

TOWN OF GILL
M A S S A C H U S E T T S



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SEWER USE REGULATIONS
TABLE OF CONTENTS

Adopted at the Selectmen's/Sewer Commissioners' Meeting of March 31, 2008.

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Table of Contents

ARTICLE I, PURPOSE AND POLICY.....	3
ARTICLE II, DEFINITIONS.....	3
ARTICLE III, BUILDING SEWERS AND CONNECTIONS.....	11
ARTICLE IV, USE OF THE PUBLIC SEWERS.....	15
ARTICLE V, INDUSTRIAL PRETREATMENT REGULATIONS.....	20
ARTICLE VI, PROTECTION FROM DAMAGE.....	31
ARTICLE VII, POWERS AND AUTHORITY OF INSPECTORS.....	31
ARTICLE VIII, CHARGES AND FEES.....	32
ARTICLE IX, BILLING PRACTICE.....	33
ARTICLE X, PENALTIES.....	35
ARTICLE XI, VALIDITY.....	36
ARTICLE XII, REGULATION IN FORCE.....	36

ARTICLE I
PURPOSE AND POLICY

This regulation sets forth uniform requirements for contributors into the wastewater collection and treatment system (POTW) for the Town of Gill, Massachusetts and enables the Town to comply with all applicable State and Federal laws required by the Clean Water Act of 1977, the General Pretreatment Regulations (40 CFR, Part 403), and the applicable State and Federal regulations governing sludge disposal.

This regulation provides for the regulation of contributors to the municipal wastewater system through the issuance of permits to certain non-domestic users and through enforcement of general requirements for the other users, authorizes monitoring and enforcement activities, requires user reporting, assumes that existing customer's capacity will not be preempted, and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

This regulation shall apply to the Town of Gill and to persons outside the Town who are, by contract or agreement with the Town, Users of the Town POTW.

The objectives of this regulation are:

- (a) To prevent the introduction of pollutants into the municipal wastewater system that will interfere with the operation of the system, including interference with its use or disposal of municipal sludge.
- (b) To prevent the introduction of pollutants into the municipal wastewater system that will pass through the system into receiving waters or the atmosphere or otherwise be incompatible with the system;
- (c) To improve the opportunity to recycle and reclaim wastewater and sludge from the system; and
- (d) To provide for equitable distribution of the cost of the municipal wastewater system.

In accordance with MA G.L. c. 83, §10, the Sewer Commission is authorized to promulgate regulations to implement and carry out its duties and the purposes and policies of this regulation.

ARTICLE II
DEFINITIONS

Unless the context specifically indicates otherwise, the following terms and phrases, as used in this regulation, shall have the meanings hereinafter designated:

Sec. 1. Act or "the Act". The Federal Water Pollution Control Act, also known as the Clean Water Act (CWA), as amended, 33 U.S.C. 1251, et. seq.

Sec. 2. Approval Authority. The Regional Administrator of the Environmental Protection Agency (EPA).

Sec. 3. Authorized Representative of Industrial User. An authorized representative of an Industrial User may be: (1) A principal executive officer of at least the level of vice-president, if the Industrial User is a corporation; (2) The manager of one or more manufacturing production or operation facilities employing more than two hundred fifty (250) persons or having gross annual sales or expenditures exceeding twenty-five (25) million dollars, if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures, (3) A general partner or proprietor if the industrial user is a partnership or proprietorship, respectively; (4) If the user is a federal, state or local government facility, a director or highest official appointed or designated to oversee the operation and performance of the activities of the governmental facility or their designee. The individuals described in 1 through 4, above, may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the Town.

Sec. 4. Biochemical Oxygen Demand (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five (5) days at twenty (20) degrees centigrade expressed in terms of weight and concentration (milligrams per liter [mg/l]).

Sec. 5. Board of Health. The duly elected Board of Health of the Town of Gill charged with enforcing State and Local health and sanitary regulations and the Massachusetts State Plumbing Code. It shall also include the authorized agent or representative of said Board.

