at least six (6) inches. The embedment of thermoplastic pipe shall be in accordance with ASTM D2321 using class 1A or 1B backfill materials. Care shall be exercised so that stone is packed under the pipe haunches. Care shall be exercised so that the pipe is not moved during placement of the crushed stone.

(23) The migration of fines from surrounding backfill or native soils shall be restricted by gradation of embedment materials or by use of suitable filter fabric.

(24) The remaining portion of the trench above the pipe embedment shall be backfilled in foot lifts which shall be firmly compacted. Compaction near/under roadways, driveways, sidewalks, and other structures shall be to 95 % of the maximum moisture-density relationship, as determined by ASTM Specification D 698, Method D. Ice, snow, or frozen material shall not be used for backfill.

Section 503 D - Cleanout Installation

(1) Cleanouts for low pressure sewers shall be placed at intervals of approximately 400 to 500 feet, at major changes of direction, where one collection main joins another main and at the upstream end of each main branch.

(2) The design of the cleanouts shall be as approved by the DR.

Section 504 - Manholes and Manhole Installation

(1) Design of all manholes shall be submitted to the DR and shall receive approval prior to placement.

(2) Manholes shall be placed where there is a change in slope or alignment, and at intervals not exceeding 400 linear feet except as authorized by the DR.

(3) Manhole bases shall be constructed or placed on a minimum of six (6) inches of crusher run max. 1/2 inch stone free of organic materials.

(4) Manhole bases shall be constructed of 4,000 psi (28 day) concrete 8 inches thick, or shall be precast bases properly bedded in the excavation. Field constructed bases shall be monolithic, properly reinforced, and extend at least 6 inches beyond the outside walls of lower manhole sections. Precast manhole bases shall extend at least 6 inches beyond the outside walls of lower manhole sections.

(5) Manholes shall be constructed using precast minimum 4 foot diameter concrete manhole barrel sections, and an eccentric top section, conforming to ASTM Specification C-478, with the following exceptions on wall thickness:

Manhole Diameter Feet	Wall Thickness Inches
4	5
5	6
6	7
6-1/2	7-1/2
7	8
8	9

All sections shall be cast solid, without lifting holes.

Flat top slabs shall be a minimum of 8 inches thick and shall be capable of supporting a H-20 loading.

(6) All joints between sections shall be sealed with an "O" ring rubber gasket, meeting the same specifications as pipe joint gaskets, or butyl joint sealant completely filling the joint.

(7) All joints shall be sealed against infiltration. All metal parts shall be thickly coated with bitumastic or elastomeric compound to prevent corrosion.

(8) No steps or ladder rungs shall be installed in the inside or outside manhole walls at any time after initial casting.

(9) No holes shall be cut into the manhole sections closer than 6 inches from joint surfaces.

(10) Manholes which extend above grade shall not have an eccentric top section. The top plate shall be large enough to accommodate the cover lifting device and the cover.

(11) The elevation of the top section shall be such that the cover frame top elevation is 0.5 foot above the 100-year flood elevation (in a field), 0.5 foot above a lawn elevation, or at finished road or sidewalk grade.

(12) All manhole frames and covers shall be heavy duty cast iron. The cover shall be 25 inches, minimum, in diameter. The minimum combined weight of the heavy duty frame and cover shall be 325 +/- 5% lbs. The mating surfaces shall be machined, and painted with tar pitch varnish. The cover shall not rock in the frame. Infiltration between the cover and frame shall be prevented by proper design and painting. Covers shall have "Sanitary Sewer" cast into them. Covers shall have lifting holes suitable for any lifting/jacking device. The lifting holes shall be designed so that infiltration is prevented.

(13) A drop of at least 0.1 foot shall be provided between incoming and outgoing sewers on all junction manholes and on manholes with bends greater than 45 degrees.

(14) Inverts and shelves/benches shall be placed after testing the manholes and sewers.

(15) Benches shall be level and slope to the flow channel at about 1 inch per foot.

(16) The minimum depth of the flow channel shall be the nominal diameter of the smaller pipe. The channel shall have a steel trowel finish. The flow channel shall have a smooth curvature from inlet to outlet.

(17) Manhole frames, installed at grade, shall be set in a full bed of mortar with no less than two nor more than four courses of brick underneath to allow for later elevation adjustment. In lieu of brick, grade rings may be used for elevation adjustment. Grade rings shall not exceed 6 inches in depth. The total number of grade rings shall not exceed 12 inches in height, however, in no event shall more than 3 grade rings be used.

(18) Manholes which extend above grade, shall have the frames cast into the manhole top plate. The top plate shall be securely anchored to the manhole barrel, by a minimum of six 1/2 inch corrosion resistant anchor bolts, to prevent overturning when the cover is removed. The anchor bolts shall be electrically isolated from the manhole frame and cover.

(19) Internal drop pipes and fittings shall be PVC plastic sewer pipe in compliance with ASTM D2241. Corrosion resistant anchors shall be used to attach the drop pipe to the inside surface of the manhole barrel.

Section 505 A - Infiltration/Exfiltration Testing

All sanitary sewers or extensions to sanitary sewers, including manholes, shall satisfy requirements of a final infiltration test before they will be approved and wastewater flow permitted by the DR. The infiltration rate shall not exceed 25 gallons per 24 hours per mile per nominal diameter in inches. An exfiltration test may be substituted for the infiltration test; the same rate shall not be exceeded. The exfiltration test shall be performed by the applicant, under the supervision of the DR, who shall have the responsibility for making proper and accurate measurements required. The exfiltration test consists of filling the pipe with water to provide a head of at least 5 feet above the top of the pipe or 5 feet above groundwater, whichever is higher, at the highest point under test, and then measuring the loss of water, from the pipe section under test, by the amount of water which must be added to maintain the original level. However, under no circumstances shall the head at the downstream manhole exceed ten (10) feet or fill to within six (6) inches of the top of the downstream manhole. Should this condition prevail, the testing methods in Sections 504 F and/or 504 G shall be utilized. In this test, the test section must remain filled with water for at least 24 hours prior to taking any measurements. Exfiltration shall be measured by the drop of water level in a standpipe with a closed bottom end, or in one of the sewer manholes serving the test section. When a standpipe and plug arrangement is used in the upper manhole in the test section, there shall be some positive method for releasing entrapped air prior to taking any measurements.

Section 505 B - Test Section

The test section shall be as ordered or as approved, but in no event longer than 1,000 feet. In the case of sewers laid on steep grades, the test length may be limited by the maximum allowable internal pressure on the pipe and joints at the lower end of the test section. For purposes of determining the leakage rate of the test section, manholes shall be considered as sections of 48-inch diameter pipe, 5 feet long. The maximum allowable leakage rate for such a section is 1.1 gallons per 24 hours. If leakage exceeds the allowable rate, then necessary repairs or replacements shall be made, and the section retested.

Section 505 C - Test Period

The test period, during which the test measurements are taken, shall not be less than two (2) hours.

Section 505 D - Pipe Lamping

Prior to testing, the section shall be lamped. Any length of pipe out of straight alignment shall be realigned.

Section 505 E - Deflection Testing

Also prior to testing, all plastic pipe, in the test section, shall be tested for deflection. Deflection testing shall involve the pulling of a rigid ball or mandrel, whose diameter is 95 percent of the pipe inside diameter, through the pipe. Any length of pipe with a deflection greater than 5 percent shall be replaced. The test section shall be flushed just prior to deflection testing. The test shall not be performed with a mechanical pulling device.

Section 505 F - Low Pressure Air Testing Alternative

In lieu of hydrostatic testing (exfiltration or infiltration), low pressure air testing may be employed. Low pressure air tests shall conform to ASTM Specification C 828. All sections to be tested shall be cleaned and flushed, and shall have been backfilled, prior to testing. Air shall be added until the internal pressure of the test section is raised to approximately 4.0 PSIG. The air pressure test shall be based on the time, measured in seconds, for the air pressure to drop from 3.5 PSIG to 2.5 PSIG.

Acceptance is based on limits tabulated in the "Specification Time Required for a 1.0 PSIG Pressure Drop" in the Uni-Bell PVC Pipe Association "Recommended Practice For Low-Pressure Air Testing of Installed Sewer Pipe".

Before pressure is applied to the line all connections shall be firmly plugged. Before the test period starts, the air shall be given sufficient time to cool to ambient temperature in the test section.

If the test section is below groundwater, the test pressure shall be increased by an amount sufficient to compensate for groundwater hydrostatic pressure, however, the test pressure shall not exceed 10 PSI, or a lower pressure as required by the DR.

The pressure test gauge shall have been recently calibrated, and a copy of the calibration results shall be made available to the DR prior to testing.

Section 505 G - Vacuum Testing Alternative

In lieu of hydrostatic testing (exfiltration or infiltration), vacuum testing may be employed for testing of sewer lines and manholes. Sewer lines and manholes shall be tested separately. All sewer lines to be tested shall be cleaned and flushed, and shall have been backfilled, prior to testing. The vacuum test shall be based on the time, measured in seconds, for the vacuum to decrease from 10 inches of mercury to 9 inches of mercury for manholes, and from 7 inches of mercury to 6 inches of mercury for sewers.

Acceptance of manholes is based on the following:

Manhole Depth	Mahole Diameter	Time to Drop 1" Hg (10" to 9")
10 feet or less	4 feet	120 seconds
10 feet to 15 feet	4 feet	150 seconds
15 feet to 25 feet	4 feet	180 seconds

For 5 ft diameter manholes, add 30 seconds to the times above.
For 6 ft diameter manholes, add 60 seconds to the times above.

If the test on the manhole fails (the time is less than that tabulated above), necessary repairs shall be made and the vacuum test repeated, until the manhole passes the test.

Acceptance of sewers (7" Hg to 6" Hg) is based on the time tabulated in the "Specification Time Required for a 0.5 PSIG Pressure Drop" in the Uni-Bell PVC Pipe Association "Recommended Practice For Low-Pressure Air Testing of Installed Sewer Pipe".

The vacuum test gauge shall have been recently calibrated, and a copy of the calibration results shall be made available to the DR prior to testing.

Section 506A - Force Mains

Force mains serving sewage lifting devices, such as grinder pumps and pump stations, shall be designed in accordance with Section 501.

Additional design requirements are:

(1) Force main pipe material shall be:

(a) **Ductile Iron Pipe:** Pipe shall conform to ANSI A21.51. The minimum wall thickness shall be Class 52 (ANSI A21.50). The pipe shall be clearly marked with either "D" or "DUCTILE". Fittings shall conform to ANSI A21.10.Pipe and fittings shall be furnished with push-on joints conforming to ANSI A21.11. Pipe and fittings shall be cement mortar lined and have an internal and external bituminous seal coating.

(b) **Polyvinyl Chloride (PVC) Plastic Pipe:** Pipe shall conform to ASTM D2241. Materials used in the manufacture of PVC pipe shall meet ASTM c1784. The minimum wall thickness shall be SDR-21. Fittings shall conform to ASTM D2241. Joints and gaskets shall conform to ASTM D2241, D1869, and F477.

(c) **Other pipe materials:** Other pipe materials require prior written approval of the DR before being installed.

(2) Trenching, bedding, and backfilling shall be in accordance with Section 503 C.

(3) Joint preparation and assembly shall be in accordance with the manufacturer's written instructions.

(4) Anchorages, concrete blocking, and/or mechanical restraint shall be provided when there is a change of direction of 7-1/2degrees or greater.

(5) Drain valves shall be placed at low points.

(6) Automatic air relief valves shall be placed at high points and at 400 ft intervals, on level force main runs.

(7) Air relief and drain valves shall be suitably protected from freezing.

(8) When the daily average design detention time, in the force main, exceeds 20 minutes, the manhole and sewer line receiving the force main discharge or the sewage shall be treated so that corrosion of the manhole and the exiting line are prevented. The corrosion is caused by sulfuric acid biochemically produced from hydrogen sulfide anaerobically produced in the force main.

(9) The force main shall terminate, in the receiving manhole, at a PVC plastic sewer pipe "T". The vertical arms of the "T" shall be twice the diameter of the force main. The upper arm shall be at least 4 feet long; the lower arm shall terminate in a PVC plastic sewer pipe 90 degree elbow in a flow channel directed to the manhole exit pipe. The "T" and its arms shall be securely fastened to the inside surface of the manhole wall using corrosion resistant anchors.

