CONWAY VILLAGE FIRE DISTRICT

CONWAY, NEW HAMPSHIRE

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**RULES AND REGULATIONS**

**Sewer Utility**

Adopted 8/28/2018
Amended 12/12/2019 – Addendum 1 – Article XVII 10 a. penalty for sump pump discharge

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**CONWAY VILLAGE FIRE DISTRICT**

**Conway, New Hampshire**

**SEWER RULES AND REGULATIONS**

# Overview

The Rules and Regulation herein set forth for the operation and maintenance of the municipal sewer system, established by the commissioners of the Conway Village Fire District as necessary or desirable for the efficient operation of said system and for the protection of the health and safety of the people of the Conway Village Fire District.

Pursuant to RSA 149 and every other authority thereto enabling, the Board of Commissioners enacts and ordains the following Rules and Regulations. The discharges governed by these Rules and Regulations are not within the jurisdiction of the Federal Clean Water Act.

It is the intent of the Board of Commissioners that the following Rules and Regulations will bind all customers, as defined, who install, connect to, and discharge water and wastewater into the public sewer system in accordance with these Rules and Regulations and only for the purpose stated in the customer’s application.

The purpose of these Rules and Regulations is to the protect water supplies, to prevent pollution in the surface and ground water of the Conway Village Fire District, and to prevent nuisances and potential health hazards.

The long-term goal of the Conway Village Fire District is to provide sewer services to all residents whether they live on a town, state, or private road, but this goal must be tempered by the ability of the taxpayers, rate payers and owners to pay for the system. In this regard, the commissioners recognize that the system has a beneficial impact on the value of property and that, at times, financial realities tend to argue for certain costs to be spread over all users. In making these decisions, the commissioners will be guided by the purposes set out in this preamble.

# Authority

1. Whereas RSA 149 authorizes a village district to construct and maintain a wastewater system and adopt such ordinances relating to such, and;
2. Whereas, the District, on March 30, 1970 at the Annual Meeting of the voters of the District, voted to construct a municipal sewerage disposal system, including a system of sewers, interceptors, pumping stations, treatment works and other related facilities, and;
3. Whereas, the District, on March 15, 2006 at the Annual Meeting of the voters of the District, voted to construct a new wastewater treatment plant, and
4. Whereas, the District, on March 10, 2010 at the Annual Meeting of the voters of the District, voted to change the purpose of the 2006 vote to enter into a 30-year agreement with the North Conway Water Precinct and construct an interconnect to move the wastewater from the Conway Village Fire District collection system to the North Conway Water Precinct Treatment Plant.
5. Therefore, these Rules and Regulations are adopted on this 3th day of August 2018 by the Board of Commissioners of the Conway Village Fire District.