Sec. 6. Board of Selectmen. The duly elected Town of Gill Board of Selectmen. It shall also include the authorized agent or representative of said Board.

Sec. 7. Building drain. That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

Sec. 8. Building Sewer. The extension from the building drain to the public sewer or other place of disposal, owned by the property owner up to and including its intersection with and connection to the common sewer or public sewer; its maintenance, repair and replacement are the sole responsibility of the property owner.

Sec. 9. Categorical Standards. See Sec. 25 of this Article, National Categorical Pretreatment Standard or Categorical Standard.

Sec. 10. Combined Sewer. A sewer receiving both surface runoff and sewage.

Sec. 11. Composite sample. A sample formed by mixing discrete samples taken at periodic points in time or a continuous proportion of the flow. The number of discrete samples that make up the composite depends upon the variability of pollutant concentration and flow.

Sec. 12. Control Authority. The Sewer Commission.

Sec. 13. Cooling water. The water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.

Sec. 14. Direct discharge. The discharge of treated or untreated wastewater directly to the waters of the Commonwealth of Massachusetts.

Sec. 15. Environmental Protection Agency, or EPA. The U.S. Environmental Protection Agency or, where appropriate, the term may also be used as a designation for the Administrator or other duly authorized official of said agency.

Sec. 16. Existing source. Any source of discharge, the construction or operation of which commenced prior to the publication by EPA of proposed categorical pretreatment standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with §307 of the Act.

Sec. 17. Force Main. A pipe that conveys wastewater under pressure from the discharge side of a pump to a point of gravity flow.

Sec. 18. Garbage. Solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage, and sale of produce.

Sec. 19. Grab Sample. A sample that is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and over a period of time not to exceed fifteen (15) minutes.

Sec. 20. Highway Department. That department of the Town of Gill operating under the direction of the Highway Superintendent acting as an appointee and representative of the Board of Selectmen, which Board also acts as the Board of Sewer Commissioners of the Town of Gill.

Sec. 21. Highway Superintendent. The person appointed by the Board of Selectmen to carry out the duties of that office as defined in the Massachusetts General Laws including the duties of Superintendent of Sewers. He shall be considered the legal representative of the Board of Selectmen in all matters relating to streets, drains, and sewers.

Sec. 22. Holding tank waste. Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.

Sec. 23. Indirect discharge. The discharge or introduction of non-domestic pollutants from any source regulated under §307(b) or (c) or (d) of the Act, into the POTW (including holding tank waste discharged into the system).

Sec. 24. Industrial User (IU). A source of direct or indirect discharge.

Sec. 25. Industrial Waste. The liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.

Sec. 26. Interference. A discharge that alone, or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use, or disposal; and therefore, is a cause of a violation of the Town's NPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued there under, or any more stringent State or local regulations: §405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in a State sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

Sec. 27. Lift station. Lifts the wastewater to a higher point from which it may again flow by gravity.

Sec. 28. National Categorical Pretreatment Standard or Categorical Standard. Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with §307(b) and (c) of the Act (33 U.S.C. 1347) which applies to a specific category of Industrial Users, and which appear in 40 CFR Chapter I, Subchapter N, parts 405-471.

Sec. 29. National Prohibitive Discharge Standard or Prohibitive Discharge Standard. Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Article IV, Sec. 3 of this regulation and in 40 CFR 403.5.

Sec. 30. Natural Outlet. Any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

Sec. 31. New Source. (1) 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 pretreatment standards under §307(c) of the Act provided that: (i) The building, structure, facility, or installation is constructed at a site at which no other source is located; or (ii) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or (iii) The production or wastewater generating processes of the building, structure, facility, or installation are 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 shall be considered.

(2) 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 create a new building, structure, facility or installation meeting the criteria of paragraphs (1)(ii), or (1)(iii) of this section but otherwise alters, replaces, or adds to existing process or production equipment.