Section 506B - Force Main Testing

All force mains shall be subjected to hydrostatic pressure of 150 percent of the normal operating pressure. The duration of the test, at pressure, shall be at least 2 hours. Before conducting the test, the pipe shall be filled with water and all air shall be expelled. During the test, water shall be added, as needed, to maintain the test pressure. The amount of water added shall be recorded so as to calculate leakage. Leakage shall not exceed 25 gallons per day per mile per inch nominal pipe diameter. During the test, the owner and the DR shall walk the route of the force main and examine the exposed pipe and the ground covering any backfilled pipe to discover leaks. Leakage in excess of that specified above shall be corrected with new material at the owner's expense and the test repeated. Any observed leaks shall be repaired at the owner's expense. Each test section length shall be as approved by the DR, but in no event longer than one thousand (1,000) feet.

Section 507 - Final Acceptance and Warranty/Surety

All sanitary sewers and extensions to sanitary sewers constructed at the applicant's expense, after final approval and acceptance by the DR, shall become the property of the Sewer District, and shall thereafter be operated and maintained by the Sewer District. No sanitary sewer shall be accepted by the DR until four (4) copies of as-built drawings have been so filed with the DR and the DR has approved the submitted drawings. Said sewers, after their acceptance by the DR, shall be guaranteed against defects in materials or workmanship for one (1) year, by the applicant. The guarantee shall be in such form and contain such provision as deemed necessary by the DR, secured by a surety bond or such other security as the DR may approve.

Section 508 - Liability Insurance Coverage During Construction Period

(1) All contractors engaged in connecting house laterals with sanitary sewers, who perform any work within the Right of Way of any highway, shall file a bond in the amount of Five Thousand Dollars ($5,000.00) with the Town Clerk to indemnify the Town against loss, cost, damage or expense sustained or recovered on account of any negligence, omission or act of the applicant for such a permit, or any of his, or their agents arising or resulting directly or indirectly by reason of such permit or consent, or of any act, construction or excavation done, made or permitted under authority of such permit or consent. All bonds shall contain a clause that permits given by the Town (Board) may be revoked at any time for just cause.

(2) Before commencing work, the above contractor shall file insurance certificates with the Town Clerk for the following:

(a) Workman's Compensation and Employer's Liability Insurance as required by the laws of the State covering the contractor;

(b) Personal Injury Liability having limits of not less than $500,000 each occurrence and $500,000 aggregate (completed operations/products, personal injury);

(c) Property Damage Liability having limits of not less than $500,000 for all damages arising during the life of the contract; and shall include, but not be limited to, the following designated hazards:

i - Premises and Operations;
ii - Independent Contractors;
iii - Completed operations and products;
iv - Property Damage; and
v - Explosions, collapse and underground;

(d) Comprehensive automobile liability (including non-owned and hired automobiles) having limits of not less than:

i - Bodily injury - each person	$300,000
each occurrence	$500,000
ii - Property damage - each occurrence	$500,000

(e) Business Excess Liability Insurance in the amount of $2,000,000.

(f) All insurance policies must provide for five (5) business days notice to the Town before cancellation and must cover all liabilities of the Town and be in a form approved by the Town Board, and be in a satisfactory form approved by the Board

(g) The minimum insurance limits stated above shall be subject to periodic review by the Town Board and adjustments made, by resolution, as appropriate.

(3) Where it is necessary to enter upon or excavate any highway or cut any pavement, sidewalk or curbing, permission must be obtained from the Town Board if a Town Street is involved, from the County Department of Public Works if a County Highway is involved, and/or the New York State Department of Transportation if a State Highway is involved.

(4) The minimum insurance limits above shall be as established by the Town Board and shall be subject to periodic review and adjustment, as appropriate, by the Town Board.

END OF ARTICLE 5

Town of Duanesburg
Sewer Use Law

Article 6

BUILDING LATERALS, STREET LATERALS and CONNECTIONS

Section 601 A - Permit Required for Sewer Connections
Section 601 B - Inflow/Infiltration Prohibited
Section 602 - Sewer Lateral Permits
Section 603 A - New Building Laterals
Section 603 B - Laterals Serving Several Buildings
Section 603 C - Laterals Serving Complexes
Section 603 D - Dry Sanitary Sewers
Section 604 - Using Existing Building Laterals
Section 605 - Lateral Pipe Materials
Section 606 A - Street Lateral to Public Sewer Connection
Section 606 B - Future Connection Locations; As-Built Drawings
Section 606 C - Special Manhole Requirements
Section 607 - Laterals At and Near Buildings
Section 608 - Sewage Lifting
Section 609 - Lateral Pipe Installation
Section 610 A - Watertight Joints
Section 610 B - Cast Iron Pipe Poured Joints
Section 610 C - Cast Iron Push Joints
Section 610 D - PVC Push Joints
Section 611 A - Building Lateral/Street Lateral Connection
Section 611 B - Street Lateral Replacement; Maintenance and Ownership
Section 612 - Testing
Section 613 A - Connection Inspection
Section 613 B - Trench Inspections
Section 613 C Septic Tank Inspection
Section 614 - Public Safety Provisions Required; Restoration of Disturbed Areas
Section 615 - Interior Clean-Out
Section 616 - Costs Borne by Owner

Section 601 A - Permit Required for Sewer Connections

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

Section 601 B - Inflow/Infiltration Prohibited

No person shall discharge or cause to be discharged any storm cooling water or unpolluted industrial waters to any sanitary sewer. Swimming pool drains shall not be connected to any sanitary sewer.

Section 602 - Sewer Lateral Permits

There shall be two classes of building lateral permits:

(1) For residential, commercial, and institutional service,

(2) For service to establishments producing industrial wastes.

In either case, a permit application shall be submitted to the DR. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent, in the judgment of the DR. A fee, for residential, commercial, institutional and industrial users, as established by the Town Board, shall accompany the application. (See Article 11 of this Sewer Use Law.)

Connections to existing manholes shall be made as directed by the DR.

Section 603 A - New Building Laterals

A separate and independent building lateral shall be provided for every building requiring sanitary facilities. When, however, there is a building behind a front building, and there is common ownership, the second building may, with special permission from the Town Board, use the front building's building lateral, if there is no other way to provide sanitary service to the back building.

New street laterals and/or building laterals shall not go under building basements. In like fashion, a building shall not be constructed over an existing lateral; the lateral shall be relocated after the DR has approved plans showing the relocation. If relocation is not physically possible then the lateral shall be

(1) exposed and totally encapsulated in not less than three inches of concrete, or

(2) exposed and walled and the building rooms above positively ventilated outdoors.

All existing manholes in or under the basement shall be sealed air-tight in a manner acceptable to the DR. No new manholes shall be constructed on the portion of the lateral under the building.

Section 603 B -Laterals Serving Several Buildings

When building laterals are to serve multiple dwelling structures, the building lateral shall be sized in accordance with sound professional engineering judgment.

Section 603 C - Laterals Serving Complexes

Where a lateral sewer is to serve a complex of industrial, commercial, institutional, or dwelling structures, special design of the building lateral system shall be required. Such lateral sewer shall be connected to the public sewer through a manhole. The Town Board shall determine if and where this connection to the public sewer is required. If required, a new manhole shall be installed in the public sewer pursuant to Section 503 D and 1007 and the lateral connection made and tested as directed by the Town Board. Plans and specifications shall be prepared and submitted for approval pursuant to this Law.

Section 603 D - Dry Sanitary Sewers

Dry Sanitary Sewers shall be designed and installed in accordance to this Law.

Section 604 - Using Existing Building Laterals

Existing building laterals may be used in connection with new buildings only when they are found, on examination by the DR, to meet all requirements of this local Law.

Section 605 - Lateral Pipe Materials

Building and street lateral pipe materials shall be one of the following:

(1) Tar-coated, service grade, cast iron soil pipe conforming to ASTM Specification A-74, "Cast Iron Pipe and Fittings". All dimensions, weight and markings of the pipe shall conform to the requirements of ANSI, Designation A112.5.1, except spigot ends shall be "plain end", if gasket joints are used.

(2) Polyvinyl chloride (PVC) pipe and fittings conforming to ASTM Specification D-2241, "SDR-26 Polyvinyl Chloride (PVC) Sewer Pipe and Fittings". All pipe shall be suitable for gravity sewer service. Provisions shall be made for contraction and expansion at each joint with a rubber ring. The bell shall consist of an integral wall section stiffened with two PVC retainer rings which securely lock the solid cross-section ring into position. Minimum "Pipe Stiffness" (F/Y) at five percent (5%) deflection shall be 46 PSI when tested in accordance with ASTM Specification D-2412.

If installed on fill or unstable ground, the building or street lateral may need to be uniformly supported on a poured concrete cradle approved by the DR. The distance between consecutive joints, as measured along the centerline of the installed pipe, shall not be less than ten (10) feet, except under abnormal circumstances, in which case this dimension may be diminished, if approved by the DR. The size and slope of building and street laterals shall be subject to approval by the DR, but in no event shall the internal pipe diameter be less than 6 inches, nor shall the pipe slope be less than 1/8 inch per foot (1%).

Section 606 A - Street Lateral to Public Sewer Connection

At the point of connection of a street lateral to a main sewer, a standard wye fitting and sufficient one-eighth (45 degree) bend fittings shall be used. The wye fittings shall be installed so that flow in the "arm" shall transition smoothly into the flow in the public sewer. No lateral connection shall be made to the public sewer which permits the flow into the public sewer from the lateral to enter at right angles.

The inside diameter of the fittings shall be same diameter as the street lateral inside diameter.

Section 606 B - Future Connection Locations; As-Built Drawings

The street lateral, including the wye and eighth bend fittings, shall be connected to the main sewer at the time of constructing the main sewer, for each proposed lot for either immediate or future development. Laterals installed for future development shall be fitted a standard plug approved for use by the DR. All sewer connections shall be via a properly installed saddle on the main sewer pipe. No portion of the lateral pipe shall protrude into the main sewer pipe. The location of all lateral connections shall be field marked with a 2 inch by 6 inch corrosion and rot resistant board. The marker board shall extend from the depth of the lateral to a minimum of two (2) feet above grade. The location of all lateral connections shall be indicated on a drawing with a minimum of three (3) tie lines indicated. Four (4) copies of this drawing, showing the as-built location of these connections, shall be furnished to the Town Board. A refundable deposit shall be placed with Town to assure receipt of these as-builts. The deposit shall be placed when application is made; the amount of the deposit shall be $100 per sheet of plans showing locations of lateral connections. No sanitary sewer shall be accepted by Town until four (4) copies of this record drawing have been so filed with the DR and the Town Board has approved the submitted drawings.

Section 606 C - Special Manhole Requirements

When any street lateral is to serve a school, hospital, or similar institution, or public housing, or is to serve a complex of industrial or commercial buildings, or which, in the opinion of the DR, will receive wastewater or industrial wastes of such volume or character that frequent maintenance of said building or street lateral is anticipated, then such street lateral shall be connected to the public sewer through a manhole. The DR shall determine if and where this type of connection to the public sewer is required. Connections to existing manholes shall be made as directed by the DR. If required, a new manhole shall be installed in the public sewer pursuant to Sections 504 and 1007, and the lateral connection made thereto as directed by the DR.

Section 607 - Laterals At and Near Buildings

Building laterals laid parallel to a bearing wall shall not be installed closer than three (3) feet to such wall. The building lateral shall enter the basement through the basement wall no less than twelve (12) inches above the basement floor. In no event shall any building lateral be placed below the basement floor, except with the expressed written approval of the DR.

The building lateral shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipe and fittings. Changes of direction of 90 degrees or greater shall be made with a clean-out which extends to grade, terminating in a terminal box set in concrete. In building laterals, said clean-outs shall be provided such that the maximum distance between clean-outs is 300 feet. The ends of all building or street laterals, which are not connected to the interior plumbing of the building, for any reason, shall be sealed against infiltration by a suitable stopper, plug, or by other approved means.

Section 608 - Sewage Lifting

In all buildings in which any building drain is too low to permit gravity flow to the public sewer, wastewater carried by such drain shall be lifted by mechanical means and discharged to the building lateral, on approval of the DR.

Section 609 - Lateral Pipe Installation

All excavations required for the installation of a building or street lateral shall be open trench work unless otherwise approved by the DR. Pipe laying and backfilling, regardless of pipe material used, shall be performed in general accordance with paragraphs 3 through 6 of ASTM Specification C-12, except that trench width, measured at the top of the installed pipe, shall not exceed the outside pipe diameter plus 14 inches and, except that no backfill shall be placed until the work has been inspected. The depth of cover over the pipe shall be sufficient to afford protection from frost, but not in any case shall such depth be less than four (4) feet. Where it is physically impossible to provide cover of four (4) feet, the depth may be reduced to a minimum of two (2) feet and the pipe shall be insulated, as approved by the DR.