# Definitions

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

1. “ACT” shall mean the Federal Water Pollution Control Act (33 USC 1251 et. Seq.) as amended by the Federal Water Pollution Control Act Amendments of 1972 (Pub. L. 92-500 and Pub. L. 93-243 and revised to the Clean Water Act as reauthorized in 1991).
2. “Applicant” shall mean any person requesting approval to discharge industrial or domestic wastewaters into the District wastewater facilities**.**
3. “ASTM” means American Society for Testing and Materials.
4. “Biochemical Oxygen Demand (B.O.D)” shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five (5) days at 20˚C, expressed in milligrams per liter (mg/l).
5. “Building Drain” shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer beginning ten (10) feet outside the inner face of the building.
6. “Bypass” shall mean the intentional diversion of waste streams from any portion of a pre-treatment system, sewer, or wastewater treatment facility.
7. “Chemical Oxygen Demand (C.O.D.)” shall mean a measure of oxygen equivalent to oxidation capacity of a strong chemical oxidant as determined by standard methods.
8. “Clean Water Act” shall mean the Federal Clean Water Act, 33 U.S.C. §§ 1251 to 1357, as amended.
9. “Combined Sewer” shall mean a sewer intended to receive both wastewater and storm or surface water.
10. “Commercial Use” shall mean premises used for financial gain, including, but not limited to businesses, restaurants, shops, bed and breakfast, motels, hotels, retail shopping malls, professional offices, hospitals, and any other business of similar use.
11. “Commissioners” shall mean the Board of Commissioners of the Conway Village Fire District.
12. “Connection Fee” shall mean a fee established by the Commissioners that must be paid prior to commencement of water service for new construction and/or additional service requests. Fees are based on the number of meters installed or, in the case of multi-unit apartments or multi-unit commercial buildings, on the number of units. Payments may be made in full at time of application or half of payment at time of application and balance due before water service will be activated. Other payment arrangements may be made but will be drawn up in a formal and binding contract.
13. “District” shall mean Conway Village Fire District and its authorized representatives.
14. “District Office” shall mean 128 West Main Street, Conway, NH 03818.
15. “Division” shall mean The New Hampshire Department of Environmental Services.
16. “Domestic Wastewater” or “Sanitary Sewage” shall mean normal water-carried household and toilet wastes or waste from sanitary conveniences, excluding ground, surface, or storm water.
17. “Easement” shall mean an acquired legal interest for a specific and limited use of land owned by others.
18. “EPA” shall mean the United States Environmental Protection Agency.
19. “Excessive” shall mean amounts or concentrations of a constituent of a wastewater which, in the judgment of Conway Village Fire District, will cause damage to any sewerage facility, which will be harmful to a wastewater treatment process, which cannot be removed by the wastewater treatment works of Conway Village Fire District required to meet the limiting discharge standards of the Wastewater Treatment Plants (facilities), which can otherwise endanger life, limb, or public property, and/or which can constitute a nuisance. **(For definition of “Excessive Use”, see Sewer Abatement Policy).**
20. “Facilities” shall include all structures, pipes, and conduits for the purpose of collecting, treating, neutralizing, stabilizing or disposing of by means of such structures and conduits including treatment and disposal works, necessary intercepting, outflow and outlet sewers, and pumping stations integral to such facilities with sewers, equipment, furnishings thereof and all other appurtenances connected there within.
21. “FOG” shall mean fat, oil, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pre-treatment facility. Wastewater shall be considered free of floatable oil if it is properly pre-treated and the wastewater does not interfere with the collection system.
22. “Food Establishment” means any fixed or mobile restaurant, temporary or permanent food service establishment, coffee shop, cafeteria, bed and breakfast, short order café, luncheonette, grill, roadside stand, industrial feeding establishment, food ending operation, whether attended or unattended, private, public, or nonprofit organization or institution routinely serving food, catering kitchen, commissary or similar place in which food or drink is prepared for sale or for service on the premises or elsewhere, and any other eating or drinking establishment or operation where food is served or provided for the public with or without charge.
23. “Force Main” shall mean a line without access from individual properties, providing a connection from a pump station to a pump station, trunk, or sanitary sewer main.
24. “Fume Toxicity Screening Level” shall mean the concentration of a pollutant in water which, under equilibrium or other conditions, a confined environment, or interaction with pollutants contained in permitted discharges, would cause the concentration of a pollutant in the air over the water to exceed an exposure limit.
25. “Garbage” shall mean the animal and vegetable waste resulting from the handling, preparation, cooking, and serving of foods.
26. “Grease” shall include the fats, oils, waxes, and other related constituents found in wastewater.
27. “Grease Interceptor” is a device designed and installed so as to separate and retain for removal by automatic or manual means grease from normal wastes, while permitting normal sewage or wastes to discharge into the sewer system by gravity.
28. “Grit” shall mean sand, gravel, cinders, or other heavy solid materials that have subsiding velocities or specific gravities substantially greater than those of the organic particles solids in wastewater. Grit also includes eggshells, bone chips, seeds, coffee grounds, and large organic particles, such as food or wastes.
29. “Hauler” shall mean that person, firm, or corporation, licensed by the Division, who pumps, hauls, transports, or dispose of septage in accordance with the requirements of RSA 147:34.
30. “Hearing Board” shall mean the Board of Commissioners.
31. “Incompatible Pollutant” shall mean any pollutant, other than biochemical oxygen demand, suspended solids, pH, coliform bacteria, or additional pollutants identified in the permit, which the treatment works was not designed to treat and does not remove to a substantial degree.
32. “Industrial User” shall mean a person who discharges industrial wastes to the sanitary sewer of Conway Village Fire District.
33. “Industrial Wastes” shall mean the wastewater from industrial processes, trade, or businesses not including domestic or sanitary wastes.
34. “Industry” shall mean an establishment with facilities for mechanical, testing, trade, or manufacturing purposes.
35. “Industrial wastewater” shall mean the wastewater in which the liquid wastes from industrial manufacturing processes, laboratory, trade or business predominate as distinct from domestic wastewater.
36. “Interceptor” shall mean a sewer which serves to collect the flow from the sewage collection system.
37. “Interference” shall mean a discharge by an industrial user which, alone or in conjunction with discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal and which is a cause of, or significantly contributes to a violation of any requirement of the publicly owned treatment works Groundwater Discharge Permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal by the publicly owned treatment works in accordance with all applicable federal and state laws and regulations.
38. “Invert” shall mean the bottom inside of the sewer pipe or bottom of a manhole structure.
39. “Local Limits” shall mean treatment limits established by Conway Village Fire District.
40. “May” is permissive (see “shall” definition #67).
41. “National Categorical Pre-treatment Standard” or “Categorical Pre-treatment Standard” shall mean any regulations containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Clean Water Act (33 U.S.C. § 1317), ***(https://www.law.cornell.edu/uscode/text/33/1317)*** which apply to a specific category of industrial user(s) and which are found in the Code of Federal Regulations, 40 CFR, Subchapter N, parts 401 through 471 ***(https://www.epa.gov/npdes/pretreatment-standards-and-requirements).***
42. “Natural Outlet” shall mean any outlet, including storm sewers and combined sewer overflows, into a water source, pond, ditch, lake, or any other body of surface or ground water.
43. “Natural Person” shall mean an individual human being, as opposed to a legal person, which may be a private (i.e., business entity or non-governmental organization) or public (i.e., government) organization as provided for under RSA 149-I:23, as amended.
44. “New Source” shall mean any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed Pre-treatment Standards under Section 307(c) of the Clean Water Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:
	1. The building, structure, facility, or installation is constructed at a site at which no other source is located; or
	2. The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
	3. The production or wastewater-generating process of the building structure, facility, or installation is substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source should be considered.
		1. Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not carte a new building, structure, facility, or installation meeting the criteria of paragraphs a. or b. of this section but otherwise alters, replaces, or adds to existing process or production equipment.
		2. Construction of a new source is defined under this paragraph as commenced if the owner or operator has:
			1. Begun, or caused to begin as part of a continuous on site construction program
				1. Any placement, assembly, or installation of facilities or equipment; or
				2. Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, facilities, or equipment; or
			2. Entered into a binding contractual obligation for the purchase of facilities or equipment which is intended to be used in its operation within a reasonable time. Options to purchase or contract which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.
45. “Official Notice" shall mean written notice from the District sent by U.S. Mail to the address of record.
46. “Operation and Maintenance" shall mean those functions that result in expenditures during the useful life of the treatment works for materials, labor, utilities and other items which are necessary for managing the treatment works and for which such works were designed and constructed.
47. “Pass Through" shall mean the discharge of pollutants through the publicly owned treatment works into surface or ground waters in quantities or concentrations, which, alone or in conjunction with discharges from other sources, cause, or significantly contribute to a violation of any requirements of the publicly owned treatment works Groundwater Discharge Permit (including an increase in the magnitude or duration of a violation) or of any applicable water quality criteria.
48. "POTW" or "Publicly Owned Treatment Works" shall mean the wastewater treatment works which are owned by the District. This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial waste of a liquid nature. It also includes sewers, pipes and other conveyances only if they convey wastewater to a POTW wastewater treatment works.
49. “Person" shall mean any individual, firm, company, state, association, society, profit or non-profit corporation, group, partnership, limited liability company or partnership, municipality, governmental facility or governmental subdivision of a state, or responsible corporate officer.
50. “pH” shall mean the logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of hydrogen-ions, in grams, per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen-ion concentration of 10-7.
51. “Phenolic Compounds” shall mean the following hydroxy derivatives of benzene: 2-chlorophenol; 2,4-dichlorophenol; 2,4-dimethylphenol; 4,6-dinitro-o-cresol; 2,4-dinitrophenol; 2-nitrophenol; 4-nitrophenol; p-chloro-m-cresol; and 2,4,6-trichlorophenol.
52. "Pollution" or "Pollutant" shall mean contamination, or other alteration of the physical, chemical, or biological properties of any waters which will or may create a public health nuisance or render such water or land harmful, detrimental or injurious to public health, safety or welfare, or to domestic, commercial, industrial, agricultural, recreational or other legitimate beneficial uses, or to livestock, animals, birds, fish or other aquatic life.
53. "Pretreatment" shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be achieved by physical, chemical, or biological processes or other means, except as prohibited by 40 CFR Section 403.6(d).
54. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch (1.27 centimeters) in any dimension.
55. "Public Sewer" shall mean a common sewer controlled by a governmental agency, body politic, or public utility whether on a private or public road.
56. "Receiving Waters" shall mean any watercourse, river, pond, ditch, lake, aquifer, or other body of surface or groundwater, including percolating groundwater, receiving discharge of wastewaters.
57. "Replacement" in terms of the POTW shall mean expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.
58. "Residential Use" shall mean any contributor to the District's wastewater treatment works whose lot, parcel or real estate, or building is used for domestic dwelling purposes only.
59. "Residuals Management Program" shall mean structures, equipment, processes, operators associated with the collection, transportation, treatment or disposal of residues generated by the collection, transport, treatment or processing of materials introduced to the sewers or treatment facility.
60. "Sanitary Sewer or Domestic Sewer”" shall mean a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm, and surface waters that are not admitted intentionally.
61. "Screening Level" means that concentration of a pollutant which under baseline conditions would cause a threat to personnel exposed to the pollutant or would cause a threat to structures of wastewater facilities. To be administered as limits applicable to a particular discharge, the screening levels must be adjusted to account for conditions at the point of discharge which differ from baseline conditions.
62. "Septage" shall mean any liquid or solid, sludge or material pumped from chemical toilets, vaults, septic tanks or cesspools or other holding tanks.
63. "Septic Tank" shall mean a liquid-tight receptacle which receives raw sewage for storage and digestion, and which has been designed and constructed so as to retain the solids and to allow the liquids to discharge through a secondary system of piping into an approved form of subsurface disposal area.
64. "Septic Tank Truck" shall mean any watertight vehicle which is used for the collection and hauling of septage as described above and which complies with the regulations of the Division.
65. "Sewage" or “Sewerage” is the spent water of a community. The preferred term is "wastewater”.
66. "Sewer" shall mean a pipe or conduit that carries wastewater or drainage water.
67. “Sewer Line” shall mean the extension from the building drain to the public sewer or other place of disposal, also called a house connection.
68. "Shall" is mandatory (“may” is permissive, see definition #40).
69. "Significant Industrial User" shall mean all industrial users subject to categorical pretreatment standards, or any other industrial user that: discharges an average of 25,000 gallons per day or more of process wastewater (excluding sanitary, noncontact cooling and boiler blowdown wastewater); contributes a process waste stream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW or is designated as such by the District on the basis that the industrial user has a reasonable potential for adversely affecting the POTW or for violating any pretreatment standard or requirement.
70. "Slug" shall mean any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flow during normal operation and which shall adversely affect the collection system and/or performance of the wastewater treatment works.
71. "Spill" shall mean the release, accidental or otherwise, of any material not normally released to the facilities, which by virtue of its volume, concentration or physical, chemical, radiological, or biological characteristics, creates a hazard to the facilities, their operation or their personnel. Such characteristics shall include, but are not limited to volatile, explosive, toxic or otherwise unacceptable materials.
72. "State" shall mean the State of New Hampshire.
73. “Storm Drain” (storm sewer) shall mean a drain or sewer for storm water, groundwater, subsurface water, or unpolluted water from any source.
74. "Storm Water" shall mean any flow occurring during or following any form of natural precipitation and resulting therefrom.
75. "Superintendent" shall mean the Superintendent of the Conway Village Fire District, or his authorized deputy, agent, or representative.
76. “Suspended Solids (SS)” shall mean solids that either float on the surface of, or are in suspension in, water, wastewater, or other liquids, and that are removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater" and are referred to as non-filterable residue.
77. "Total Toxic Organics (TTO)" shall mean the sum of all Toxic Organics not otherwise prohibited or limited under applicable regulations.
78. "Toxic Organics" shall mean all substances listed in Tables II and V of 40 CFR Part 122, Appendix D.
79. "Unpolluted Water" is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefitted by discharge to the sanitary sewers and wastewater treatment facilities provided.
80. "Useful Life" shall mean the estimated period during which the Wastewater Facilities of the District will be operated.
81. "User" shall mean any person or entity that discharges wastewater or industrial wastewater into the sewerage system of the District and any person or entity located in the District.
82. “Usage Charge” shall mean the monetary amount in which a customer is charged for every 1,000 gallons of sewage used. Sewage usage is based on the gallons of water used by the customer. The rates shall be established and published yearly by the Board of Commissioners. All customers shall be charged the same amount for usage regardless of meter size.
83. "Waste" shall mean substances in liquid, solid or gaseous form that can be carried in water.
84. "Wastewater" shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and storm water that may be present.
85. "Wastewater Facilities" shall mean the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.
86. "Wastewater Treatment Works" shall mean an arrangement of devices and structures used for treating wastewater, industrial wastes, and sludge. Sometimes used as synonymous with "waste treatment plant" or "wastewater treatment facility" or "water pollution control plant."
87. "Watercourse" shall mean a natural or artificial channel for the passage of water either continuously or intermittently.
88. "Water Meter" shall mean a water volume measuring and recording device purchased through the District and installed by the user.

**\*\*\*For any other definitions not listed, please see District Definition and/or Sewer Definitions in the CVFD Sewer Rules and Regulations.**

# Validity

All rules and regulations or parts of rules and regulations in conflict herewith are hereby repealed.

The invalidity of any section, clause, sentence, or provision of these Rules and Regulations shall not affect the validity of any other part of these Rules and Regulations which can be given effect without such invalid part or parts.

These Rules and Regulations shall be in full force and effect from and after their passage, approval, recording, and publication as provided by law.

# Revisions to Rules and Regulations

The District reserves the right to adopt from time-to-time additional rules and regulations as it shall deem necessary and proper, which to the extent appropriate, shall be a part of these Rules and Regulations.