(3) Construction of a new source as defined under this paragraph has commenced if the owner or operator has: (i) Begun, or caused to begin as a part of a continuous on-site construction program: (A) Any placement, assembly, or installation of facilities or equipment; or (B) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or (ii) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time, not to exceed 30 (thirty) days. Options to purchase or contracts that 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.

Sec. 32. National Pollution Discharge Elimination System or NPDES Permit. A permit issued pursuant to §402 of the Act (33 U.S.C. 1342).

Sec. 33. Owner. The person legally and lawfully possessing the land across which a particular building sewer lies or will lie and shall include his designated agent.

Sec. 34. Pass Through. A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit including an increase in the magnitude or duration of a violation).

Sec. 35. Person. Any individual, partnership, co partnership, firm, company, corporation, association, society, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns. The singular shall include the plural where indicated by the context.

Sec. 36. pH. The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.

Sec. 37. Planning Board. The Board duly appointed by the Board of Selectmen of the Town of Gill charged with the planning for the Town of Gill and with the administration of the Sub-Division Control Bylaw.

Sec. 38. Pollution. The man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.

Sec. 39. Pollutant. Any dredged spoil, solid waste, medical wastes, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, industrial, municipal and agricultural wastes and certain characteristics of wastewater (e.g. pH, temperature, turbidity, color, BOD, TSS, COD, toxicity, or odor).

Sec. 40. Pretreatment or Treatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration may be obtained by physical, chemical or biological processes, process changes, or other means, except as prohibited by 40 CFR §403.6(d).

Sec. 41. Pretreatment Requirements. Any substantive or procedural requirement related to pretreatment user, other than a pretreatment standard.

Sec. 42. Pretreatment Standards or Standards. Pretreatment standards shall mean prohibited discharge standards, categorical pretreatment standards, and local limits.

Sec. 43. Properly Shredded Garbage. The wastes from the preparation, cooking, and dispensing of food that has 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 one-half (1/2) inch (1.27 centimeters) in any dimension.

Sec. 44. Public Sewer. A sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

Sec. 45. Publicly Owned Treatment Works (POTW). A "treatment works" as defined by §212 of the Act (33 U.S.C. 1292), which is owned in this instance by the Town. This definition includes devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances that convey wastewater to a treatment plant. For the purposes of this regulation, "POTW" shall also include any sewers that convey wastewaters to the POTW from persons outside the Town who are, by contract or agreement with the Town, users of the Town's POTW.

Sec. 46. POTW Treatment Plant. That portion of the POTW designed to provide treatment to wastewater.

Sec. 47. Sanitary Sewer. A sewer that carries sewage and to which storm, surface and groundwaters are not intentionally admitted.

Sec. 48. Sewage. Human excrement and grey water (household showers, dishwashing operations, etc.).

Sec. 49. Sewage Treatment Plant. Any arrangement of devices and structures used for treating sewage. As used in these Regulations, it shall refer to the Montague Sewage Treatment Plant.

Sec. 50. Sewage Works. All facilities for collecting, pumping, treating, and disposing of sewage.

Sec. 51. Sewer. A pipe or conduit for carrying sewage.

Sec. 52. Sewer Commission. The Board of Selectmen of the Town of Gill, or their duly authorized deputy, agent, or representative.

Sec. 53. Shall is mandatory: **May** is permissive.

Sec. 54. Significant Industrial User. (1) A user subject to categorical pretreatment standards; or (2) A user that: (a) Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blowdown wastewater); (b) Contributes a process waste stream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or (c) is designated as such by the Sewer Commissioners on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement. (3) Upon a finding that a user meeting the criteria in subsection (2) has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the Sewer Commissioners may at any time, on its own initiative or in response to a petition received from a user, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such user should not be considered a significant industrial user.