Section 610 A - Watertight Joints

All joints and connections shall be made watertight.

Section 610 B - Cast Iron Pipe Poured Joints

Poured joints for cast iron pipe shall be firmly packed with oakum or hemp, and the annulus filled with an approved compound not less than 1 inch deep. The said compound shall be run in with a single pouring, and caulked tight, if appropriate for the compound used. No paint, varnish, or other coatings shall be permitted on the jointing material until after the joint has been tested and approved. The transition joint between cast iron pipe and other pipe materials shall be made with special adapters and jointing materials approved by the DR. If such joints are hot-poured, the material shall not soften sufficiently to destroy the effectiveness of the joint when subjected to a temperature of 160 degrees F, nor be soluble in any of the wastes carried by the lateral.

Section 610 C - Cast Iron Push Joints

Pre-molded gaskets may be used for hub and plain end cast iron pipe joints and joints with fittings, if approved by the DR. The gasket shall be a neoprene compression-type unit which provides a positive seal in the assembled joint. The gasket shall be pre-molded, one-piece unit, designed for joining the cast iron hub and plain end soil pipe and fittings. The assembled joint shall be sealed by

compression of the gasket between the exterior surface of the spigot and the interior surface of the hub. The joint shall be assembled following the manufacturer's recommendations using acceptable lubricant and special pipe-coupling tools designed for that purpose. The plain spigot end shall be forced into the hub end of the pipe for the full depth of the hub itself. Lubricant shall be a bland, flax-base, non-toxic material, and shall not chemically attack the gasket material.

Section 610 D - PVC Push Joints

Joints for PVC sewer pipe shall follow the manufacturer's recommendations, using properly designed couplings and rubber gaskets pursuant to the published information relating thereto, and conforming to the applicable ASTM specification identified in Section 605.

Section 611 A - Building Lateral/Street Lateral Connection

(1) The connection of the building lateral to an existing street lateral shall be made at the property line. Except as provided under Section 502, if a street lateral has not previously been provided, the street lateral will be constructed from the existing public sewer to the property line, by permit only and at the owner's expense. The lateral shall be installed with a properly sealed and covered clean-out to grade located at distances not to exceed 300 feet or as per the DR.

(2) For initial users in the original district, the cost of constructing one street lateral for each parcel shall be included in the sewer system construction cost. The cost of constructing the street lateral from the existing public sewer to the property line shall be at the property owner's expense. All subsequent costs and expense incidental to the installation and connection of the building lateral shall also be borne by the owner.

(3) The property owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation and maintenance of the building lateral. Users that install plumbing fixtures in lower levels of structures shall install check valves to prevent back flow from the sewer system into the interior plumbing system. The Sewer District assumes no responsibility for damages or clean-up inside buildings resulting from a sewer system backup.

(4) It shall be the responsibility of the property owner to maintain, repair, or replace the building lateral, as needed to provide proper flow and discharge.

(5) The method of connection of the building lateral to the street lateral will be dependent upon the type of sewer pipe material, and, in all cases, shall be approved by the DR. After installation of the street lateral has been approved by the DR, the new street lateral shall become the property of the Sewer District. Any subsequent structural repairs to the new street laterals shall be made at the Sewer District's expense.

(6) In the event that a new user requires the use of a grinder pump to discharge residential sewage to the district collection system, said grinder pump, electrical hookups, building and street lateral shall be installed at the new user's expense and in accordance with these regulations. Following the proper installation, the Sewer District will assume ownership and maintenance of the grinder pump and street lateral contingent on an easement being provided by the property owner to the Sewer District. The homeowner will be responsible for the maintenance of the building lateral which discharges to the grinder pump, and for the power costs to operate the pump.

Section 611 B - Street Lateral Replacement; Maintenance and Ownership

Maintenance of street laterals to provide a clean, well flowing lateral is the responsibility of the user. Cleaning of the building and street lateral to remove obstructions such as roots and other blockages shall be the responsibility of the user.

Ownership of the street lateral lies with the Sewer District. In the event that an existing street lateral requires repair or replacement, the DR will assess the situation and make recommendations to the Town Board for corrective work. The replacement or repair of previously installed street laterals shall be at the Sewer District expense.

Section 612 - Testing

The street lateral, building lateral, or the combined lateral shall be tested for infiltration/exfiltration by

(a) any full pipe method described in Section 505, or

(b) by a suitable joint method, with the prior written approval of the Town Board.

Section 613 A - Connection Inspection

The applicant for the building lateral permit shall notify the DR 24 hours in advance of when the building lateral is ready for inspection and connection is to be made to the street lateral. The connection shall be made under the supervision of the DR.

The applicant for the street lateral permit shall notify the DR when the street lateral is ready for inspection and connection is to be made to the main sewer. The connection shall be made under the supervision of the DR.

Section 613 B - Trench Inspections

When trenches are excavated for the laying of building lateral pipes or for laying of street lateral pipes, such trenches shall be inspected by the DR. Before the trenches are backfilled, the person performing such work shall notify the DR when the laying of the building lateral is completed, and no backfilling of trenches shall begin until approval is obtained from the DR.

Section 613C - Septic Tank Inspection

When the trenches for installing the laterals are open, the DR will inspect the septic tank to assure that it is disconnected on both ends and filled with sand or other appropriate material, or that it is removed in it's entirety.

Section 614 - Public Safety Provisions Required; Restoration of Disturbed Areas

All excavations for constructing building laterals by the user shall be adequately protected with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed, in the course of the work, shall be restored in a manner satisfactory to the DR, at the users expense. The user shall be responsible for obtaining any other permits required for the installation of a new street or building lateral. The cost for restoration of paved public roads and shoulders shall be borne by the user.

Section 615 - Interior Clean-Out

An interior clean-out fitting shall be provided for each building lateral at a readily accessible location, preferably just inside the basement wall. The fitting shall contain a 45-degree branch with removable plug or test tee, and so positioned that sewer cleaning equipment can be inserted therein to clean the building lateral.

The clean-out diameter shall be no less than the building lateral diameter.

Section 616 - Costs Borne by Owner

All costs associated with the provisions of this Article shall be borne by the property owner unless specifically stated or agreed to be a cost borne by the Sewer District. The property owner shall indemnify the Sewer District from any loss or damage that may be directly or indirectly occasioned by the installation of the building and street laterals, and connections and appurtenances.

END OF ARTICLE 6

Town of Duanesburg
Sewer Use Law

ARTICLE 7

INFLOW

Section 701 - New Inflow Sources Prohibited
Section 702 - Existing Inflow Sources Disconnected
Section 703 - Existing Inflow Sources Disconnected When Property Sold
Section 704 - No Re-connection of Inflow Source Allowed
Section 705 - Charges for Inflow
Section 706 - Trucked or Hauled Waste

Section 701 - New Inflow Sources Prohibited

No connections shall be made to a sanitary or to a combined sewer which connections are intended to discharge inflow. Such prohibited connections include, but are not limited to, footing drains, roof leaders, roof drains, cellar drains, sump pumps, catch basins, uncontaminated cooling water discharges, or other sources of inflow.

Section 702 - Existing Inflow Sources Disconnected

For properties where separate storm sewers are available within 100 feet of the property line or where, in the judgment of the DR, sufficient natural drainage is available, connections which contribute inflow to the sanitary sewers must be disconnected in a fashion approved by the Town Board, prior to the sale of the property.

Section 703 - Existing Inflow Sources Disconnected When Property Sold

Upon notice from the Tax Assessor, the DR shall inspect any newly sold property for the purpose of determining if storm sewers or natural drainage is available, and, if so, if all connections which contribute inflow have been disconnected.

Section 704 - No Re-connection of Inflow Source Allowed

It shall be a willful violation of this Law for any person to reconnect any inflow source which has been disconnected pursuant to this Article.

Section 705 - Charges for Inflow

The Town Board is enabled to take whatever action is necessary to determine the amount of inflow including the requirement for installation of a control manhole. The property from which the inflow originated shall be billed for inflow according to Article 11, however, the Town Board may cause a surcharge at a rate not to exceed five (5) times that for normal sewage volume charge.

Section 706 - Trucked & Hauled Waste

The Discharge of trucked or hauled wastes into the sewer system and public sewers tributary thereto will not be permitted.

END OF ARTICLE 7

ARTICLE 8

DISCHARGE RESTRICTIONS

Section 801 - Pretreatment Standards
Section 802 - General Prohibitions
Section 803 - Concentration Based Limitations
Section 804 - Mass Discharge Based Limitations
Section 805 - Modification of Limitations
Section 806 - Access to User's Records
Section 807 - Dilution
Section 808 - Grease, Oil, and Sand Interceptors
Section 809 - Solid Waste Grinders
Section 810 - Rejection of Wastewater

Section 801 - Pretreatment Standards

All users of the POTW will comply with all standards and requirements of the Act and standards and requirements promulgated pursuant to the Act, including but not limited to 40 CFR Parts 406 - 471.

Section 802 - General Prohibitions

No user shall contribute or cause to be contributed, in any manner or fashion, directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the POTW. These general prohibitions apply to all such users of a POTW whether or not the user is subject to National Categorical Pretreatment Standards, or any other National, State, or Local Pretreatment Standards or Requirements.

Without limiting the generality of the foregoing, a user may not contribute the following substances to the POTW:

(1) Any solids, liquids, or gases which, by reason of their nature or quantity, are or may be sufficient, either alone or by interaction with other substances, to cause a fire or an explosion or be injurious, in any way, to the POTW, or to the operation of the POTW. At no time shall both of two successive readings on a flame type explosion hazard meter, at the point of discharge into the system (or at any other point in the system) be more than 25 % nor any single reading be more than 40 % of the lower explosive limit (LEL) of the meter. Unless explicitly allowable by a written permit, prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, carbides, hydrides, and sulfides, and any other substance which the Town, the State, or the EPA has determined to be a fire hazard, or hazard to the POTW.

(2) Solid or viscous substances which may cause obstruction to the flow in a sewer or otherwise interfere with the operation of the wastewater treatment facilities. Unless explicitly allowable by a written permit, such substances include, but are not limited to, grease, garbage with particles greater than one-half (1/2) inch in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar asphalt residues, residues from refining or processing fuel or lubricating oil, mud, or glass or stone grinding or polishing wastes.

(3) Any wastewater having a pH less than 5.0 or greater than 10.0, unless the POTW was specifically designed to manage such wastewater, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or POTW personnel.

(4) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants (including heat), to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW, or to exceed the limitation set forth in a Categorical Pretreatment Standard.

A toxic pollutant shall include, but not be limited to, any pollutant identified pursuant to Section 307(A) of the Act.

(5) Any noxious or malodorous solids, liquids, or gases which either singly or by interaction with other wastes are sufficient to create a public nuisance or a hazard to life or are sufficient to prevent entry into the sewers for their maintenance or repair.

(6) Oils and grease - Any commercial, institutional, or industrial wastes containing fats, waxes, grease, or oils which become visible solids when the wastes are cooled to ten (10) degrees centigrade (50 degrees Fahrenheit); any petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in excess of 100 mg/l or in amounts that will cause interference or pass through.

(7) Any wastewater which will cause interference or pass through.

(8) Any wastewater with objectionable color which is not removed in the treatment process, such as, but not limited to, dye wastes, and vegetable tanning solutions.

(9) Any solid, liquid, vapor, or gas having a temperature higher than 65 degrees C (150 degrees F); however, such materials shall not cause the POTW treatment plant influent temperature to be greater than 40 degrees C (104 degrees F). The Town Board reserves the right, in certain instances, to prohibit or limit the discharge of wastes whose maximum temperatures are lower than 65 degrees C.

(10) Unusual flow rate or concentration of wastes, constituting slugs, except by Industrial Wastewater Permit.

(11) Any wastewater containing any radioactive wastes except as approved by the Town Board, and in compliance with applicable State and Federal regulations.

(12) Any wastewater which causes a hazard to human life or which creates a public nuisance, either by itself or in combination, in any way, with other wastes.

(13) Any wastewater with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test methods specified in 40 CFR Part 261.21.

(14) Any pollutants which result in the presence of toxic gases, vapors or fumes within the POTW in a quantity that may cause acute worker health and safety problems.

Section 803 - Concentration Based Limitations

No person shall discharge, directly or indirectly, into the POTW, wastewater containing any of the following substances in concentrations exceeding those specified below on either a daily or an instantaneous basis, except by permit or as provided for in Section 804. Concentration limits are applicable to wastewater effluents at the point just prior to discharge into the POTW ("end of pipe" concentrations).