# Protection from Damage

No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, equipment or facility, which is owned by the District. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

Should property be damaged unintentionally, the Water District shall be notified immediately or as soon as practicable of the type and extent of said damage.

# Penalties

## General Provisions

1. Any person found to be violating any provision of these Rules and Regulations, except Section 1 of this Article, including failure to pay rates, fees, or charges, shall be served by the District with written notice stating the nature of the violation and, if appropriate in the particular circumstances, providing a reasonable time for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease the violation(s). If the offender fails to correct the violation within the provided time period, all supply of water to the person shall cease and shall not be renewed until the violation is corrected, including the payment of all outstanding bills.
2. The District may, after notice to the person discharging wastewater to the wastewater facilities, immediately halt or prevent any such discharge reasonably appearing to present an imminent endangerment to the health and welfare of the public, District staff or contractor, or any discharge presenting, or which may present, an endangerment to the environment, or which threatens to interfere with operation of the public sewer, wastewater treatment facilities, or residuals management program.
3. Any person found to be violating or continuing to violate any provisions of these Rules and Regulations, except Section 1 of this Article, shall be subject to a civil penalty in an amount not to exceed $10,000 per day of such violation. Each day in which any such violation shall continue shall be deemed a separate offense, as provided for under RSA 149-I:6, as amended.

## Written Notice of Violation Required

Any person found to be violating any provision of these Rules and Regulations shall be served by the District with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The Offender shall, within the period of time stated in such notice, permanently cease all violations.

## Penalty Stated

Any person who shall continue any violation beyond the time limit provided for in Section 1 above shall be guilty of a misdemeanor and upon conviction thereof, shall be fined in an amount not exceeding on thousand dollars ($1,000.00) for each violation. Each day in which such violation shall continue shall be deemed a separate violation.

## Liability for Damage Stated

Any person violating any of the provisions of these Rules and Regulations shall become liable to the District for any expenses, loss, or damage occasioned the District by reason of such violation. The expense, loss, or damage shall be taken to be to the extent determined by a competent registered professional to be chosen by the District.

# Appeal Process & Hearing Board

Any water and/or sewer user within the District seeking clarification and/or relief from enforcement of any provision set forth within these Rules and Regulations shall put the request in writing to the District Board of Commissioners.

The Conway Village Fire District Board of Commissioners shall act as a hearing board for arbitration of differences between the District and water and/or sewer users on matters concerning interpretation and execution of the provisions of these Rules and Regulations.

The decision of the Board is final and may be appealed to the Superior Court.

# Establishment of Rates for Water and Sewer

Rates chargeable by the CVFD for water, sewer, service calls, connections, and other relative fees, and payable by the customer, shall be determined by the Board of Commissioners based upon recognized accounting methods and/or engineering studies that will fairly distribute the burden of operations and maintenance of plant and other costs upon respective customers, including but not limited to the debt services for water and sewer.

# Charges for Sewer Service

 Sewer rates will be revised each year and adjustment made as necessary. Current rates may be obtained from the District Office, online at www.cvillagefd.com, or by calling the District Office at 603-447-5470.

1. Charges for sewer service may include charges for construction through Betterment Fees, which are fixed costs, and charges for operation and maintenance which are variable costs that may change in proportion to the quantity of wastewater collected and treated.
2. Charges for construction or fixed costs may be applied to operating and maintenance or sewer debt.
	1. Betterment Fees are calculated to pay the sewer debt service. Every property, regardless if sewer is available or not, shall pay this quarterly.
		1. Each residential property is charged based on the number of units per the property’s tax card filed with the Town of Conway Assessing Office.
		2. Commercial Buildings with multiple commercial businesses shall be charged by the number of different businesses renting from the owner whether separate store fronts or offices in a single building.
		3. Mobile Home parks shall be charged per the number of lots on the tax card filed with Town of Conway Assessing Office
		4. Educational institutions shall be charged per Water Equivalent Residential Units (ERUs) based on the number of students and the type of institution per the New Hampshire Department of Environmental Services ENV-Wq 1008.
	2. Sewer Connection Fees: Any and all new construction connecting to District sewer shall pay a connection fee. A residential dwelling will be charged one (1) connection fee. Large projects, i.e. apartments or large commercial projects will be charged based on the number of living units, number of storefronts or offices being constructed.
		1. Existing dwellings that are in place prior to sewer being constructed will be exempt from connection fees.
		2. Any property that disconnects from the system will be responsible for connection fees should it reconnect.
		3. Any property that disconnects from the system will still be responsible for Betterment Fees.
			1. Reasons for disconnection only include demolition of existing building(s) with no replacement erected.
	3. Failure to Connect: Existing structures that are not connected to District sewer one (1) year after sewer has been installed, with property abuting the District sewer main, and are within 400 feet of the sewer main will be charged all fees as if they were connected per RSA149-I:**7**.
		1. RSA 149-I:7 states: The mayor and aldermen may assess upon the persons whose drains enter such main drains, common sewers, storm water treatment, conveyance, and discharge systems, or treatment facilities, or whose lands receive special benefit therefrom in any way, their just share of the expense of constructing and maintaining the same or paying off any capital debt or interest incurred in constructing and/or maintaining the same.
3. Amounts of the connection fees shall be established by the Commissioners of the Conway Village Fire District and published separately as a part of the District user charge system. Connection fees shall be deposited in a separate bank account and accounted for in its own line item in the account system. The money collected from Connection Fees will be transferred to one of the sewer Trust Funds designated for the debt service, short term asset replacement, or sewer maintenance and projects upon approval at the District Annual Meeting.
4. User charges: Each user connected, or unconnected, to the sewerage system shall pay a sewer user charge to cover the costs of management, maintenance, operation and repair, including replacement of the wastewater system. Sewer user charges shall be based on water use. The applicable charge shall be established by the Commissioners.
	1. Sewer surcharges may be levied upon users who discharge wastewaters to the system that are above normal strength. The discharge of septage is an example of assigning a surcharge for operation and maintenance. For the purpose of determining the surcharge, normal domestic wastewater shall be considered to each have a BOD and suspended solids concentration of 250 mg/l.
	2. Any user contributing more than 5,000 gallons per day and whose discharge strength is greater than 600 mg/l BOD or 300 mg/l TSS shall prepare and file with the District a report that shall include pertinent data relating to the wastewater characteristics, including the methods of sampling and measurement to obtain this data, and these data shall be used to calculate the user charge for that user. The District shall have the right to gain access to the waste stream and take its own samples.

# Payments – Water/Sewer Bills

It is the District’s policy to have the water and/or sewer bills solely in the name of the property owner.

Bills for water and sewer service will be due and payable upon presentation of the bill. The failure of the customer or representative to receive written notice of the water bill does not relieve the customer from obligation of its payment or the consequences of it non-payment. All charges are due and payable upon presentation of the bill and are past due thirty (30) days after the date of the bill. The Superintendent or his representatives are not authorized to accept monies due to the District. All payments must be received at the District office located at 128 West Main St. Conway, NH.Failure to make payment when due shall entitle the District to seek collection and recover all costs of collection including attorney fees.

All properties will receive one bill per meter even though there may be more than one unit in

the building. It will be the responsibility of the owner to ensure full payment to the District.

## Sewer Usage Abatements

It shall be the policy of this District to abate sewer usage for customers who suffer an extreme leak that causes an excessive amount of water to flow through their meter but that in no way enters the District sewer system.

1. The District will not abate water usage, only the sewer usage portion of the bill
2. Customer must complete the abatement request form with all pertinent information (Appendix B).
3. Customer must provide sufficient proof that no water has entered the District sewer system. This proof may include but is not limited to: photographs of effected area prior to correction of the problem, an affidavit from a certified plumber that there was a problem that they fixed, or confirmation from a District employee who witnessed the problem. A customer’s word will not be considered without this proof.
4. Abatements will be calculated by comparing the usage of the current bill with the usage of the bill from the same quarter of the previous year. The difference will be divided by 1000 and then multiplied by the current sewer rate.
5. The Board of Commissioners, at a regular scheduled posted meeting, will determine whether an abatement is in order. Customers have the right to appeal the Board’s decision at a regular scheduled posted meeting. The Board’s decision of an appeal is final.
6. Only one abatement will be granted for a particular problem. Failing to correct a problem in an expedient manner is not cause for an abatement. Only the Board of Commissioners can determine if a problem will encompass more than one quarter.
7. Filling of swimming pools, hot tubs, irrigation, or any other planned excessive usage is not cause for an abatement.
8. No abatements will be granted if an insurance claim is submitted and the excess usage is paid by the insurance company. Customer will be responsible for the full amount of the bill.

Planned excessive use is defined as any usage that is not of normal everyday water use i.e. filling of a swimming pool or hot tub, irrigating a lawn or garden, running sprinklers, or neglecting to fix a problem once identified.

If a customer plans on using excessive amounts of water, they should plan on one to following prior to the usage.

1. If the excessive usage is a recurring event, i.e., filling of a pool or irrigation, a deduct meter should be purchased from the District. This meter will need to be installed by a plumber to the spigot being used. The District will read this meter during the quarterly meter reads and it will deduct the amount of water passing through it from the sewer usage charge of the bill.
2. If the excessive usage is a onetime event or a short-term need, the customer should contact the Water/Sewer Department (603-447-5470) to discuss options for purchasing water.