Sec. 55. Significant Noncompliance (SNC). An industrial user is in significant noncompliance if its violation meets one or more of the following criteria: (a) Chronic violations of wastewater limits, defined here as those in which sixty-six percent (66%) or more of wastewater measurements taken during a six (6) month period exceed the daily maximum limit or average limit for the same pollutant parameter by any amount; (b) Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six (6) month period equals or exceeds the product of the daily maximum limit or the average limit multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH); (c) Any other discharge violation that the Superintendent believes has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of POTW personnel or the general public; (d) Any discharge of pollutants that has caused imminent endangerment to the public or to the environment, or has resulted in the POTW's exercise of its emergency authority to halt or prevent such a discharge; (e) Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance; (f) Failure to provide within thirty (30) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical pretreatment standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules; (g) Failure to accurately report

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

Sec. 56. Slug Load or Slug. Any discharge at a flow rate or concentration that could cause a violation of the general discharge prohibitions in Article IV Section 3 of this regulation.

Sec. 57. State. Commonwealth of Massachusetts.

Sec. 58. Standard Industrial Classification (SIC). A classification pursuant to the Standard Industrial Classification Manual issued by the United States Office of Management and Budget.

Sec. 59. Storm Drain (sometimes termed "Storm Sewer"). A sewer that carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

Sec. 60. Storm Water. Any flow occurring during or following any form of natural precipitation and resulting therefrom.

Sec. 61. Suspended solids. The total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids, and which is removable by laboratory filtering.

Sec. 62. Superintendent. The person designated by the Sewer Commissioners to supervise the operation of the publicly owned treatment works and who is charged with certain duties and responsibilities by this regulation, or a duly authorized representative.

Sec. 63. Town of Gill. The Town of Gill, County of Franklin, Commonwealth of Massachusetts acting by and through its Board of Selectmen who also act as the Sewer Commissioners.

Sec. 64. Town of Montague. The Town of Montague, County of Franklin, Commonwealth of Massachusetts acting by and through its Board of Selectmen to which the sewage of the Riverside area of the Town of Gill is pumped for treatment.

Sec. 65. Toxic Pollutant. Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the provision of CWA 307(a) or other Acts.

Sec. 66. User or Industrial User. A source of direct or indirect discharge to the POTW.

Sec. 67. Wastewater. Liquid or water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities and institutions, whether treated or untreated, which are contributed to the POTW.

Sec. 68. Wastewater Contribution/Discharge Permit. As set forth in section 4.2 of this regulation.

Sec. 69. Watercourse. A channel in which a flow of water occurs, either continuously or intermittently.

Sec. 70. Waters of the State. All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State or any portion thereof.

Sec. 71. Abbreviations. The following abbreviations shall have the designated meanings:

- ASTM** - American Society for Testing and Materials
- BOD** - Biochemical Oxygen Demand.
- CFR** - Code of Federal Regulations.
- COD** - Chemical Oxygen Demand
- EPA** - Environmental Protection Agency
- gpd** - gallons per day
- l** - Liter
- MA G.L.** – Massachusetts General Law
- mg** - Milligrams
- mg/l** - Milligrams per liter
- NPDES** - National Pollutant Discharge Elimination System
- POTW** - Publicly Owned Treatment Works
- SIC** - Standard Industrial Classification
- SWDA** - Solid Waste Disposal Act, 42 U.S.C. 6901, et, seq.
- TSS** - Total Suspended solids.

ARTICLE III ***BUILDING SEWERS AND CONNECTIONS***

Sec. 1. This article shall apply to all building sewers draining into a public sewer or into a private sewer which flows or is pumped to a public sewer.

Sec. 2. Permission Required. No unauthorized person 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 Sewer Commission.

Any person proposing a new discharge into the system or a substantial change in the volume or character of pollutants that are being discharged into the system shall notify and receive permission from the Sewer Commission at least **FORTY-FIVE (45) DAYS** prior to the proposed change or connection.