EFFLUENT CONCENTRATION LIMIT - mg/l

SUBSTANCE (1)	ALLOWABLE AVERAGE DAILY (2)	ALLOWABLE MAXIMUM INSTANTANEOUS (3)
Aluminum		
Antimony		
Arsenic		
Barium		
Beryllium		
Bismuth		
Bromine		
Cadmium	0.11	0.07
Chlorides		
Chlorine		
Chromium (hex		
Chromium (tot)	2.77	1.71
Cobalt		
Copper	3.38	2.07
Cyanide (complex		
Cyanide (free)		

Effluent Concentration Limit - mg/1 (continued)

Cyanide (tot)	1.20	0.65
Fluorides		
Gold		
Iodine		
Iron		
Lead	0.69	0.43
Manganese		
Mercury		
Molybdenum		
Nickel	3.98	2.38
Phenols, total		
Selénium		
Silver	0.43	0.24
Sulfates		
Sulfides		
Tin		
Titanium		
Vanadium		
Zinc	2.61	1.48
Total Toxic Organics	2.13	-
Alternatiave to Cyanide: Cyanide Amenable to Chlorination	0.86	0.32

(1) Except for chromium (hex), all concentrations listed for metallic substances shall be as "total metal", which shall be defined as the value measured in a sample acidified to a pH value of 2 or less, without prior filtration.

(2) As determined on a composite sample taken from the User's daily discharge over a typical operational and/or production day.

(3) As determined on a grab sample taken from the User's discharge at any time during the daily operational and/or production period.

(4) Other substances which may be limited are:

alkanes, alkenes and alkynes
aliphatic and aromatic alcohols and acids
aliphatic and aromatic aldehydes and ketones
aliphatic and aromatic esters
aliphatic and aromatic halogenated compounds
aliphatic and aromatic nitro, cyano and amino compounds
antibiotics

benzene derivatives
chemical compounds which, upon acidification, alkalinization, oxidation or reduction, in the discharge or after admixture with wastewater and its components in the POTW, produce toxic, flammable, or explosive compounds
pesticides, including algicides, fungicides, herbicides, insecticides, rodenticides
phthalates
polyaromatic and polynuclear hydrocarbons
total toxic organics, TTO, as defined in 40 CFR 433.11
toxic organic compounds regulated by Federal Pretreatment Standards
unsaturated aliphatics, including those with an aldehyde, ketone or nitrile functional group
viable pathogenic organisms from industrial processes or hospital procedures

Section 804 - Mass Discharge Based Limitations

At no time shall the influent to the POTW contain quantities in excess of those specified below:

SUBSTANCE	ALLOWABLE POTW INFLUENT LOADING AVERAGE DAILY (POUNDS PER DAY)
Aluminum	
Antimony	
Arsenic	
Barium	
Beryllium	
Cadmium	
Chromium (hex)	
Chromium (total)	
Cobalt	
Copper	
Cyanide (complex	
Cyanide (free)	
Gold	
Iron	
Lead	
Mercury	
Nickel	
Phenols (total)	
Selenium	
Silver	
Tin	
Zinc	

To assure that none of the above noted limitations are violated, the Town Board shall issue permits to significant industrial users limiting the discharge of the substances noted above. Each permit shall restrict the discharge from each significant industrial user to a portion of the total allowable influent loading. In determining what portion of the total of each substance that each significant industrial user shall be allowed to discharge, the Town Board shall consider: (1) the quantities of each substance that are uncontrollable because they occur naturally in wastewater, (2) the quantities of each substance that are anthropogenic but are nonetheless uncontrollable, (3) historical discharge trends, (4) past pollution control efforts of each significant industrial user as compared to other significant industrial dischargers of the same substance, (5) potential for growth in the POTW service area, (6) potential for more restrictive regulatory requirements to be placed on the POTW discharge or sludge disposal or sludge reuse method, and (7) treatability of the substance. The Town Board shall apply a minimum 15 % safety factor to be protective of the POTW.

Permits issued in accordance with this section may allow for discharges in excess of limitations set forth under section 803.

Section 805 - Modification of Limitations

Limitations on wastewater strength or mass discharge contained in this Law may be supplemented with more stringent limitations when, in the opinion of the Town Board:

(1) The limitations in this Law are not sufficient to protect the POTW,

(2) The limitations in this Law are not sufficient to enable the POTW treatment plant to comply with applicable water quality standards or the effluent limitations specified in the POTW's SPDES permit,

(3) The POTW sludge will be rendered unacceptable for disposal or reuse as the Town desires, as a result of discharge of wastewaters at the above prescribed concentration limitations,

(4) Municipal employees or the public will be endangered, or

(5) Air pollution and/or groundwater pollution will be caused.

The limitations on wastewater strength or mass discharge shall be recalculated not less frequently than once every five (5) years. The results of these calculations shall be reported to the Town Board. This Law shall then be amended appropriately. Any issued industrial wastewater discharge permits, which have limitations, based directly on any limitations, which were changed, shall be revised and amended, as appropriate.

Section 806 - Access to User's Records

The Town Board shall have the authority to copy any record related to wastewater discharges to the POTW.

Section 807 - Dilution

Except where expressly authorized to do so by an applicable Pretreatment Standard, no user shall ever increase the use of process water or, in any other way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a Pretreatment Standard.

Dilution flow shall be considered to be inflow.

Section 808 - Grease, Oil, and Sand Interceptors

Grease, oil, and sand interceptors shall be provided, when, in the opinion of the Town Board, they are necessary for the proper handling of wastewater containing excessive amounts of grease, flammable substances, sand, or other harmful substances; except that such interceptors shall not be required for private living quarters or living units. All interceptors shall be of type and capacity approved by the Town Board and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired regularly, as needed, by the owner, at his expense.

Section 809 - Solid Waste Grinders

Solid waste grinders at or serving commercial establishments, institutions or industries shall not discharge into the Town POTW if there is a combined sewer overflow (CSO) on the sewer lines conveying the waste to the POTW treatment plant.

Section 810 - Rejection of Wastewater

The Town Board may reject a User's wastewater when it is has been determined that the wastewater contains substances or possesses characteristics which have a deleterious effect on the POTW and its processes, or on the receiving water, or which constitute a public nuisance or hazard. See Section 916.

END OF ARTICLE 8

ARTICLE 9

DISCHARGE PERMITS AND PRETREATMENT REQUIREMENTS

Section 901 - Wastewater Discharge Reports
Section 902 - Notification to Industrial Users
Section 903 A - Wastewater Discharges
Section 903 B - Wastewater Discharge Permits Required For Significant Industrial Users
Section 903 C - Other Industrial Users
Section 903 D - Discharge Permits to Storm Sewers Not Authorized
Section 904 A - Application for Wastewater Discharge Permits
Section 904 B - Permit Modifications
Section 904 C - Permit Conditions
Section 904 D - Permit Duration
Section 904 E - Permit Reissuance
Section 904 F - Permit Transfer
Section 904 G - Permit Revocation
Section 904 H - Public Notification
Section 905 - Reporting Requirements for Permittee
Section 906 - Flow Equalization
Section 907 - Monitoring Stations (Control Manholes)
Section 908 - Proper Design and Maintenance of Facilities and Monitoring Stations
Section 909 - Vandalism, Tampering with Measuring Devices
Section 910 - Sampling and Analysis
Section 911 - Accidental Discharges; SPCC Plan
Section 912 - Posting Notices
Section 913 - Sample Splitting
Section 914 - Access to Information
Section 915 A - Access to Property and Records
Section 915 B - Access to Easements
Section 915 C - Liability of Property Owner
Section 916 - Special Agreements

Section 901 - Wastewater Discharge Reports

As a means of determining compliance with this Law, with applicable SPDES permit conditions, and with applicable State and Federal law, each industrial user shall be required to notify the Town Board of any new or existing discharges to the POTW by submitting a completed Industrial Chemical Survey (ICS) form and a completed Industrial Wastewater Survey (IWS) form. The Town Board may require any user discharging wastewater into the POTW to file wastewater discharge reports and to supplement such reports as the Town Board deems necessary. All information shall be furnished by the user in complete cooperation with the Town Board.

Section 902 - Notification to Industrial Users

The Town Board shall, from time to time, notify each industrial user of applicable Pretreatment Standards, and of other applicable requirements under Section 204(B) and Section 405 of the Clean Water Act, and Subtitles C and D of RCRA.

Section 903 A - Wastewater Discharges

No Significant Industrial User shall discharge wastewater to the POTW without having a valid Wastewater Discharge Permit, issued by the Town Board. Significant Industrial Users shall comply fully with the terms and conditions of their permits in addition to the provisions of this Law. Violation of a permit term or condition is deemed a violation of this Law.

Section 903 B - Wastewater Discharge Permits Required For Significant Industrial Users

All Significant Industrial Users proposing to connect to or to discharge to the POTW shall obtain a Wastewater Discharge Permit before connecting to or discharging to the POTW. Existing significant industrial users shall make application for a Wastewater Discharge Permit within 30 days after the effective date of this Law, and shall obtain such a permit within 90 days after making application.

Section 903 C - Other Industrial Users

The Town Board may issue Wastewater Discharge Permits to other industrial users of the POTW.

Section 903 D - Discharge Permits to Storm Sewers Not Authorized

The Town does not have the authority to issue permits for the discharge of any wastewater to a storm sewer. This authority rests with the NYSDEC.

Section 904 A - Application for Wastewater Discharge Permits

Industrial users required to obtain a Wastewater Discharge Permit shall complete and file with the Town Board an application in the form prescribed by the Town. The application shall be accompanied by a fee, as set forth in Section 1102. In support of any application, the industrial user shall submit, in units and terms appropriate for evaluation, the following information:

(1) Name, address, and location (if different from the address).

(2) SIC code of both the industry and any categorical processes.

(3) Wastewater constituents and characteristics including but not limited to those mentioned in Article 8 of this Law and which are limited in the appropriate Categorical

Standard, as determined by a reliable analytical laboratory approved by the NYSDOH. Sampling and analysis shall be performed in accordance with Standard Methods.

(4) Time and duration of the discharge.

(5) Average daily peak wastewater flow rates, including daily, monthly, and seasonal variations, if any.

(6) Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, sewer connections, and appurtenances.

(7) Description of activities, facilities, and plant processes on the premises, including all materials which are or could be discharged to the POTW.

(8) Each product produced by type, amount, process or processes, and rate of production.

(9) Type and amount of raw materials processed (average and maximum per day).

(10) Number and type of employees, and hours of operation, and proposed or actual hours of operation of the pretreatment system.

(11) The nature and concentration of any pollutants in the discharge which are limited by any County, State, or Federal Standards, and a statement whether or not the standards are being met on a consistent basis and if not whether additional Operation and Maintenance (O&M) and/or additional pretreatment is required for the user to meet all applicable Standards.

(12) If additional pretreatment and/or O&M will be required to meet the Standards, then the industrial user shall provide the shortest schedule to accomplish such additional treatment and/or O&M. The completion date in this schedule shall not be longer than the compliance date established for the applicable Pretreatment Standard. The following conditions shall apply to this schedule:

> (a) The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable Pretreatment Standards (such events include hiring an engineer, completing preliminary plans, completing final plans, executing contracts for major components, commencing construction, completing construction, beginning operation, and beginning routine operation).
>
> (b) No increment referred to in (a) above shall exceed 9 months, nor shall the total compliance period exceed 18 months.
>
> (c) No later than 14 calendar days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the Town Board including, as a minimum, whether or not it complied with the increment of

progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the user to return to the established schedule. In no event shall more than 9 months elapse between such progress reports to the Town Board.

(13) Any other information as may deemed by the Town Board to be necessary to evaluate the permit application.

The DR will evaluate the data furnished by the industrial user and may require additional information. After evaluation and acceptance of the data furnished, the Town may issue a Wastewater Discharge Permit subject to terms and conditions provided herein.

Section 904 B - Permit Modifications

Wastewater Discharge Permits may be modified by the Town Board, upon 30 days notice to the permittee, for just cause. Just cause shall include, but not be limited to:

(1) Promulgation of an applicable National Categorical Pretreatment Standard,

(2) Revision of or a grant of a variance from such categorical standards pursuant to 40 CFR 403.13,

(3) Changes in general discharge prohibitions and local limits as per Section 803 of this law,

(4) Changes in processes used by the permittee, or changes in discharge volume or character,

(5) Changes in design or capability of any part of the POTW,

(6) Discovery that the permitted discharge causes or contributes to pass through or interference, and

(7) Changes in the nature and character of the sewage in the POTW as a result of other permitted discharges.

Any changes or new conditions in the permit shall include a reasonable time schedule for compliance as set forth in Section 904 A (12)(a).