Discontinuation of Service, Penalties and Liens

## Discontinuation of Services

Though sewer service is not discontinued, water service may be discontinued by reason of non-payment of water/sewer bills or violation of any rule or regulation contained herein after written and/or verbal notice. Services, once discontinued, may not be resumed until the cause of complaint resulting in discontinuance of service has been resolved and all charges, plus arrearages if any, have been paid in full. Service will also be discontinued without notice in case of fraudulent use or violation of RSA 539:7 and/or rules and regulation stated within the District, Water and Sewer section of these rules. Flat, quarterly fees, including but not limited to Demand Fees and Betterment Fees, will continue to be charged to the account even after discontinuation of service. In the event service needs to be discontinued after regular business hours, a fee for an afterhours service call will be charged to the account.

If the bill for water service is not paid by the due date, the District reserves the right to discontinue the service fourteen (14) days after a Delinquent notice has been mailed to the property owner on file as well as any party authorized to receive a duplicate bill. The District may, but is not obligated to, post notice on the front entrance of a property prior to discontinuing water service. The District shall, to the best of its ability, post notice of discontinuance of service on the front entrance of a property if any part of the service provided accrues to the benefit of one or more parties known by company to be residential tenants.

All delinquent bills automatically create a lien on the real estate where the services were rendered. In accordance with RSA 38:22 (water) and RSA 149-I:11 (sewer), the lien attached to the property and the delinquency remains the obligation of the person who owns the property at the time the lien is enforced. If the property is sold, the new owner takes on the obligation that had already attached to the real estate when sold.

## Discontinuation of Service to Residential Tenants (renters)

RSA 38.31 states:

I. Notwithstanding any other provision of law to the contrary, except as provided in paragraph V of this section, no municipal water/sewer company shall disconnect service to a customer if any part of the service provided accrues to the benefit of one or more parties known by company to be residential tenants, unless the company gives written notice to the tenants. Such notice shall set forth:
(a) The date on or after which the company proposes to disconnect service.
(b) A statement that the reason for disconnection is a dispute between the company and the landlord.
(c) A statement that the tenant should contact the landlord for more information.
(d) An address and telephone at which the tenant may contact the utility in order to make arrangements to maintain service.

II. A municipal water/sewer company shall refrain from terminating service to the affected premises if so requested by the tenant, provided that the tenant agrees to be responsible for service provided as of the date of the tenant's request. However, the water company may continue to list the landlord's past due balance on the tenant's bill, and the lien created pursuant to RSA 38:22 shall include any past due charges which accrue after the company begins billing the tenant. The utility shall provide direct service to the person requesting it on terms and conditions applicable to all residential customers. Such service may include other charges, such as sewer and fire protection service, if customarily included with water service billing.

III. Immediately upon learning that a tenant has been disconnected without the notice required in paragraph I, the water company shall reconnect service and may charge a reasonable reconnection fee which may be added to the existing arrearage.

IV. The notice required by paragraph I shall be provided to the tenant no less than 7 days in advance of the proposed disconnection, by posting a conspicuously lettered notice on the main entrance door to each building in which service is being terminated. In addition, the company shall post the notice on a back door or side door to which the company has reasonable access, or in a common area of each building. The company, at its option, may notify the tenants in the affected property by mail rather than by posting.

V. The notice to tenants required by paragraph I of this section shall not be required when necessary to avoid danger to life or property, and upon the order of a duly constituted public authority such as police, firefighters, public health officer, and building inspectors.

Thusly, it is the Districts policy to have written documentation from property owners that notify the District of tenants occupying the property. This document will be placed on account and give permission for tenants to discuss the utility bill. Additionally, property owners may submit an Authorization for Duplicate Bill allowing the District to send a bill directly to the tenant; owners will still receive a copy of the bill and all correspondence sent to the tenant regarding the account. Submitting an Authorization for Duplicate Bill in no way relieves the property owner of the responsibility for the water/sewer service of the property.

In the instance where landlords have received a shut off notice for failure to pay, Commissioners will review individual tenant cases in which water is needed for medical conditions and purposes. Commissioners may allow the continued use of water in such instances with proper medical documentation.

## Renewal of Service after Discontinuation

Renewal of service will occur once all charges and fees, or the cause of complaint resulting in discontinuance of service has been resolved during regular business hours. The property owner must arrange for someone to be present at the time of the renewal. If the renewal occurs outside of regular business hours, a fee for an afterhours service call will be charged to the account.

## Penalties - Late Fees Due to Non-payment

Late fees for water and sewer service, demand and betterment fees, backflow testing, returned check fees, and lien fees shall be assessed thirty-one (31) days after bill date. Late fees shall be assessed once a quarter at 3%, compounded, of the outstanding balance for water/sewer bill.

Late fees for invoices for Sale of Inventory and Service Calls shall be assessed every thirty days at 5% compounded**.**

## Liens

Per RSA 38:22 (water) and RSA 149-I:11 (sewer), charges rendered for water and sewer services automatically create a lien on the real estate that shall remain in place for 18 months from the date of the last unpaid bill unless the District records, with Carroll County Registry of Deeds, a notice of lien. A lien filed with the Carroll County Registry of Deeds is in force for 6 years. If an account is delinquent for two billing cycles, the District shall file a notice of lien with Carroll County Registry of Deeds prior to the next billing cycle and will only release the lien after all charges have been paid in full. The account associated with the real estate shall be charged the fee associated with filing of liens.

Liens are attached to the real estate and are the obligation of the property owner regardless of who is responsible for the payment of services rendered. If the property is sold and the lien has not been satisfied at the closing, the new owner takes on the obligation that had already attached to the real estate when it was sold. The District may discontinue services upon filing of the Lien, or any time after, with no further notice. Flat, quarterly fees, including but not limited to Demand Fees and Betterment Fees, will continue to be charged to the account even after Notice of Lien has been filed and/or the discontinuation of service.

# Writ of Extension

Notwithstanding the previous Writ of Extension, we the citizens of CVDF, do hereby set forth the following Rules and Regulations to be known as the “Writ of Extension”, which will govern the users of services provided by the Conway Village Fire District and the Commissioners shall be authorized and instructed to carry out the below listed Articles.

Any application for services outside of District boundaries shall require review by the Board of Commissioners with all pertinent information to be supplied by the property owner. It is the intent of the District that all properties requesting service connection are obligated to seek a boundary change to become included within the Conway Village Fire District.

**Article 1**  Any expansion of the District boundaries shall be consummated in accordance with

 the existing State Statutes where applicable.

 Section A The District boundaries shall be walked once every seven years

 by a Commissioner and/or a District Representative once the

 boundaries have been established, mapped and after the initial

 walk to mark the boundaries has occurred.

**Article 2** Extension of any service within the district shall be contingent upon a majority

vote of the Board of Commissioners. If, in the opinion of the Board, it is felt

 that the service extension will significantly impact the system, the Board can

 hold a duly noted Public Hearing for voter review and input. The developer

 shall furnish the Board of Commissioners with all pertinent information to

 make a decision (ex. Impact Study, drainage calculation, etc.)

 Section A In the event of the approval of the extension of any District service, the

 total cost of the extension will be paid by those requesting the service.

 The extension project shall be overseen by District employees.

**Article 3** Extension of any service without the District shall be authorized by the

majority vote at any duly called Annual or Special Meeting. Costs for said

 services shall be borne completely by those individuals requesting the

 extension.

 Section A Any vote at a duly warned Annual or Special Meeting authorizing the extension of the District services without the District shall be valid for

 one year from date of vote, provided that construction of such

 extension is substantially commenced and continuing at the expiration

 of said one year term, the vote shall be deemed to continue in full

 force and effect.

 Section B In the event of the approval of the extension of any District service, the

 total cost of the extension will be paid by those requesting the service.

 The extension project shall be overseen by District employees.

**Article 4**  No District water or sewer main, pipe, or service boxes shall be placed or

installed on any private property unless an easement or right-of-way is legally

 secured by the party requesting the service for the purpose of installing and

 maintaining the same.

**Article 5** In the event that an extension of water service is provided, a fire hydrant will

be required every one thousand feet (1,000 ft.) for residential and every three

 hundred feet (300 ft) for commercial if that request extends a water line

 beyond 500 or 1,000 feet. Placement of said hydrant will be sited by the

 District Superintendent and Fire Chief.

**Article 6** In the event an extension is approved, the party bearing the costs of the

extension will retain ownership for maintenance no less than one year before

 deeding that line to the Conway Village Fire District.

**Article 7** Articles mentioned in the Writ of Extension may be amended at any Annual

or Special District Meeting duly called, and any vote taken may be

 considered passed by a 2/3 majority of those qualified voters present.

# Escrow Account for Professional Engineering Review

The Board may require professional engineering reviews, special investigative studies, environmental assessments, a legal review of documents, administrative expenses, and other matters necessary to make an informed decision on request by an applicant wishing to connectto Conway Village Fire District’s sewer or water system. The cost of such studies and investigations shall be paid by the applicant prior to final approval or disapproval. The applicant shall submit funds based on the estimated costs to the District prior to the District procuring such studies and investigations and will be deposited in a non-interest bearing escrow account held by the District. The District will contract with an engineering firm of its choosing, who will report directly to the District.

1. If the applicant formally withdraws the request for approval after the engineering process has begun, the applicant will be financially responsible for any services rendered. Any remaining unused dollars shall be returned to the applicant upon completion of projector formal withdrawal.
2. In the event that initial dollars requested of applicant are insufficient to cover expenses, additional funds will be requested and must be received before final approval or disapproval is rendered.