Sec. 3. Owner's Responsibility. The Owner shall install building sewers. A building sewer permit will be required. The Owner, under the supervision of the Highway Superintendent, shall make

connections to existing building sewers at the street line. Connections to the public sewer shall be made only by the Highway Department. In all cases the Owner shall perform all excavation and backfill.

Sec. 4. Permit Application and Connection Fee. There shall be two (2) classes of building sewer permits: (a) for residential and commercial services, and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on forms furnished by the Sewer Commissioners. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Sewer Commission. A permit fee as determined by and set forth in regulations promulgated by the Sewer Commission shall be paid to the Town at the time the application is filed (for fees, see Appendix A). In addition, an inspection fee in accordance with the appended Fee Schedule shall be paid to the Town at the time the application is filed. Check shall be made out to the “Town of Gill.”

The Sewer Commission will establish annual sewer use fees and other necessary charges with suitable schedules therefore.

Sec. 5. No Expense to Town. All costs and expenses incident to the installation, connection, operation, and maintenance of the building sewer shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation or maintenance of the building sewer. The building sewer shall mean the extension from the building to the public sewer or main interceptor or other place of disposal located within the roadway and or including any rights-of-way. When any service is to be performed on an existing building sewer, the owner must notify and obtain permission from the Town's Sewer Commission prior to the work being performed.

Sec. 6. Separate Building Sewers Required. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

Sec. 7. Existing Building Sewers. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Sewer Commission, to meet all requirements of this regulation.

Sec. 8. Installation Requirements. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the Commonwealth's building and plumbing code or other applicable rules and regulations of the Town. In the absence of code provisions or in amplification thereof the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.

Sec. 9. Gravity Flow. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. Buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

Sec. 10. Surface and Groundwater Connections. No person shall make connection of roof downspouts, exterior foundation or other drains, sump pumps, areaway drains, cellar drains, or other sources of surface runoff, flood or storm water, or groundwater to a building sewer or building drain that, in turn, is connected directly or indirectly to a public sanitary sewer.

Sec. 11. Code Requirements. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town, or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice No. 9. The Town shall make all such connections and they shall be made gastight and watertight. The Sewer Commission, before installation, must approve any deviation from the prescribed procedures and materials.

Sec. 12. Approval. The applicant for the building sewer permit shall notify the Highway Superintendent when the building sewer is ready for inspection and connection to the public sewer. The inspection and connection shall be made under the supervision of the Sewer Commission or its representative and written approval shall be given if the installation is accepted. The building sewer shall not be covered or backfilled until this written approval is given.

Sec. 13. Safety Precautions. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Highway Superintendent. Once excavation for a building sewer installation commences, it shall be completed within thirty (30) days, however, the Commission may waive this requirement in cases where weather conditions or other factors delay work and such delay will not be detrimental to the public health or safety.

Sec. 14. At the time of obtaining a permit, the owner or his designated contractor shall furnish to the Town evidence of liability insurance with respect to injuries to persons or property that may arise during the construction of the connection in limits of not less than \$100,000 for bodily injury to persons per occurrence and \$25,000 for injury to property of third persons. The owner or contractor shall further post with the treasurer a cash or surety bond in an amount deemed sufficient by the Commission to ensure restoration of the traveled portion of the public or private way, including sidewalks if any, to their former condition following completion of the work required to complete the sewer connection.

Sec. 15. Connection Not Allowed. No person shall make a sewer connection to a force main, public or private, within the Town of Gill without written approval from the Sewer Commission.

Sec. 16. Connection Not Allowed. No lift station or force main with a flow of two thousand

(2,000) gallons per day or greater shall be allowed to connect to a gravity flow line that already requires the lifting or forcing of that wastewater to another gravity flow line without written permission from the Sewer Commission.