Section 904 C - Permit Conditions

Wastewater Discharge Permits shall be expressly subject to all the provisions of this Law, and all other applicable regulations, user charges and fees established by the Town. Permits may contain the following:

(1) Limits on the average and maximum rate and time of discharge, or requirements for flow regulation and equalization.

(2) Limits on the average and maximum wastewater constituents and characteristics, including concentration or mass discharge limits.

(3) The unit charge or schedule of user charges and fees for the management of the wastewater discharged to the POTW.

(4) Requirements for installation and maintenance (in safe condition) of inspection and sampling facilities.

(5) Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types, and standards for tests, and reporting schedules.

(6) Compliance schedules

(7) Requirements for submission of technical reports or discharge reports.

(8) Requirements for maintaining and retaining plant records relating to wastewater discharge, as specified by the Town, and affording the Town Board access thereto.

(9) Requirements for notification of the Town of any new introduction of wastewater constituents or of any substantial change in the volume or character of the wastewater constituents being introduced into the POTW.

(10) Requirements for the notification of the Town of any change in the manufacturing and/or pretreatment process used by the permittee.

(11) Requirements for notification of excessive, accidental, or slug discharges.

(12) Other conditions as deemed appropriate by the Town to ensure compliance with this Law, and State and Federal laws, rules, and regulations.

Section 904 D - Permit Duration

Permits shall be issued for a specified time period, not to exceed five (5) years. A permit may be issued for a period less than five (5) years.

Section 904 E - Permit Reissuance

The user shall apply for permit reissuance a minimum of 180 days prior to the expiration of the user's existing permit. The terms and conditions of the permit may be subject to modification, by the Town Board, during the term of the permit, as limitations or requirements, as identified in Section 904 B, or other just cause exists. The User shall be informed of any proposed changes in his permit at least 30 days prior to the effective date of the change. Any changes or new conditions in the reissued permit shall include a reasonable time schedule for compliance as established in Section 904 A (12)(a).

Section 904 F - Permit Transfer

Wastewater Discharge Permits are issued to a specific User for a specific operation, or discharge at a specific location. A Wastewater Discharge Permit shall not be reassigned, transferred, or sold to a new owner, new User, different premises, or a new or changed operation.

Section 904 G - Permit Revocation

Wastewater Discharge Permits may be revoked for the following reasons: falsifying self-monitoring reports, tampering with monitoring equipment, refusing to allow the Town Board timely access to the industrial premises, failure to meet effluent limitations, failure to pay fines, failure to pay user charges, and failure to meet compliance schedules.

Section 904 H - Public Notification

The Town will publish in the Town official daily newspaper(s), informal notice of intent to issue a Wastewater Discharge Permit, at least 14 days prior to issuance.

Section 905 - Reporting Requirements for Permittee

The reports or documents required to be submitted or maintained under this section shall be subject to:

(a) The provisions of 18 USC Section 1001 relating to fraud and false statements;

(b) The provisions of Sections 309(c)(4) of the Act, as amended, governing false statements, representation or certification; and

(c) The provisions of Section (c)(6) of the Act, as amended, regarding corporate officers.

(1) Baseline Monitoring Report

Within 180 days after promulgation of an applicable Federal Categorical Pretreatment Standard, a User subject to that standard shall submit, to the Town Board, the information required by paragraphs (8) and (9) of Section 904 A.

(2) 90-Day Compliance Report

Within 90 days following the date for final compliance with applicable Pretreatment Standards, or, in the case of a New Source, following commencement of the introduction of wastewater into the POTW, any User subject to Pretreatment Standards and Requirements shall submit, to the Town Board, a report indicating the nature and concentration of all pollutants in the discharge, from the regulated process, which are limited by Pretreatment Standards and Requirements, and the average and maximum daily flow for these process units in the User's facility which are limited by such Pretreatment Standards and Requirements. The report shall state whether the applicable Pretreatment Standards and Requirements are being met on a consistent basis, and, if not, what additional O&M and/or pretreatment is necessary to bring the User into compliance with the applicable Pretreatment Standards or Requirements. This statement shall be signed by an authorized representative of the Industrial User, and certified to by a qualified professional.

(3) Periodic Compliance Reports

(a) Any User subject to a Pretreatment Standard, after the compliance date of such Pretreatment Standard, or, in the case of a New Source, after commencement of the discharge into the POTW, shall submit to the Town Board, during the months of June and December, unless required more frequently in the Pretreatment Standard or by the Town Board, a report indicating the nature and concentration of pollutants in the effluent which are limited by such Pretreatment Standards. In addition, this report shall include a record of all daily flows which, during the reporting period, exceeded the average daily flow reported in Section 904 A. At the discretion of the Town Board, and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the Town Board may agree to alter the months during which the above reports are to be submitted, however, no fewer than two reports shall be submitted per year.

(b) The Town Board may impose mass limitations on Users, which are using dilution to meet applicable Pretreatment Standards or Requirements, or, in other cases where the imposition of mass limitations are appropriate. In such cases, the report required by Section 905 (3) (a) shall indicate the mass of pollutants regulated by Pretreatment Standards in the effluent of the User. These reports shall contain the results of discharge sampling and analysis, including the flow, and the nature and concentration, or production and mass, where requested by the Town Board, of pollutants contained therein, which are limited by the applicable Pretreatment Standard. All analyses shall be performed in accordance with Standard Methods, by a laboratory certified by NYSDOH to perform the analyses.

(4) Violation Report

If sampling, performed by the user, indicates a violation of this Law and/or the User's discharge permit, the User shall notify the Town Board within 24 hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Town Board within 30 days after becoming aware of the violation. The User is not required to re-sample if the POTW performs monitoring of the User's discharge at

least once a month for the parameter which was violated, or if the POTW performs sampling, for the parameter which was violated, between the User's initial sampling and when the User receives the results of this sampling.

(5) Other reports

The Town Board may impose reporting requirements equivalent to the requirements imposed by Section 905(3) for users not subject to pretreatment standards.

Section 906 - Flow Equalization

No person shall cause the discharge of slugs to the POTW. Each person discharging, into the POTW, greater than five percent (5%) of the average daily flow in the POTW, shall install and maintain, on his property and at his expense, a suitable storage and flow control facility to insure equalization of flow over a twenty-four (24) hour period. The facility shall have a capacity for at least fifty percent (50%) of the daily discharge volume and shall be equipped with alarms and a rate of discharge controller, the regulation of which shall be directed by the Town Board. A wastewater discharge permit may be issued solely for flow equalization.

Section 907 - Monitoring Stations (Control Manholes)

(a) All Significant Industrial Users, and other Industrial Users whose industrial waste discharge has caused or may cause Interference or Pass-Through shall install and maintain a suitable monitoring station, on their premises at their expense, to facilitate the observation, sampling, and measurement of their industrial wastewater discharge.

(b) If there is more than one street lateral serving an Industrial User, the Town Board may require the installation of a control manhole on each lateral.

(c) The Town Board may require that such monitoring station(s) include equipment for the continuous measurement and recording of wastewater flow rate and for the sampling of the wastewater. Such station(s) shall be accessibly and safely located, and the Industrial User shall allow immediate access, without prior notice, to the station by the Town Board, or his designated representative.

Section 908 - Proper Design and Maintenance of Facilities and Monitoring Stations

Preliminary treatment, and flow equalization facilities, or monitoring stations, if provided for any wastewater, shall be constructed and maintained continuously clean, safe, and continuously operational by the owner at his expense. Where an Industrial User has such treatment, equalization, or monitoring facilities at the time this Law is enacted, the Town Board may approve or disapprove the adequacy of such facilities. Where the Town Board disapproves of such facilities and construction of new or upgraded facilities for treatment, equalization, or monitoring are required, plans and specifications for such facilities shall be prepared by a licensed professional engineer and submitted to the Town Board. Construction of new or upgraded facilities shall not commence until written approval of the Town Board has been obtained.

Section 909 - Vandalism, Tampering with Measuring Devices

No unauthorized person shall negligently break, damage, destroy, uncover, deface, tamper with, prevent access, or render inaccurate, or cause or permit the negligent breaking, damaging, destroying, uncovering, defacing, tampering with, preventing access, or rendering inaccurate to:

i - any structure, appurtenance, or equipment which is a part of the Town POTW, or
ii - any measuring, sampling, and/or testing device or mechanism installed pursuant to any requirement under this Law except as approved by the Town Board.

Section 910 - Sampling and Analysis

Sampling shall be performed so that a representative portion of the wastewater is obtained for analysis.

All measurements, tests, and analyses of the characteristics of waters and wastes required in any section of this Law shall be carried out in accordance with Standard Methods, by a laboratory certified by NYSDOH to perform the analyses. Such samples shall be taken at the approved monitoring stations described in Section 907, if such a station exists. If an approved monitoring station is not required, then samples shall be taken from another location on the industrial sewer lateral before discharge to the public sewer. Unless specifically requested otherwise, or unless specifically not allowed in Federal regulation, samples shall be gathered as flow proportioned (where feasible) composite samples made up of individual samples taken not less than once per hour for the period of time equal to the duration of industrial wastewater discharge during daily operations (including any cleanup shift).

Section 911 - Accidental Discharges; SPCC Plan

Each user shall provide for protection from accidental or slug discharges of prohibited materials or discharges of materials in volume or concentration exceeding limitations of this Law or of an Industrial Wastewater Discharge Permit. Users shall immediately notify the Town Board of the discharge of wastes in violation of this Law or any Permit. Such discharges may result from:

(1) Breakdown of pretreatment equipment
(2) Accidents caused by mechanical failure, or negligence
(3) Other causes.

Where possible, such immediate notification shall allow the Town Board to initiate appropriate countermeasure action at the POTW. The user shall prepare a detailed written statement following any accidental or slug discharge, which describes the causes of the discharge and the measures being taken to prevent future occurrences, within five (5) days of the occurrence, and the Town Board shall receive a copy of such report no later than the fifth

calendar day following the occurrence. Analytical results and their interpretation may be appended to the report at a date not exceeding 45 calendar days after the occurrence.

When required by the Town Board, detailed plans and procedures to prevent accidental or slug discharges shall be submitted to the Town Board, for approval. These plans and procedures shall be called a Spill Prevention, Control, and Countermeasure (SPCC) Plan. The plan shall address, at a minimum, the following:

(a) Description of discharge practices, including non-routine batch discharges;

(b) Description of stored chemicals;

(c) Procedures for immediately notifying the POTW of any accidental or slug discharge. Such notification must also be given for any discharge which would violate any provision of the permit and any National Prohibitive Discharge Standard;

(d) Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response.

Section 912 - Posting Notices

In order that the Industrial User's employees be informed of the Town requirements, a notice shall be permanently posted on appropriate bulletin boards within the user's facility advising employees of the Town requirements and whom to call in case of an accidental discharge in violation of this Law.

Section 913 - Sample Splitting

When so requested in advance by an industrial user, and when taking a sample of industrial wastewater, the Town representative(s) shall gather sufficient volume of sample so that the sample can be split into two nearly equal volumes, each of size adequate for the anticipated analytical protocols including any Quality Control (QC) procedures. One of the portions shall be given to the representative of the industrial user whose wastewater was sampled, and the other portion shall be retained by the Town for its own analysis.

Section 914 - Access to Information

When requested, the Town Board shall make available, to the public, for inspection and/or copying, information and data on industrial users obtained from reports, questionnaires, permit applications, permit and monitoring programs, and inspections, unless the Industrial User specifically requests, and is able to demonstrate to the satisfaction of the Town Board, that such information, if made public, would divulge processes or methods of production entitled to protection as trade secrets of the user. Wastewater constituents and characteristics, and reports of accidental discharges shall not be recognized as confidential.

Confidential information shall not be made available for inspection and/or copying by the public but shall be disclosed, upon written request, to governmental agencies, for uses related to this Law, or the SPDES Permit, providing that the governmental agency making the request agrees to hold the information confidential, in accordance with State or Federal Laws, Rules and Regulations. The Town Board shall provide written notice to the industrial user of any disclosure of confidential information to another governmental agency.

Section 915 A - Access to Property and Records

The Town Board and other authorized representatives of the Town, representatives of EPA, NYSDEC, NYSDOH, bearing proper credentials and identification, shall be permitted to enter upon all non-residential properties at all times for the purpose of inspection, observation, sampling, flow measurement, and testing to ascertain a user's compliance with applicable provisions of Federal and State law governing use of the Town POTW, and with the provisions of this Law. Inspections of residential properties shall be performed in proper observance of the resident's civil rights. Such representative(s) shall have the right to set up, on the User's property or property rented/leased by the User, such devices as are necessary to conduct sampling or flow measurement. Guard dogs shall be under proper control of the User while the representatives are on the User's property or property rented/leased by the User. Such representative(s) shall, additionally have access to and may copy any records the User is required to maintain under this Law. Where a User has security measures in force which would require proper identification and clearance before entry into the premises, the user shall make necessary arrangements so that upon presentation of suitable identification, inspecting personnel will be permitted to enter, without delay, for the purpose of performing their specific responsibilities.