#  Use of Public Sewers Required

1. It shall be unlawful for any person to place, deposit, or permit to be deposited any human or animal waste, or other objectionable waste, in any unsanitary manner, on public or private property within the District or in any area under the jurisdiction of the District.
2. It shall be unlawful to discharge to any natural outlet within the District, or in any area under the jurisdiction of the District, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with federal, state and local requirements.
3. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater within the sewer service area.
4. The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the District and abutting on any street, alley, or right-of-way in which a public sanitary sewer of the District is located, is hereby required at the owner(s) expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of these Rules and Regulations, within one year of official notice to do so or any extension which may be granted by the Commissioners, provided that the said public sewer is within four hundred (400) feet of said house or building. The District reserves the right to review the development of raw land and require, at the owner’s expense, the installation of suitable toilet facilities and the connection of such facilities with a public sewer which the Commissioners may require to be placed in the road by the developer without cost to the taxpayers.
5. The Master Plan update identified the priority of sewer throughout the District. These priorities will drive the future installation of sewer mains. The long-term goal of the District is to provide sewer service to all residents whether they live on a town, state or private road, but this must be tempered by the ability of the taxpayers and rate payers to pay for the system. Our first priority is to protect the aquifer (drinking water protection area), all homes, and businesses located adjacent to these streets that must hook up to the sewer system.
6. As set forth in Article XVI, if the development is approved for building within the District, the District reserves the right to require that sewer lines shall be placed in the road by the developer to ensure that future hookup can occur without additional costs being incurred by the taxpayers.
7. The requirement of mandatory connection contained in these rules and regulations may be waived at the discretion of the Commissioners in accordance with RSA 485-A:41, EPA Env-Wq 1001.02and the purposes of these regulations after consultation with the Superintendent, and, only if the property is already served with an adequate alternative sewage disposal system which complies with applicable state and local regulations, and has been inspected at the owner’s expense by a New Hampshire licensed designer who states in writing that it is properly functioning, was designed by a designer licensed in New Hampshire, and approved for construction by the New Hampshire Department of Environmental Services after January 1, 1985. The request for a waiver must be in writing and satisfy the foregoing conditions. If granted, the waiver is not transferrable, and a new owner must connect to the public sewer or seek a new waiver. The waiver is automatically revoked at the owner’s expense if the system fails and the owner shall be required to connect with the public sewer. The waiver may be revoked for good cause and shall only be effective for five years whereupon a new waiver may be requested, or the property shall be connected to the public sewer at the owner’s expense. The request for a new waiver is discouraged and the possibilities of issuance are remote. The issuance of a waiver shall not limit, in any fashion, the obligation to pay charges or fees to the District, including**,** but not limited the Betterment Fee. The Commissioners may set a reasonable fee for processing waivers. Notwithstanding the foregoing, all owners of properties abutting a public sewer shall be required to install suitable toilet facilities and to connect such facilities. No waivers shall be granted in these groups, provided, however, the Commissioners have discretion to grant a waiver when the property abuts the public sewer, the house or building is a single-family unit and is more than 400 feet from the public sewer.

# Private Wastewater Disposal

The District does not accept, treat, or dispose of any private septage.

# Building Sewers and Connections

1. No person(s) shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the District. After the Applicant has complied with the requirements of these rules and regulations set forth herein, the District shall issue the permit to the Applicant.
2. There shall be two (2)classes of building sewer permits:
	1. Residential/Commercial: users producing only domestic wastewater or 50 population units (5,000 gallons/day)
	2. Industrial users: users who may be required to provide results of periodic tests upon request of the District. These tests shall be conducted at the user’s expense.
3. Applications for sewer service must be made in writing on the form provided at the District Office. An acceptance by the Superintendent shall constitute a contract between the District and the applicant, obligating the customer to pay the established rates and charges and to comply with the rules and regulations. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the District. A Connection Fee for new construct shall be paid to the District at the time of application. At least half must be paid at the time of application with the remaining balance to be paid prior to commencement of service.Permits shall not be transferred or reassigned.
4. Application for sewer service will be accepted from the owner of the premises only.
5. All costs and expenses incidental to the installation and connection of sewer line shall be borne by the owner(s). The owner(s) shall indemnify and hold harmless the District from any loss or damage that may directly or indirectly be occasioned by the installation of the sewer linewhen the owner(s) or their agents perform such work.
6. A separate and independent sewer line shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the front building sewer line may be extended to the rear building and the whole considered as onesewer line, but the District does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection aforementioned.
7. Sewers lines may, at the discretion of the District, be used in connection with new buildings only when they are found, after examination and testing by the District, to meet all requirements of these Rules and Regulations.
8. The size, slope, alignment, materials of construction of a sewer line, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the District, Town of Conway, and/or the State and shall be noted on the submitted plans. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM, WEF Manual of Practice No. 9, and/or Division Standards of Design for Sewerage and Wastewater Facilities shall apply. In addition, 6-inch diameter at grade cleanouts shall be required at the property line, the structure, and street connection and every 200 feet of the connection whenever the connection exceeds 100 feet from the street to the structure.
9. Whenever possible, the sewer lineshall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by means approved by the District and discharged to the building sewer at the owner's expense.
10. No person(s) shall make connection of roof downspouts, foundation drains, areaway drains, sump pumps, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.
11. The connection of the sewer line into the public sewer shall conform to the latest editions of the requirements of the building and plumbing code, State of New Hampshire regulations Env-Ws 700, or other applicable rules and regulations of the District, or the procedures set forth in appropriate specifications of the ASTM, ASCE manuals of engineering practice, WEF Manual of Practice No. 9 or No. FD-5, and/or Division Standards of Design for Sewerage and Wastewater Facilities. All such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the District before installation.
12. The Applicant for the sewer connection permit shall notify the District when the sewer line is ready for inspection and connection to the public sewer. The connection and testing shall be made under supervision of the District.
13. All excavations for sewer line installation shall be adequately guarded with barricades and lights so as to protect the public from hazards. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the District at the owner's expense when the owner(s) or their agents perform such work.
14. Any person proposing a new discharge into the system or an increase in the volume, beyond limits previously permitted, or in the strength or character of pollutants that are discharged into the system, shall make application to the District for a modification of their permit at least sixty (60) days prior to the proposed change or connection. No person shall operate with such an increase or change without first having applied for and received a modification to their permit.
15. Proposed new discharges from residential or commercial sources involving loading exceeding 50 population equivalents (5,000 gpd), any new industrial discharge or any alteration in either flow or waste characteristics in industrial discharge shall require prior approval by the District and the Division.

# Use of Public Sewers

1. No person(s) shall discharge or cause to be discharged to the sanitary sewer, any storm water, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, swimming pool water, sump pump discharge, or unpolluted industrial waters.
2. No discharge into the sewer system shall pass through or interfere with operation or performance of the POTW and the POTW Residuals Management Program. Bypass is prohibited except where the bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. Notification shall be given to the District immediately in the event of any bypass.
3. No person(s) shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:
	1. Pollutants which create a fire or explosion hazard in the POTW, including, but not limited to:
		1. Waste streams with a closed cup flashpoint of less than 140˚F or 60˚C using the test methods specified in 40 CFR 261.21; and,
		2. Any pollutant which causes an exceedance of 10% of the lower explosive limit as measured by an explosimeter at the point of discharge or at any point within the sewer, POTW or associated systems.
	2. Any industrial wastes including oxygen demanding wastes (BOD, etc.) at a flow rate and/or concentration which would cause interference with the wastewater treatment works or residuals management program, constitute a hazard to humans or animals, create a public nuisance, exceed any applicable National Categorical Pretreatment Standards, or cause pass through.
	3. Any waters or wastes having pH lower than 5.5 or higher than 10.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater works.
	4. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater facilities or residuals management program such as, but not limited to, ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
	5. Wastewater sufficiently hot to cause the influent at the wastewater treatment facilities to exceed 104˚F (40˚C) or cause inhibition of biological activity in the POTW.
	6. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through.
	7. Pollutants which result in the presence of toxic gases, vapors, or fumes within the sewer, POTW, or associated systems in a quantity that may cause worker health and safety problems or exceed an exposure limit.
	8. Any trucked or hauled pollutants, except at discharge points designated by the POTW.
	9. Obnoxious gases.
4. The following described substances, materials, waters, or waste shall be limited in discharges to municipal systems to concentrations or quantities which will not harm the sewers, wastewater treatment process, equipment, or residuals management program, will not have an adverse effect on the receiving water, or will not otherwise endanger human health, public property, or constitute a nuisance. The District may set limits lower than the limitations established in the Rules and Regulations below if in its opinion such limitations are necessary to meet the above objectives. In forming its opinion, the District will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, degree of treatability of the waste in the wastewater treatment plant, impacts on sludge toxicity and residuals management and other pertinent factors. The District shall not permit those discharges which are prohibited by Sections 3 and 4 of this Article. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the District are as follows:
	1. Any liquid or vapor having a temperature greater than 150˚F (65˚C).
	2. Wastewater containing more than 25 milligrams per liter of petroleum oil, non-biodegradable cutting oils, or product of mineral oil origin.
	3. Wastewater containing more than 100 milligrams per liter of oil and grease or floatable oil not limited by Section 4 of this Article or containing substances which may solidify or become viscous at temperatures between 32-150˚F.
	4. Any garbage that has not been properly shredded (see Article II, 53). Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.
	5. Any waters or wastes containing heavy metals, solvents, and similar objectionable or toxic substances to such degree that any such material discharged to the public sewer exceeds the limits established by the District, the Division, or the National Categorical Pretreatment standards, as promulgated by the EPA, for such materials.
	6. Any waters or wastes containing odor-producing substances exceeding limits which may be established by the District.
	7. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State and Federal regulations.
	8. Quantities of flow, concentration, or both which constitute a "slug" as defined herein.
	9. Waters or waste-containing substances which are not amenable to treatment by the wastewater treatment process employed, adversely impact residuals management, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the permitted discharge.
	10. Any water or wastes which are reactive or, by interaction with other water or wastes in the public sewer system, release toxic, flammable, or explosive gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures, treatment process, and residuals management.
	11. Any pathogenic or infectious or physically dangerous medical or biological waste or any wastewater which results from the management or treatment of such wastes.
	12. Any hazardous waste or any wastewater which results from the management or treatment of hazardous waste.
	13. Any filter backwash not specifically authorized to be discharged by a permit issued to the discharger by the District; any filter backwash that is not treated to meet the requirements established herein, unless specifically permitted by the District.
	14. Any wastewaters which contain PCBs, dioxins, Phenanthrene chlorinated naphthalenes; Fluoranthene, Hexachlorobutadiene or pesticides, including, but not limited to, Dieldrin, Chlordane, 1,1,1-Trichloro-2,2-bis (p-chlorophenol)-ethane (4-4 DDT), Demeton, Endosulfan I, Endosulfan II, Endrin, Guthion, Heptachlor, Malathion, Methoxychlor, Mirex, Parathion, Acrolein, Aldrin, Tetrachlorodiphenylethane (TDE), 1,1-Dichloro-2,2-bis (p-chlorophenol) ethane (DDE), Hexachlorocyclo-hexane, Lindane, Benzene-cis-hexachloride and benzene-trans-hexachloride (BHC), Hexachlorocyclo-pentadiene, and Toxaphene, unless specifically permitted by the District.
	15. Any treatment residue, sludge, scum, solid or material resulting from the management of such materials, unless specifically permitted by the District.
	16. Wastes or wastewater from outside the District, unless the wastes or wastewater is discharged pursuant to the District policy and rules for sewer connections serving property located outside the District.
	17. Detergents, surface-active agents, or other substances that cause excessive foaming in sewers, the wastewater treatment process or associated facilities.
	18. Wastewater with any of the following constituents at concentrations greater than those indicated below [Chart 1]:

**[Chart 1]**

|  |  |
| --- | --- |
| **Parameter** | **Limit** |
| Arsenic | 0.93 mg/l |
| Ammonia | 400 mg/l |
| BOD | 600 mg/l |
| Boron | 5.0 mg/l |
| Cadmium | 0.06 mg/l |
| Chloride | 1200 mg/l |
| Chromium | 0.32 mg/l |
| COD | 1320 mg/l |
| Copper | 0.10 mg/l |
| Cyanide | 0.03 mg/l |
| Effluent Acute Toxicity | LC 50 = 100% |
| Iron | 100 mg/l |
| Lead | 0.04 mg/l |
| Mercury | 0.002 mg/l |
| Nickel | 1.5 mg/l |
| Phenolic Compounds | 550 mg/l |
| Phosphorus | 45 mg/l |
| Selenium | 1.0 mg/l |
| Silver | 0.10 mg/l |
| Sulfide | 2.5 mg/l |
| TKN | 450 mg/l |
| Total Toxic Organics | 5 mg/l |
| TSS | 300 mg/l |
| Zinc | 3.7 mg/l |

Notes: All metals to be reported as total recoverable.

* 1. Wastewater which has a concentration of any pollutant above the following screening levels or levels set by individual IDPs. Fume toxicity, explosivity, and ignitability screening levels will be developed where appropriate for individual industrial discharges based on wastewater composition. Such screening levels shall be generated on the basis of standard conditions applicable to the specific discharge. Fume toxicity screening levels shall be adjusted when administered as limits to account for the pH, temperature, dilution, other toxic fumes and ventilation present at the site of the particular discharge.

 Parameter Level

 Chlorine 10 mg/l

* 1. Excessive discoloration such as, but not limited to, dye washers and vegetable tanning solutions.
	2. Unusual BOD, COD, TSS, TDS, alkalinity, or chlorine requirements in such quantities as to constitute a significant load on sewage treatment works.
1. If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which contain the substances or possess the characteristics enumerated in number 5 of this Article, and which in the judgment of the District may have a deleterious effect upon the wastewater facilities, processes, equipment, residuals management program, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the District may:
	1. Reject the wastes;
	2. Require pretreatment to an acceptable condition for discharge to the public sewers;
	3. Require control over the quantities and rates of discharge; and/or
	4. Require payment to cover added cost of handling and treating the wastes.
2. If the District permits the pretreatment or equalization of waste flows, the design and installation of the pretreatment facilities shall be subject to the review and approval of, NHDES, the District and subject to the requirements of all applicable codes, ordinances and laws. Such facilities shall not be connected to the sanitary sewer until said approval is obtained in writing. Such approval shall not relieve the owner of the responsibility of discharging treated waste meeting the requirements of these Rules and Regulations. Plans and specifications for a proposed pretreatment facility shall be the result of the design and shall bear the stamp of a professional engineer registered in the State of New Hampshire. All costs for such shall be borne by owner.
3. An external grease interceptor (min. 1,000 gallons for 50 or less seating capacity and 250 gallons for every 25 seats thereafter) shall be required to receive the drainage from fixtures and equipment with grease-laden waste. In all fixed food service establishment kitchens the required mop sink, floor drains in the food preparation areas, and prewash and wash compartments of the pot sink shall be connected to the grease interceptor. Food waste and dishwasher grinders shall not discharge into the building drainage system through a grease interceptor. Compliance with all applicable codes established by Building Official and Code Administrators (BOCA) shall be required.
4. Grease, oil, grit, and sand interceptors shall be provided when, in the opinion of the District, they are necessary for the proper handling of liquid wastes containing floatable oil or grease in excessive amounts, as specified in Section 5(B), or any flammable wastes, sand, or other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the District, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintenance of these interceptors, the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal which are subject to review by the District. Any removal and hauling of the collected materials not performed by the owner's personnel must be performed by currently licensed waste disposal firms.
5. The District may require a user of sewer services to provide information needed to determine compliance with these Rules and Regulations. Such information may include:
	1. Wastewater discharge peak rates and volume over a specified time period.
	2. Chemical analyses of wastewaters including MSDS sheets.
	3. Information on raw materials, processes, and products affecting wastewater volume and quality.
	4. Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control.
	5. A plot plan of sewers on the user's property showing sewer and pretreatment facility location.
	6. Plans and specifications of wastewater pretreatment facilities.
	7. Details of systems to prevent and control the losses of materials through spills to the municipal sewer.
6. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in these Rules and Regulations shall be determined in accordance with EPA approved methods published in the Code of Federal Regulations, Title 40, Part 136 (40 CFR 136) and 40 CFR Part 122, or if none are available, then with methods specified in the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association. Sampling methods, locations, times, durations, and frequencies are to be determined on an individual basis subject to approval by the District.
7. No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the District and any industrial user whereby an industrial waste of unusual strength or character may be accepted by the District for treatment, provided that such agreements do not contravene any requirements of existing Federal or State laws, and/or regulations published under, or are compatible with any User Charge System in effect, and do not waive applicable National Categorical Pretreatment Standards.
8. Septic tank waste.
9. It shall be illegal to meet requirements of these regulations by diluting wastes in lieu of proper pretreatment.
10. A notice shall be permanently posted plainly visible to an industrial user's personnel responsible for managing wastewater discharges, which shall instruct all employees whom to call in the event of a spill, slug discharge, pretreatment upset or bypass. Employers shall ensure that all employees who may cause or suffer such a discharge to occur know of the required notification of the District.
11. If sampling performed by an industrial user indicates a violation, the user shall notify the District within 24 hours of becoming aware of the violation. Verbal notifications must be followed by the timely submission of written notification. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the District within 30 days after becoming aware of the violation.