Section 915 B - Access to Easements

The DR, bearing proper credentials and identification, shall be permitted to enter all private premises through which the Town holds an easement for the purpose of inspection, observation, measurement, sampling, repair, and maintenance of any portion of the Town public sewer system lying within the easement. All entry and subsequent work on the easement shall be done in accordance with the terms of the easement pertaining to the private premises involved.

Section 915 C - Liability of Property Owner

During the performance, on private premises, of inspections, sampling, or other similar operations referred to in Sections 914 A and 914 B, the inspectors shall observe all applicable safety rules established by the owner or occupant of the premises. The owner and/or occupant shall be held harmless for personal injury or death of the inspector and the loss of or damage to the inspector's supplies and/or equipment; and the inspector shall indemnify the owner and/or occupant against loss or damage to property of the owner or occupant by the inspector and against liability claims asserted against the owner or occupant for personal injury or death of the inspector or for loss of or damage to the inspector's supplies or equipment arising from inspection and sampling operations, except as such may be caused by negligence or failure of the owner or occupant to maintain safe conditions.

Section 916 - Special Agreements

Nothing in this Article shall be construed as preventing any special agreement or arrangement between the Town and any User of the POTW whereby wastewater of unusual strength or character is accepted into the POTW and specially treated, subject to any payments or user charges, as may be applicable. In entering into such a special agreement, the Town Board shall consider whether the wastewater will:

(1) pass-through or cause interference
(2) endanger the public municipal employees
(3) cause violation of the SPDES Permit
(4) interfere with any Purpose stated in Section 102
(5) prevent the equitable compensation to the Town for wastewater conveyance and treatment, and sludge management and disposal

No discharge which violates the Federal Pretreatment Standards will be allowed under the terms of such special agreements.

No agreement shall be entered into without the user having been issued and presently having a permit to discharge wastes into the POTW for treatment and disposal. Additionally the user shall be in compliance with all conditions in the permit and shall not be in arrears in any charges due to the Town before the agreement is entered into. The Town Board may condition the agreement.

END OF ARTICLE 9

ARTICLE 10

ENFORCEMENT AND PENALTIES
Section 1001 - Enforcement Response Plan

ADMINISTRATIVE REMEDIES
Section 1002 - Notification of Violation
Section 1003 - Consent Orders
Section 1004 - Administrative or Compliance Orders
Section 1005 - Administrative Fines
Section 1006 - Cease and Desist Orders
Section 1007 - Termination of Permit
Section 1008 - Water Supply Severance (Public Water Supply)
Section 1009 - Show Cause Hearing
Section 1010 - Failure of User to Petition the Town Board
Section 1011 - Notice
Section 1012 - Right to Choose Multiple Remedies

JUDICIAL REMEDIES
Section 1013 - Civil Actions for Penalties
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Section 1016 - Additional Injunctive Relief
Section 1017 - Summary Abatement

MISCELLANEOUS
Section 1018 - Delinquent Payments
Section 1019 - Performance Bonds
Section 1020 - Liability Insurance
Section 1021 - Informant Rewards
Section 1022 - Penalty for Late Connection

ENFORCEMENT AND PENALTIES

Section 1001 - Enforcement Response Plan

The Town Board shall prepare an Enforcement Response Plan. The Enforcement Response Plan, in a step-by-step fashion, shall outline the procedures to be followed to identify, document, and respond to violations by Users of the POTW. All violations by Users of the POTW shall be met with some type of enforcement response. The response shall be comprehensive and effective.

The Enforcement Response Plan shall:

(1) describe how the Town Board will investigate instances of non-compliance

(2) describe the types of escalated enforcement actions that the Town Board will take in response to all anticipated types of User violations and the time periods within which to initiate and follow-up these actions

(3) adequately reflect the Town Board's responsibility to enforce all applicable standards and requirements.

The Enforcement Response Plan shall contain:

(1) criteria for scheduling periodic inspection and/or sampling visits to POTW Users

(2) forms and guidelines for documenting compliance data in a manner which will enable the information to be used as evidence

(3) systems to track due dates, compliance schedule milestones, and pending enforcement actions

(4) criteria, responsible personnel, and procedures to select and initiate an enforcement action.

The range of appropriate enforcement actions shall be based on the nature and severity of the violation and other relevant factors, such as:

magnitude of the violation
duration of the violation
effect of the violation on the receiving water
effect of the violation on the POTW
effect of the violation on the health and safety of the POTW employees
compliance history of the User
good faith of the User

and shall promote consistent and timely use of enforcement remedies.

The Town Board shall approve the Enforcement Response Plan. The Enforcement Response Plan shall be reviewed at least every five years.

ADMINISTRATIVE REMEDIES

Section 1002 - Notification of Violation

Whenever the Town Board finds that any User has violated or is violating this Law, or any Wastewater Discharge Permit, order, prohibition, limitation, or requirement permitted by this Law, the Town Board may serve upon such person a written notice stating the nature of the violation. Within ten (10) calendar days of the date the Town Board mails the notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof shall be submitted to the Town Board, by the User. The correction and prevention plan shall include specific actions. Submission of this plan in no way relieves the User of liability for any violations caused by the User before or after receipt of the Notice of Violation.

Section 1003 - Consent Orders

The Town Board is hereby empowered to enter into Consent Orders, assurances of voluntary compliance, or other similar documents establishing an agreement with the User responsible for the noncompliance. Such orders shall include specific action to be taken by the User to correct the noncompliance within a time period also specified by the order. Consent Orders shall have the same force and effect as an administrative order.

Section 1004 - Administrative or Compliance Orders

When the Town Board finds that a User has violated or continues to violate this Law or a permit or administrative order issued thereunder, he may issue an administrative order to the User responsible for the discharge directing that, following a specified time period, sewer service shall be discontinued, severed and abated unless the violation is corrected and that there is no reoccurrence of the violation. Administrative orders may also contain such other requirements as might be reasonably necessary and appropriate to address the noncompliance, including the installation of pretreatment technology, additional self-monitoring, and management practices.

The User may, within fifteen (15) calendar days of receipt of such order, petition the Town Board to modify or suspend the order. Such petition shall be in written form and shall be transmitted to the Town Board by certified mail. The Town Board shall then:

(1) Reject any frivolous petitions,

(2) Modify or suspend the order, or

(3) Order the petitioner to show cause in accordance with Section 1009 and may as part of the show cause notice request the User to supply additional information.

Section 1005 - Administrative Fines

Notwithstanding any other section of this Law, any User who is found to have violated any provision of this Law, or a wastewater discharge permit or administrative order issued hereunder, shall be fined in an amount not to exceed one thousand dollars ($1,000.00) per violation. Each day on which noncompliance shall occur or continue shall be deemed a separate and distinct violation.

The User may, within fifteen (15) calendar days of notification of the Town Board's notice of such fine, petition the Town Board to modify or suspend the order. Such petition shall be in written form and shall be transmitted to the Town Board by certified mail. The Town Board shall then:

(1) Reject any frivolous petitions,

(2) Modify or suspend the fine, or

(3) Order the petitioner to show cause in accordance with Section 1009 and may as part of the show cause notice request the User to supply additional information.

Section 1006 - Cease and Desist Orders

When the Town Board finds that a User has violated or continues to violate this Law or any permit or administrative order issued hereunder, the Town Board may issue an administrative order to cease and desist all such violations and direct those persons in noncompliance to:

(1) Comply forthwith

(2) Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations or terminating the discharge.

The User may, within fifteen (15) calendar days of the date the Town Board mails notification of such order, petition the Town Board to modify or suspend the order. Such petition shall be in written form and shall be transmitted to the Town Board by certified mail. The Town Board shall then:

(1) Reject any frivolous petitions,

(2) Modify or suspend the order,

(3) Order the petitioner to show cause in accordance with Section 1009 and may as part of the show cause notice request the User to supply additional information.

Section 1007 - Termination of Permit

Any User who violates the following conditions of this Law or a wastewater discharge permit or administrative order, or any applicable or State and Federal law, is subject to permit termination:

(1) Violation of permit conditions or conditions of an administrative order,

(2) Failure to accurately report the wastewater constituents and characteristics of its discharge,

(3) Failure to report significant changes in operations or wastewater constituents and characteristics,

(4) Refusal of reasonable access to the User's premises for the purpose of inspection, monitoring, or sampling, or

(5) Failure to pay administrative fines, fees or user charges

Non-compliant industrial Users will be notified, by certified mail, of the proposed termination of their wastewater permit.

The User may, within fifteen (15) calendar days of the date the Town Board mails such notification, petition the Town Board to permit continued use of the POTW by the user. Such petition shall be in written form and shall be transmitted to the Town Board by certified mail. The Town Board shall then:

(1) Reject any frivolous petitions,

(2) Order the petitioner to show cause in accordance with Section 1009 and may as part of the show cause notice request the User to supply additional information.

Section 1008 - Water Supply Severance (Public Water Supply)

Whenever a User has violated or continues to violate the provisions of this Law or an order or permit issued hereunder, water service from the public water system to the User may be severed and service will only recommence, at the User's expense, after it has satisfactorily demonstrated its ability to comply.

The User may, within fifteen (15) calendar days of severance, petition the Town Board to reconnect water supply service. Such petition shall be in written form and shall be transmitted to the Town Board by certified mail. The Town Board shall then:

(1) Reject any frivolous petitions,

(2) Reconnect the water supply, or

(3) Order the petitioner to show cause in accordance with Section 1009 and may as part of the show cause notice request the User to supply additional information.

Section 1009 - Show Cause Hearing

The Town Board may order any User appealing administrative remedies for violations of this Law to show cause, before the Town Board, why an enforcement action, initiated by the Town Board, should not be taken. A notice shall be served on the User specifying the time and place of a hearing to be held by the Town Board regarding the violation, the reasons why the action is to be taken, the proposed enforcement action, and directing the User to show cause before the Town Board why the proposed enforcement action should not be taken. The notice of the hearing shall be served at least ten (10) calendar days before the hearing in accordance with Section 1011 of this Article. Service shall be made on any principal or executive officer of a User's establishment or to any partner in a User's establishment. The notice of the hearing shall be served at least ten (10) calendar days before the hearing, in accordance with Section 1011.

The Town Board may itself conduct the hearing, or may designate any of its members or any officer or employee of the Town to conduct the hearing:

(1) Issue, in the name of the Town Board, notices of hearings requesting the attendance and testimony of witnesses, and the production of evidence relevant to any matter involved in such hearings,

(2) Take the evidence,

(3) Take sworn testimony,

(4) Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the Town Board for action thereon.

After the Town Board has reviewed the evidence and testimony, it may order the user to comply with the order or fine, modify the order or fine, or vacate the order or fine.

Section 1010 - Failure of User to Petition the Town Board

In the event the Town Board issues any administrative order, terminates the User's permit, or makes any fine as set forth in this article, and the User fails, within the designated period of time set forth, to petition the Town Board, as provided in appropriate sections of this article, the User shall be deemed in default and its rights to contest the administrative order or fine shall be deemed waived.

Section 1011 - Notice

The notices, orders, petitions, or other notification which the User or Town Board shall desire or be required to give pursuant to any sections of this Law shall be in writing and shall be served personally or sent by certified mail return receipt requested, postage prepaid, and the notice, order, petition, or other communication shall be deemed given upon its mailing as provided herein. Any notice, administrative order, or communication mailed to the User pursuant to the sections of this Law shall be mailed to the User where the User's effluent is discharged into transmission lines to the Town's

POTW. Any notice, petition, or other communication mailed to the Town Board shall be addressed and mailed to the Town Hall of the Town.

Section 1012 - Right to Choose Multiple Remedies

The Town Board shall have the right, within the Town Board's sole discretion, to utilize any one or more appropriate administrative remedies set forth in this Article. The Town Board may utilize more than one administrative remedy established pursuant to this Article, and the Town Board may hold one show cause hearing combining more than one enforcement action.

JUDICIAL REMEDIES

Section 1013 - Civil Actions For Penalties

Any person who violates any of the provisions of or who fails to perform any duty imposed by this Law, or any administrative order or determination of the Town Board promulgated under this Law, or the terms of any permit issued hereunder, shall be liable to the Town for a civil penalty not to exceed one thousand dollars ($1000) for each such violation, to be assessed after a hearing (unless the User waives the right to a hearing) held in conformance with the procedures set forth in this Article. Each violation shall be separate and distinct violation, and in the case of continuing violation, each day's continuance thereof shall be deemed a separate and distinct violation. Such penalty may be recovered in an action brought by the Town attorney, or his designated attorney, at the request of the Town Board in the name of the Town, in any court of competent jurisdiction giving preference to courts local to the Town. In addition to the above described penalty, the Town Board may recover all damages incurred by the Town from any persons or Users who violate any provisions of this Law, or who fail to perform any duties imposed by this Law or any administrative order or determination of the Town Board promulgated under this Law, or the terms of any permit issued hereunder. In addition to the above described damages, the Town Board may recover all reasonable attorney's fees incurred by the Town in enforcing the provisions of this Article, including reasonable attorney's fees incurred in any action to recover penalties ages, and the Town Board may also recover court costs, and other expenses associated with the enforcement activities, including sampling and monitoring expenses.

In determining the amount of civil penalty, the court shall take into account all relative circumstances, including, but not limited to the extent of harm caused by the violation, the magnitude and duration, any economic benefit gained through the User's violation, corrective actions by the User, the compliance history of the User, and any other relative factors as justice may require.

Such civil penalty may be released or compromised by the Town Board before the matter has been referred to the Town attorney, and where such matter has been referred to the Town attorney, any such penalty may be released or compromised and any action commenced to recover the same may be settled and discontinued by the Town attorney, with the consent of the Town Board.

Section 1014 - Court Orders

In addition to the power to assess penalties as set forth in this Article, the Town Board shall have the power, following the hearing held in conformance with the procedures set forth in this Article, to seek an order:

(1) Suspending, revoking, or modifying the violator's Wastewater Discharge Permit, or

(2) Enjoining the violator from continuing the violation.

Any such court order shall be sought in an action brought by the Town attorney, at the request of the Town Board, in the name of the Town, in any court of competent jurisdiction giving precedence to courts local to the Village.

The Town attorney, at the request of the Town Board shall petition the Court to impose, assess, and recover such sums imposed according to this Article. In determining amount of liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration, any economic benefit gained through the User's violation, corrective actions by the User, the compliance history of the User, and any other factor as justice requires.

Section 1015 - Criminal Penalties

Any person who willfully violates any provision of this Law or any final determination or administrative order of the Town Board made in accordance with this Article shall be guilty of a Class A Misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than Five Hundred Dollars ($500) nor more than One Thousand Dollars ($1,000), or imprisonment not to exceed one (1) year or both. Each offense shall be a separate and distinct offense, and, in the case of a continuing offense, each day's continuance thereof shall be deemed a separate and distinct offense.

Any User who knowingly makes any false statements, representations, or certifications in any application, record, report, plan or other document filed or required to be maintained pursuant to this Law, or wastewater permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Law shall be guilty of a Class A Misdemeanor and, upon conviction, shall be punished by a fine of not more than One Thousand Dollars ($1,000.00) per violation per day or imprisonment for not more than one (1) year or both.

No prosecution, under this Section, shall be instituted until after final disposition of a show cause hearing, if any, was instituted.

Section 1016 - Additional Injunctive Relief

Whenever a User has violated or continues to violate the provisions of this Law or permit or order issued hereunder, the Town Board, through counsel may petition the Court, in the name of the Town, for the issuance of a preliminary or permanent injunction or both (as may be appropriate) which restrains the violation of, or compels the compliance with any order or determination thereunder by the Town Board.

Section 1017 - Summary Abatement

Notwithstanding any inconsistent provisions of this Law, whenever the Town Board finds, after investigation, that any User is causing, engaging in, or maintaining a condition or activity which, in the judgment of the Town Board, presents an imminent danger to the public health, safety, or welfare, or to the environment, or is likely to result in severe damage to the POTW or the environment, and it therefore appears to be prejudicial to the public interest to allow the condition or activity to go unabated until notice and an opportunity for a hearing can be provided, the Town Board may, without prior hearing, order such User by notice, in writing wherever practicable or in such other form as practices are intended to be proscribed, to discontinue, abate, or alleviate such condition or activity, and thereupon such person shall immediately discontinue, abate, or alleviate such condition or activity; or where the giving of notice is impracticable, or in the event of a User's failure to comply voluntarily with an emergency order, the Town Board may take all appropriate action to abate the violating condition. As promptly as possible thereafter, not to exceed fifteen (15) calendar days, the Town Board shall provide the User an opportunity to be heard, in accordance with the provisions of this Article.

If the User is not within the geographic boundaries of the Town the right of summary abatement to discontinue, abate, or alleviate conditions or activities shall be those prescribed in the inter-municipal agreement.

The Town Board, acting upon the belief that an emergency exists, shall be indemnified against any personal liability that may arise in the performance of his duties to protect the public health, safety, or welfare, or to preserve the POTW or the environment.

MISCELLANEOUS

Section 1018 - Delinquent Payments

If there shall be any payments which are due to the Town, or any Department thereof, pursuant to any Article or Section of this Law, which shall remain due and unpaid, in whole or in part, for a period of thirty (30) calendar days from the date of billing by the Town, the same shall constitute a default, and there shall be added to the entire amount of the original bill, a penalty equal to twenty percent (20%) of the original bill.

In the event that there are any sewer taxes, assessments, or other service charges which shall have been delinquent for a period of at least sixty (60) calendar days as of December 15 of any year, the Town Clerk shall report the names of the defaulting persons to the Town Board on or before March 15 of the same year. The Town Clerk is hereby directed to add the entire amount of the sewer tax, assessment, or other service charge which shall be in default, plus penalty and interest, as provided for in this Law, to the real property taxes due and owing to Town in the next succeeding year, and the Town Receiver of Taxes is directed to collect the same in the same manner as real property taxes due and owing to the Town are collected.

Section 1019 - Performance Bonds

The Town Board may decline to reissue a permit to any User which has failed to comply with the provisions of this Law or any order or previous permit issued hereunder unless such User first files with it a satisfactory bond, payable to the POTW, in a sum not to exceed a value determined by the Town Board to be necessary to achieve consistent compliance.

Section 1020 - Liability Insurance

The Town Board may decline to reissue a permit to any User which has failed to comply with the provisions of this Law or any order or previous permit issued hereunder, unless the User first submits proof that it has obtained financial assurances sufficient to restore or repair POTW damage caused by its discharge.

Section 1021 - Informant Rewards

The Town Board is authorized to pay up to $500 for information leading to the discovery of noncompliance by a User. In the event that the information provided results in an administrative fine or civil penalty levied against the User, the Town Board is authorized to disperse up to ten (10) percent of the collected fine or penalty to the informant. However, a single reward payment may not exceed $10,000, including the discovery reward.

Section 1022 - Penalty for Late Connection

All property owners within the original Sewer District shall connect to the sewer system within one (1) year of notification of the startup of the POTW and the collection system. Penalties will be assessed in accordance with provisions specified in other sections of this article.

END OF ARTICLE 10

Town of Duanesburg
Sewer Use Law

ARTICLE 11

CHARGES

Section 1101 - Sewage Service Charges
Section 1102 - Surcharge for Abnormal Sewage
Section 1103 - Permit and Connection Charges
Section 1104 - Billing Period
Section 1105 - Pretreatment Program Costs
Section 1106 - Capital Recovery
Section 1107 - Collection of Charges
Section 1108 - Fiscal Year for System
Section 1109 - Impact Fees
Section 1110 - Use of Revenues

Section 1101 - Sewage Service Charges

A single family dwelling will be assessed one Equivalent Dwelling Unit (EDU) in the Sewer District. Because commercial, industrial and institutional properties can and will generate more wastewater than a single family home, multiples of EDU's have been computed for all non-residential uses within the district using generally accepted engineering standards to account for this increased use. This allows the sewer costs to be assessed on a benefit basis fairly in proportion to wastewater generation among all properties within the district. The User Unit Schedule for typical uses shall be in accordance with Appendix B. In the event that a proposed use in the District is not listed, then the Town Board shall determine the EDU charge based on generally accepted engineering standards.

The annual cost of sewer service for properties within the District will consist of two components; the debt service on the capital costs, and the annual cost to operate and maintain the sewer collection system and the treatment plant as follows:

(a) **Operation & Maintenance Charge:** All properties discharging or depositing sewage into the public sewers shall pay a sewer service charge, which charge shall be collected as a sewer rent. The Operation and Maintenance charges for each property shall be as per the schedule shown in Appendix B, except that vacant parcels shall not be charged.

(b) **Capital Project Debt Service Charge:** All properties within the legal boundaries of the Sewer District shall pay a Capital Project Debt Service charge, which charge shall be in accordance with Appendix B. Vacant parcels will pay a debt service charge as shown in Appendix B.

The Town Board shall prepare a sewer budget in accordance with Town Law that will specify the Operation and Maintenance costs and Debt Service charges proposed for the succeeding budget year. In accordance with Town Law, sewer rolls will be prepared and adopted by the Town Board annually to determine the number of debt service EDU's, and Operation and Maintenance EDU's that will be charged for sewer service. These charges to each property within the Sewer District will be shown as a separate line item on the County tax bill prepared in January of each year.

Section 1102 - Surcharge for Abnormal Sewage

All persons discharging or depositing wastes with concentrations in excess of the pollutant concentrations in normal sewage shall pay a surcharge according to the following formula:

$$UC(t) = UC(n) + UC(an)$$

Where:

UC(t)	=	Total User Charge for POTW operation and maintenance
UC(n)	=	User Charge associated with normal sewage
UC(an)	=	User Charge associated with abnormal sewage
UC(n)	=	OM X (OQ/100) X (QIA/QA)
UC(an)	=	OM { [OB/100 X (BIA-Bn)/BA] + [OS/100 X (SIA-Sn)/SA] + [OP/100 X (PIA-Pn)/PA] + [ONH/100 X (NHIA-NHn)/NHA] + [OTK/100 X (TKIA-TKn)/TKA]}

Where:

OM	=	total annual POTW operation and maintenance costs
OQ	=	percentage of OM attributable to flow (Q)
OB	=	percentage of OM attributable to BOD5
OS	=	percentage of OM attributable to suspended solids
OP	=	percentage of OM attributable to total phosphorus
ONH	=	percentage of OM attributable to ammonia
OTK	=	percentage of OM attributable to total Kjeldahl nitrogen
QIA	=	average daily flow rate (MGD) from discharger
BIA	=	average daily BOD5 loading (LB/DAY) from discharger
SIA	=	average daily suspended solids loading (LB/DAY) from discharger
PIA	=	average daily total phosphorus loading (LB/DAY) from discharger
NHIA	=	average daily ammonia loading (LB N/DAY) from discharger
TKIA	=	average daily total Kjeldahl nitrogen loading (LB N/DAY) from discharger
QA	=	average daily flow rate (MGD) at the POTW treatment plant
BA	=	average daily BOD5 loading (LB/DAY) at the POTW treatment plant
SA	=	average daily suspended solids loading (LB/DAY) at the POTW treatment plant
PA	=	average daily total phosphorus loading (LB/DAY) at the POTW treatment plant
NHA	=	average daily total ammonia loading (LB N/DAY) at the POTW treatment plant
TKA	=	average daily total Kjeldahl nitrogen loading (LB N/DAY) at the POTW Treatment Plant
Bn	=	BOD5 loading (LB/DAY) in discharge if it were normal sewage
Sn	=	suspended solids loading (LB/DAY) in discharge if it were normal sewage
Pn	=	total phosphorus loading (LB/DAY) in discharge if it were normal sewage
NHn	=	ammonia loading (LB N/DAY) in discharge if it were normal sewage
TKn	=	total Kjeldahl nitrogen loading (LB N/DAY) in discharge if it were normal sewage

Note: if any difference terms in the equation above is negative, then that portion of the equation shall not be used, that is, the difference shall be set to zero when it is negative.

Note: all averages are arithmetic averages determined from available data during the billing period.

Section 1103 - Permit and Connection Charges

A permit will be required prior to the commencement of any new work or modification to any component of the POTW on sewage collection system. The following permit(s) and fee(s) are hereby established:

Permit Fee - The fee set annually by the Town Board to cover the cost of lateral permit review, administration, and field inspection of the building lateral installation to insure conformance with this sewer use law. The Town board will adopt a fee schedule for residential, commercial and industrial building lateral permits, sewer lateral permits and other sewer work.