# Industrial Pretreatment

1. All persons discharging industrial wastes to the sanitary sewer shall comply with applicable requirements of the industrial pretreatment regulations contained in this Article, and Federal, State, and local laws, ordinances, codes, regulations, and rules, including the National Categorical Pretreatment Standards. The National Categorical Pretreatment Standards which would apply to industries if there were Clean Water Act jurisdiction (which there is not) are hereby adopted and incorporated herein.
2. The discharge of any industrial waste to the sanitary sewer is prohibited without a valid Industrial Discharge Permit (IDP).
3. Each industrial user shall provide protection from accidental discharge of prohibited materials or other substances governed by these Rules and Regulations. Facilities to prevent accidental discharges shall be provided and maintained at the industrial user's expense.
4. Persons subject to this Article shall submit an application for an IDP containing information required under applicable State and Federal pretreatment regulations. Such information, at a minimum, shall include:
	1. The name and address of the facility, including the name of the operators and owners.
	2. A list of all environmental permits held by or for the facility.
	3. A brief description of the nature, average rate of production, and Standard Industrial Classification of the operations carried out at such facility including:
		1. An identification of the categorical pretreatment standards applicable to each regulated process.
		2. An analysis identifying the nature and concentration of pollutants in the discharge.
		3. Notification to the District of any proposed or existing discharge of listed or characteristic hazardous waste.
		4. In those instances in which the industrial user provides notification of discharge of hazardous wastes, the industrial user shall also provide the following certification: "I certify that the company has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree the company has determined to be economically practical."
		5. Information showing the measured averaged daily and maximum daily flow, in gallons per day, to the public sewer from regulated process streams and from other streams.
		6. A schedule of actions to be taken to comply with discharge limitations.
		7. Additional information, as determined by the District, may also be required.
5. The IDP shall outline the general and specific conditions under which the industrial waste is accepted for treatment at the District's Wastewater Treatment Works. The IDP shall include the following:
	1. Whether pretreatment and self-monitoring facilities are required.
	2. A description of the required monitoring parameters and frequencies.
	3. Effluent limitations on the industrial process waste.
	4. Reporting requirements.
	5. Location of sampling sites, and the types and number of samples to be taken.
	6. A requirement that the industrial user provide notice of slugs, bypass or noncompliance.
6. An IDP is issued to a specific user for a specific operation. An IDP shall not be reassigned, transferred or sold to a new owner, new user, different premises, or a new or changed operation without the approval of the District. Any succeeding owner or user shall comply with the terms and conditions of the existing permit until such time as the District issues a new IDP.
7. Persons holding an IDP shall comply with the following reporting requirements:
	1. Industrial users shall submit periodic reports, as required, indicating the nature and concentration of pollutants in the discharge from the regulated processes governed by pretreatment standards and the average and maximum daily flow for these process units. Sampling for all Significant Industrial Users for periodic reports must be performed during the period covered by the report. Extra sampling data from categorical Significant Industrial Users must be included in the periodic reports. The reports shall state whether the applicable categorical pretreatment standards and effluent limitations are being met on a consistent basis and, if not, what additional operations and maintenance practices and/or pretreatment are necessary. Additional requirements for such reports may be imposed by the District.
	2. Reports submitted under this Article shall be signed by an authorized representative. An authorized representative may be:
		1. A principal executive officer of at least the level of vice-president, if the industrial user is a corporation;
		2. A general partner or the proprietor if the industrial user is a partnership or sole proprietorship; or
		3. By a duly authorized representative of either of the individuals designated above, if such representative is responsible for the overall operations of the facility.
	3. Reports submitted under this Article shall include the following certification:

*"I certify, under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."*

1. Industrial users subject to the reporting requirements under this Article shall maintain records of information resulting from monitoring activities and be required to prepare such reports. Such records shall be maintained for a minimum of five years and shall be made available for inspection and copying by the District. Such records shall include for each sample:
	1. The date, exact place, method and time of sampling, the flow rate, production rate, and the name of person or persons taking the sample;
	2. The dates analyses were performed;
	3. The laboratory performing the analysis;
	4. The analytical techniques and methods used; and
	5. The results of such analysis.
2. IDPs shall also be subject to the following conditions:
	1. The IDP will be in effect for three years and the applicant shall apply for renewal at least 60 days prior to expiration, unless the applicant is notified otherwise.
	2. Prior to its expiration, an IDP may be terminated, revoked or modified for failure to comply with any of these Rules and Regulations.
	3. The District may modify an IDP, prior to its expiration, so it conforms to discharge limitation requirements.
	4. An industry proposing a new discharge or a change in volume or character of its existing discharge must submit a complete IDP application to the District at least 60 days prior to the commencement of such discharge. The submitted application must include plans and engineering drawings, stamped by a registered New Hampshire professional engineer, of the proposed pretreatment facilities. Upon approval of the application by the District, the District will issue a new or amended IDP in accordance with the procedures outlined in this Article.
	5. Industrial users will be assessed an annual fee by the District to defray the administrative costs of the IDP program and may also be assessed an industrial cost recovery fee (See Schedule of Sewer Use Charges).
3. National Categorical Pretreatment Standards.
	1. All industries which would be subject to categorical pretreatment standards if there were Clean Water Act jurisdiction shall comply with these standards and any future standards that are promulgated by the EPA. For the purposes of these regulations, such industries shall be considered subject to categorical pretreatment standards.
	2. An industrial user subject to categorical pretreatment standards shall not discharge to the wastewater facilities after the compliance date of such standards unless an amendment to its IDP has been issued by the District.
	3. Within one hundred twenty (120) days after the effective date of a categorical pretreatment standard, an industry subject to such standard shall submit an application for an IDP Amendment. The Application shall contain the information required in Section 3 of this Article.
	4. Within 90 days following the date for final compliance with applicable categorical pretreatment standards, or in the case of a new industrial user following introduction of wastewater into the sewer, any industrial user subject to pretreatment standards and requirements shall submit to the District a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by pretreatment standards and the average and maximum daily flow for these process lines. The report shall state whether the applicable pretreatment standards are being met on a consistent basis, and, if not, what additional operation and maintenance and/or pretreatment is necessary to bring the industrial user into compliance with the applicable pretreatment standards. This statement shall be signed by an authorized representative.
	5. At least 90 days prior to the commencement of a discharge, new sources, and sources that become Industrial Users subsequent to the promulgation of an applicable categorical standard, shall be required to submit to the District a report which contains the information listed in 40 CFR 403.12(b)(1)-(5) and demonstrates compliance with applicable laws, rules, regulations, codes, and standards. New sources shall also be required to include in this report information on the method of pretreatment the source intends to use to meet applicable pretreatment standards. New sources shall give estimates of the information required in 40 CFR 403.12(b)(4) and (5) and Env-Ws 904.
	6. Specific discharge limits on pollutant(s) shall be developed and continue to be developed as necessary and shall be effectively enforced by the District.
	7. Where the District develops specific prohibitions or limits on pollutants or pollutant parameters, such limits shall be deemed Pretreatment Standards.
	8. Compliance with applicable pretreatment standards and requirements of Industrial Users shall be enforced by the District in accordance with these Rules and Regulations.
4. Industrial Users shall immediately notify the District of any slug or spill discharged or any noncompliant discharge by such user to the sanitary sewer. The user shall send a written report to the District within five (5) days of the incident describing the reason for the slug or spill, remedial action taken, and steps taken to prevent its reoccurrence.
	1. Any damage the District suffers as a result of a spill or slug or any noncompliant discharge is considered a violation of these Rules and Regulations, and costs for repair, replacement or other associated costs shall be recoverable from the user.
5. The District shall, as necessary, sample and analyze the wastewater discharges of contributing industries and conduct surveillance and inspection activities to identify, independently of information supplied by such industries, occasional and continuing non-compliance with industrial pretreatment standards. Each industry shall be billed directly for costs incurred for analysis of its wastewater. All industries discharging to the sanitary sewer shall allow unrestricted access to authorized District personnel for the purposes of investigating and sampling discharges from the industries. This access shall include copying and inspection of any records pertaining to the discharge or disposal of wastes or wastewater and any records that have been compiled pursuant to pretreatment programs or are needed to determine compliance status.
6. The District shall investigate instances of non-compliance with industrial pretreatment standards and requirements.
7. Information and data submitted to the District under this Article relating to wastewater discharge characteristics shall be available to the public. Other such information shall be available to the public to the extent authorized by the District.

# Powers and Authority of Inspectors

Duly authorized employees of the District bearing proper credentials and identification shall be permitted to enter all properties connected to the public sewer system for the purposes of inspection, observation, maintaining public safety, maintenance, measurement, sampling, inspection and copying of records and testing pertinent to discharge to the wastewater facilities, in accordance with the provisions of these Rules and Regulations.

Duly authorized employees of the District are authorized to obtain information concerning industrial processes which have a bearing on the kind and source of discharge to the public sewer. The industrial user may request that the information in question not be made available to the public if it can establish that public disclosure might result in a competitive disadvantage to the industrial user. The burden of proof that information should be held confidential rests with the industrial user.

# Limits of Liability

The approval of permit applications or the acceptance of any sewer construction by any of the District's appointed officials does not indicate, nor should it be construed as acceptance of any liability by the District, or any of its employees for claims which may arise due to errors, oversights, inferior material, poor workmanship or damages incurred in connection with construction of building sewers or private sewer disposal systems as set forth in Articles III, IV, and V of these Rules and Regulations.

# Rules and Regulations Signature Page



**ADDENDUMS**

Addendum 1 – ARTICLE XVII 10 a.

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### APPENDECES

Appendix A – Wastewater Connection/Change of Use Permit Application

Appendix B – Sewer Connection Waiver Request

Appendix C – Sewer Usage Abatement Request

**APPENDIX A**

**Conway Village Fire District**

*A Village District in the Town of Conway, NH*

128 West Main Street. Conway, NH 03818

Phone: 603-447-5470; Fax: 603-447-3271; Web: www.cvillagefd.com

*This Institution is an Equal Opportunity Provider*

**WASTEWATER CONNECTION/CHANGE OF USE PERMIT APPLICATION**

*Property Owner Information*:

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mailing Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Town/State/Zip: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Phone Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*Property Information*:

Street Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Map/Parcel Numbers: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ / \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*Type of Project*: (please check one)

New Construction\_\_\_\_ Existing Structure\_\_\_\_ Change of Use\_\_\_\_

*Type of Structure*: (please check one)

Residential\_\_\_\_ Commercial\_\_\_\_

*Construction Material/Information: (please refer to attached spec. sheet)*

Pipe size: 2”\_\_\_\_ 4”\_\_\_\_ 6”\_\_\_\_ Other\_\_\_\_ (please explain in description)

Plastic/PVC\_\_\_\_ DI Pipe\_\_\_\_ CI Pipe \_\_\_\_ Gravity Line\_\_\_\_ Force Main\_\_\_\_

Lift Pumps/Grinding Station(s)\_\_\_\_\_ Other \_\_\_\_\_\_ (please explain in description)

Brief Description of Project: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\*Industrial Connections: Please provide cover sheets for all MSDS data. (Continual updates to the District is required).

Please provide a detailed drawing indicating pipe layout including pertinent locations of clean-outs, intersecting lines, elevation, etc. Use the space below, or attach to application.

Prior to backfill, all construction must be inspected by a Conway Village Fire District certified inspector.

CVFD Inspector signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Owner/Contractor agrees to abide by general construction and plumbing standards recognized by the Conway Village Fire District which includes, but is not limited to, NHDES Backflow/Cross Connection Protection, BOCA Plumbing Construction Standards, including Pressure Reducing Regulations.

New Constriction only: There is a connection fee of $2,300.00 per unit that must be paid prior to commencement of any service.

By signing below, the property owner acknowledges that he/she is responsible for any charges incurred at this property in regards to sewerage and that they have received Article II of CVFD Sewer Rules and Regulations - Use of Public Sewers Required.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed Applicant Name

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Applicant Signature

 Date

Approved by Superintendant

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Superintendant’s Signature Date

*Office Use only*

Payment of Connection fee collected \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Amount/Date

Payment type \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Service commencement Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Meter size/number (*if applicable) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

RF number *(if applicable)*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

09/2015



**Appendix B**

**Conway Village Fire District**

*A Village District in the Town of Conway, NH*

128 West Main Street, Conway, NH 03818

Phone:603- 447-5470 Fax: 603-447-3271 Web: www.cvillagefd.com

*This Institution is an Equal Opportunity Provider*

**485-A WAIVER REQUEST**

Property Owner’s name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Map/Lot number \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Property’s Physical Address \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Conway, NH 03818

Septic Designer’s Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Permit Number \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Year installed \_\_\_\_\_\_\_\_\_

**485-A:41 Rulemaking; Duties of the Commissioner. –** The commissioner shall:
    I. Exercise general supervision over the administration and enforcement of this subdivision.
    II. Employ necessary personnel.
    III. Prohibit construction of systems which would pollute the surface waters or groundwaters of the state, until an acceptable and practicable method exists which will prevent the pollution.
    IV. Adopt rules, pursuant to RSA 541-A and after public hearing, relative to the implementation of this subdivision. The commissioner shall adopt rules relative to the circumstances under which the commissioner may grant a waiver of any rule, except that no waivers of rules relating to site loading or set-back distances to ground or surface waters shall be allowed for sewage or waste disposal systems on lots in subdivisions created after September 1, 1989. A waiver must be consistent with the intent of this subdivision and have a just result. In particular, an encroachment waiver shall meet the following criteria:
       (a) The proposed waiver shall not encroach upon the right of the owner of abutting property to fully utilize his land, unless said property owner has granted consent in the form of a signed waiver or deeded easement; and
       (b) Denial of the waiver would result in unnecessary hardship to the owner due to special characteristics of the property.
    V. Adopt rules relative to the application for and granting of permits by rule for repair or replacement of certain sewage or waste disposal systems under RSA 485-A:33, IV. **Source.** 1989, 339:1. 1996, 228:82, 110. 2012, 174:3, eff. June 11, 2012.

Required Information: (Use additional pages if necessary and attach back up calculations and data)

1. Reason Waiver is necessary
2. Rule/section for which waiver is being sought:

**Number: ENV-WS \_\_\_\_\_\_\_\_\_ Rule/section requirement \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

1. Explanation of alternative sought by waiver
2. Full explanation of how granting of requested waiver is consistent with the intent of RSA485-A (to view RSA 485 in its entirety, go to *http://www.gencourt.state.nh.us/rsa/ html/L/485-A/485-A-mrg.htm*)
3. Demonstrate how the alternative proposed are t least equivalent to the specific requirements contained in the rule from Env- Wq 1001.02
4. System must be inspected by a certified inspector at the property owner’s expense before waiver is granted. A copy of the Certified Inspection will be required.

**I attest that all information provided is true and accurate to the best of my knowledge**

**Signature of Property owner\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**By signing below, Conway Village Fire District (system owner) acknowledges agreement and consent to this waiver.**

**On behalf of BOC \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date\_\_\_\_\_\_\_\_\_\_\_\_**

**TITLE L - WATER MANAGEMENT AND PROTECTION - CHAPTER 485-A - WATER POLLUTION AND WASTE DISPOSAL**

    **485-A:1 Declaration of Purpose. –** The purpose of this chapter is to protect water supplies, to prevent pollution in the surface and groundwaters of the state and to prevent nuisances and potential health hazards. In exercising any and all powers conferred upon the department of environmental services under this chapter, the department shall be governed solely by criteria relevant to the declaration of purpose set forth in this section.

**Source.** 1989, 339:1. 1996, 228:106, 108, eff. July 1, 1996.

**PART Env-Wq 1001 INTRODUCTION**

Env-Wq 1001.01 Purpose. In addition to the purposes stated in RSA 485-A:1, the purpose of these rules shall be to prevent pollution of all public or private water supplies, whether underground or surface sources.

Source. (See Revision Note at chapter heading for Env-Wq 1000) #9086, eff 2-9-08

**Env-Wq 1001.02 Waivers.**

1. The rules contained in this chapter are intended to apply to a variety of conditions and uses. It is recognized that strict compliance with all rules prescribed herein may cause hardship or not fit every conceivable situation. The purpose of this section shall be to accommodate those situations.

(b) Subject to (j), below, any application filed pursuant to these rules may include one or more

 requests for a waiver of specific rules outlined in the chapter as set forth in this section.

1. All requests for waivers, including requests for encroachment waivers as defined by RSA 485-A:2, III-a, shall be submitted to the department pursuant to RSA 485-A:41, IV.

(d) Each applicant’s request for a waiver shall include the following information:

(1) A specific reference to the section of the rule for which a waiver is being sought;

(2) A full explanation of why a waiver is necessary;

(3) A full explanation of the alternatives for which a waiver is sought, with backup

 calculations and data for support; and

(4) A full explanation of how the grant of the waiver is consistent with the intent of RSA

 485-A.

(e) The department shall approve a request for waiver upon finding that:

(1) The alternatives proposed are at least equivalent to the specific requirements

 contained in the rule; or

(2) If the alternatives proposed are not equivalent to the requirements contained in the

 rule, they are adequate to ensure that the intent of RSA 485-A and the purpose of

 these rules are met.

(f) Waivers shall be granted in writing as part of the approval, shall expire with the approval and shall be transferable with the approval.

(g) A formal waiver request form shall be completed by the applicant which contains all of the above requirements. The owner shall co-sign and acknowledge agreement and consent to all waiver requests.

(h) The department shall deny a request for waiver upon finding that:

(1) The alternatives proposed are not equivalent to the specific requirements contained

 in the rule; or

(2) The alternatives proposed are not adequate to ensure that the intent of RSA 485-A

 and the purpose of these rules are met.

(i) Waivers shall be denied in writing as part of the denial of the application.

(j) As specified in RSA 485-A:41, IV, no waiver of rules relating to site loading or separation

 distances to ground or surface waters shall be allowed for sewage or waste disposal systems on lots in subdivisions

 created after September 1, 1989. Source.

(See Revision Note at chapter heading for Env-Wq1000) #9086, eff 2-9-08

To view NH Code of Administrative Rules in its entirety, go to <http://des.nh.gov/organization/commissioner/legal/rules/documents/env-wq1000.pdf>

**APPENDIX C**

**Conway Village Fire District**

*A Village District in the Town of Conway, NH*

128 West Main Street. Conway, NH 03818

Phone: 603-447-5470; Fax: 603-447-3271; Web: www.cvillagefd.com

*This Institution is an Equal Opportunity Provider*

***Abatement Policy: It shall be the policy of the Conway Village Fire District to abate sewer usage for customers who suffer an extreme leek that causes an excessive amount of water to flow through their meter but that in no way enters the District Sewer system. Please refer to the complete policy on the back of this form.***

Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Account Number \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Property Owner Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Contact Phone Number \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address Where Incident Occurred\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mailing Address If Different\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Date First Reported to the District \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Are you filing an insurance claim for damages \_\_\_\_ Yes \_\_\_\_No

If yes, with which Insurance Company (name and phone number)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Please provide a detailed description of the incident, attach any documentation and pictures verifying incident as well as any additional comments (if more room is needed, please attach additional sheets)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Abatement amount requested &\_\_\_\_\_\_\_\_\_\_\_

*The filing of this request does not relieve the customer of their water/sewer bill. It should be paid as billed. Adjustments to account will be applied as a credit if abatement is approved.*

All request will be reviewed by the Board of Commissioners, abatements are granted upon the Board’s approval.

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*FOR OFFICE USE ONLY*

Upon a vote in the affirmative by the CVFD Board of Commissioners: Approval Date \_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Commissioner Commissioner Commissioner