Connection Fee - The Town Board will establish a hook-up fee which will be charged to all users of the sewer system. During the initial start-up of the system, all initial users will be given a one-year period to install the building lateral during which time the connection fee will be waived. Following this period, any initial users, and new users, will be required to pay the connection fee along with the permit fee.

The connection fee will be established to serve the following two purposes. First, to recover funds invested by the original Sewer District to provide the infrastructure and capacity for future users. Second, to cover district administrative and engineering expenses related to the review of the proposed new lateral, or sewer line extension. The Town Board will adopt a fee schedule for the connection charge for various types of connections (i.e. residential, commercial, industrial). Funds collected from collection fees, will be used by the Sewer District and accounted for in appropriate budget line items.

Administrative Surcharge Fee - The Town Board shall also establish a separate fee to recover any shortage of funds needed during the budget year for which the permit application is made.

Section 1104 - Billing Period

(a) The Billing Period for operation & maintenance charges described in Section 1101(a) of this article shall be annually for all users.

(b) The Billing Period for Capital Project Debt Service Charges described in Section 1101(b) of this article shall be annually.

Section 1105 - Pretreatment Program Costs

The additional charges and fees associated with the operation of the pretreatment program shall be assessed the User, and include:

(1) reimbursement of costs of setting up and operating the pretreatment program

(2) issuing permits

(3) monitoring, inspections, and surveillance procedures

(4) costs of equipment and supplies

(5) reviewing accidental discharge procedures

(6) construction inspections

(7) filing appeals

(8) application for consistent removal status as outlined in 40 CFR 403

(9) other reasonable expenses to carry out the program to satisfy the requirements of this Law, the NYSDEC, and the Federal government

Section 1106 - Capital Recovery

The Town may institute an equitable procedure for recovering the costs of any capital improvements of those parts of the POTW which collect, pump, treat, and dispose of industrial wastewaters from those persons discharging such wastewaters into the POTW.

Section 1107 - Collection of Charges

Provisions of Article 10 of this Law relating to the collection of penalties shall apply to the collection of Sewer Service Charges and Abnormal Sewage Service Surcharges, unless where otherwise provided by application of the Sewer Rent Law by Town.

Section 1108 - Fiscal Year for System

The POTW shall be operated on the basis of a fiscal year commencing on the first day of January and ending on the thirty-first day of December.

Section 1109 - Impact Fees

The Town Board shall have the authority to impose impact fees on new development, which development may:

(1) - cause enlargement of the service area of the POTW
(2) - cause increased hydraulic and/or treatment demands on the POTW

Section 1110 - Use of Revenues

Revenues derived from user charges and associated penalties, and impact fees, shall be credited to the Sewer fund. These funds shall be used exclusively for the following functions:

(a) For the payment of the operation and maintenance, including repair and replacement costs of the Town POTW,

(b) For the discovery and correction of inflow and infiltration,

(c) For the payment of interest on and the amortization of or payment of indebtedness which has been or shall be incurred for the construction or extension of the Town POTW, and

(d) For the extension, enlargement, replacement of, and/or additions to the Town POTW, including any necessary appurtenances.

END OF ARTICLE 11

ARTICLE 12

PUBLIC DISCLOSURE OF POTW OPERATIONS

Section 1201- POTW Operations Open to the Public
Section 1202- Procedural Requirements Available
Section 1203- Validity Through Public Inspection

Section 1201- POTW Operations Open to the Public

It shall be the policy of the Town Board to conduct all business with full disclosure to the public.

Section 1202- Procedural Requirements Available

The nature and requirements of all formal procedures for applying for a permit and for requesting a permit under this Law and for requesting a hearing shall be formulated by the Town and be made available to any resident of the Town upon request.

Section 1203- Validity Through Public Inspection

The Town shall formulate procedures to make available to the public for inspection such orders, statements of policy, and interpretations used by the Town in administration of this Law. No rule, regulation, or civil order shall be valid until it has been available for public inspection.

END OF ARTICLE 12

Town of Duanesburg
Sewer Use Law

ARTICLE 13

CONFLICTS, SEVERABILITY, EFFECTIVE DATE AND APPLICABILITY

Section 1301- Conflicts
Section 1302- Severability
Section 1303- Effective Date

Section 1301- Conflicts

The provisions of any Town law in conflict with any provision of this Law are hereby repealed.

Section 1302- Severability

Each provision of this Law is severable from the others, so that if any provision is held to be illegal or invalid for any reason whatsoever, such illegal or invalid provision shall be severed from this Law which shall nonetheless remain in full force and effect.

Section 1303- Effective Date

This law shall take effect immediately upon its filing in the office of the Secretary of State.

END OF ARTICLE 13

END OF LAW

Town of Duanesburg
Sewer Use Law

APPENDIX A

Parameters of Concern

Class A - Halogenated Hydrocarbons
Class B - Halogenated Organics (Other than Hydrocarbons)
Class C - Pesticides (Includes Herbicides, Algaecides, Biocides, Slimicides and Mildewcides)
Class D - Aromatic Hydrocarbons
Class E - Tars
Class F - Substituted Aromatics (Other than Hydrocarbons and Non-Halogenated)
Class G - Miscellaneous
Class M - Metals and their Compounds

Class A - Halogenated Hydrocarbons

A01. Methyl Chloride
A02. Methylene Chloride
A03. Chloroform
A04. Carbon Tetrachloride
A05. Freon/Genatron
A06. Other Halomethanes
A07. 1,1,1-Trichloroethane
A08. Other Haloethanes
A09. Vinyl Fluoride
A10. Vinyl Chloride
A11. Dichloroethylene
A12. Trichloroethylene
A13. Tetrachloroethylene
A14. Chlorinated Propane
A15. Chlorinated Propene
A16. Hexachlorobutadiene
A17. Hexachlorocyclopentadiene
A18. Chlorinated Benzene
A19. Chlorinated Toluene
A20. Fluorinated Toluene
A21. Polychlorinated Biphenyl (PCB)
A22. Chlorinated Naphthalene
A23. Dechlorane ($C_{10}Cl_{12}$)
A24. Hexachlorocyclohexane (BHC)
A99. Halogenated Hydrocarbons Not Specified Above

Class B - Halogenated Organics (Other than Hydrocarbons)

B01. Phosgene
B02. Methyl Chloromethyl Ether
B03. Bis-Chloromethyl Ether
B04. Other Chloroalkyl Ethers
B05. Benzoyl Chloride
B06. Chlorothymol
B07. Chlorinated Phenol
B08. Chlorinated Cresols or Xylenols
B09. Chlorendic Acid
B10. Chloroaryl Ethers
B11. Dichlorophene or Hexachlorophene
B12. Chlorinated Aniline (Including Methylene Bis (2-Chloroaniline))
B13. Dichlorobenzidine
B14. Chlorinated Diphenyl Oxide
B15. Chlorinated Toluidine
B16. Kepone ($C_{10}Cl_{10}0$)
B17. Dichlorovinyl Sulfonyl Pyridine
B18. Chloropicrin
B19. Trichloromethyl Thio-Phthalimide
B20. Trichloro-Propylsulfonyl Pyridine
B21. Tetrachloro-Methysulfonyl Pyridine
B22. Tetrachloro-Isopthalonitrile
B99. Halogenated Organics Not Specified Above

Class C - Pesticides (Includes Herbicides, Algaecides, Biocides, Slimicides and Mildewcides)

C01. Aldrin/Dieldrin
C02. Chlordane and Metabolites
C03. DDT and Metabolites
C04. Endosulfan/Thiodan and Metabolites
C05. Endrin and Metabolites
C06. Heptachlor and Metabolites
C07. Malathion
C08. Methoxychlor
C09. Parathion
C10. Toxaphene
C11. Sevin
C12. Kelthane
C13. Diazinon
C14. Dithane
C15. Carbaryl
C16. Silvex
C17. Dithiocarbamates
C18. Maneb
C19. Dioxathion
C20. Tandex/Karbutilate

C21. Carbofurans
C22. Pentac
C23. Folpet
C24. Dichlone
C25. Rotenone
C26. Lindane/Isotox
C27. Simazine
C28. Methoprene
C99. Pesticides Not Specified Above

Class D - Aromatic Hydrocarbons

D01. Benzene
D02. Toluene
D03. Xylene
D04. Biphenyl
D05. Naphthalene
D06. Ethylbenzene
D07. Styrene
D08. Acenaphthene
D09. Fluoranthene
D99. Aromatic Hydrocarbons Not Specified Above

Class E - Tars

E01. Coal Tar
E02. Petroleum Tar
E99. Tars Not Specified Above

Class F - Substituted Aromatics (Other than Hydrocarbons and Non-Haglogenated)

F01. Phenol, Cresol or Xylenol
F02. Catechol, Resorcinol, or Hydroquinone
F03. Nitrophenols
F04. Nitrobenzenes
F05. Nitrotoluenes
F06. Aniline
F07. Toluidines
F08. Nitroanilines
F09. Nitroanisole
F10. Toluene Diisocyanate
F11. Dimethylaminoazobenzene
F12. Benzoic Acid (and Benzoate Salts)
F13. Phthalic, Isophthalic or Terephthalic Acid

F14. Phthalic Anhydride
F15. Phthalate Esters
F16. Phenoxyacetic Acid
F17. Phenylphenols
F18. Nitrobiphenyls
F19. Aminobiphenyls (Including Benzidine)
F20. Diphenylhydrazine
F21. Naphthylamines
F22. Carbazole
F23. Acetylaminofluorene
F24. Dyes and Organic Pigments
F25. Pyridine
F99. Substituted Aromatics Not Specified Above

Class G - Miscellaneous

G01. Asbestos
G02. Acrolein
G03. Acrylonitrile
G04. Isophorone
G05. Nitrosamines
G06. Ethyleneimine
G07. Propiolactone
G08. Nitrosodimethylamine
G09. Dimethylhydrazine
G10. Maleic Anhydride
G11. Methyl Isocyanate
G12. Epoxides
G13. Nitrofurans
G14. Cyanide

Class M - Metals and Their Compounds

M01. Antimony
M02. Arsenic
M03. Beryllium
M04. Cadmium
M05. Chromium
M06. Copper
M07. Lead
M08. Mercury
M09. Nickel
M10. Selenium
M11. Silver
M12. Thallium
M13. Zinc
M99. Metals Not Specified Above

Town of Duanesburg
Sewer Use Law
APPENDIX B
USER UNIT SCHEDULE

CLASSIFICATION #	CLASSIFICATION DESCRIPTION	# OF USER UNITS (EDU'S) PER CLASSIFICATION
1.	Commercial/Industrial Enterprise: a) less than 5 employees b) 6 - 10 employees c) 11 - 20 employees d) (1-1/2 EDU's for every 10 or portion thereof)	 1 Unit 1-1/2 Units 3 Units
2.	Single Family Residence (see note 1)	1 Unit
2a.	Two Family Residence	2 Units
2b.	For each additional apartment unit above two (see note 2)	*1/2 Unit*
3.	Library	1 Unit
4.	Convenient/Deli Store	1-1/2 Units
5.	Beauty or Barber Shop	1 Unit
6.	Restaurant/Bar a) 0 - 45 Occupancy b) 46 - 90 Occupancy c) 91 - 135 Occupancy d) (2 EDU's for every 45 or portion thereof)	 2 Units 3 Units 5 Units
7.	Commercial Laundromat (per five washers or portion thereof)	2 Units
8.	Post Office	1 Unit
9.	Nursing/Adult Homes (Single Family Residence plus charge per bed)	1 Unit plus 1/4 Unit for each bed.
10.	Motel, Hotel (per room) w/o Restaurant	1/4 Unit
11.	Fire Department	1 Unit
12.	Churches	1/2 Unit
13.	Church Hall	1 Unit
14.	Rectory	1 Unit
15.	School (see note 3)	1 Unit for 10 persons
16.	Vacant Lot (see Note 4)	1/2 Unit

Note 1: A single property which is used as **both: 1. a residence and 2. a business,** in which its only employees are the property owner and immediate family members, all of whom reside on the premises, shall be treated the same as residential properties with a "Home Occupation" and shall be classified under Item 2 on the above schedule and, therefore, assigned 1 EDU. If public bathroom facilities are provided as part of the home occupation, or if significant additional wastewater is generated above normal residential usage, then the Town Board may assess additional units in accordance with the Table above.

Note 2: To qualify for the 1/2 unit reduction for 3 or more apartment units, all units must be in the same building.

Note 3: Under Classification #15, School, the number of persons to be used to determine the number of units will include students, faculty, and staff.

Note 4: The term "vacant lot" as used in the foregoing schedule shall refer to any lot which meets the building and zoning code requirements for a single family residence.