Sec. 17. Street Opening Permit. When wyes or tees and building sewers have not been provided to the street line and it is necessary to construct the building sewer from the public sewer to the street line within the public way, the property owner shall first obtain a street opening permit from the Highway Superintendent. All costs and expenses for the installation of this portion of the building sewer shall be borne by the property owner. Work within the public way shall be done in accordance with applicable Town Bylaws and Regulations. The Owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Sec. 18 State Highway Permit. When it is necessary to connect to a public sewer within a State Highway layout or to perform any other work therein, the Owner shall obtain a State Highway Permit through the Town and shall provide all plans, specifications, and other information requested by the Massachusetts Highway Department necessary for the issuance of the permit. The permit will be issued to the Town and the Owner or his agent shall abide by and conform to all requirements contained therein. The Owner shall indemnify the Town of Gill and the Commonwealth of Massachusetts from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Sec. 19. Saddle Connections. When wyes or tees have not been provided at the public sewer, the public sewer shall be tapped with an approved cutting tool and connection shall be made with a cast iron, stainless steel strapped, rubber gasketed saddle specifically contoured for the size and type of public sewer. The saddle connection shall be made watertight. This material and its installation shall be furnished and installed by the Town and the Owner shall be billed for material and installation.

Sec. 20. Separate Trenches. The building sewer shall not be laid in the same trench with the water service. They shall be laid in separate trenches not less than ten (10) feet apart horizontally and shall be separated by undisturbed earth. Should it be necessary, as determined by the Highway Superintendent, to lay the building sewer and the water service closer than ten (10) feet apart horizontally, then the manner of such laying, as well as the materials to be used and the vertical separation, shall be as specified by the Highway Superintendent.

Sec. 21. Private Sanitary Sewers. All private sanitary sewers (privately owned sewers serving more than one (1) building) discharging to a public sewer shall be constructed in accordance with the standards of the Town of Gill for public sanitary sewers. The Sewer Commission, prior to construction, shall approve the design drawings and specifications and the construction shall be inspected by a representative of the Sewer Commission at no expense to the Town of Gill. The Sewer Commission shall review subdivision plans that include sanitary sewers submitted to the Planning Board prior to approval by the Planning board. Any sanitary sewers to be built in subdivisions that will discharge to a public sewer shall meet all of the above requirements for

private sanitary sewers. Any “dry sewers” to be built in subdivisions that will, in the future, be connected to a public sewer, shall meet all of the above requirements of private sanitary sewers.

Sec. 22. Maintenance of Building Sewers. The owner of a building sewer shall at all times keep such sewers and drains clean and in good repair in order not to cause excessive infiltration, exfiltration or inflow, depletion of groundwater, damage to property, odor, or harm to the Commission's sewers.

Sec. 23. Board of Health. The Board of Health, through the Plumbing Inspector, shall notify the Highway Superintendent of all pending connections of building drains to building sewers entering public or private sewers to assure timely submittals of building sewer permit applications and, further, shall monitor connections of the building drain to the building sewer in conjunction with the Highway Superintendent.

ARTICLE IV USE OF THE PUBLIC SEWERS

Sec. 1. Unpolluted Water Excluded. No person shall discharge or cause to be discharged any storm water, flood water, surface water, groundwater, roof runoff, sub-surface drainage or building, foundation, cellar or basement drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

Sec. 2. Storm Sewers. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Sewer Commission. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Sewer Commission, to a storm sewer, combined sewer, or natural outlet.

All industries discharging into a public sewer shall perform such monitoring of their discharges as the Sewer Commission and/or other duly authorized employees of the Town may reasonably require, including installation, use, and maintenance of monitoring equipment, keeping records and reporting the results of such monitoring to the Sewer Commission. Such records shall be made available upon request by the Sewer Commission to other agencies having jurisdiction over discharges to the receiving waters.

Sec. 3. General Discharge Prohibitions. No User shall contribute or cause to be contributed directly or indirectly, any pollutant or wastewater which will cause interference or pass through at the POTW. These general prohibitions apply to all such Users of the POTW whether or not the User is subject to National Categorical Pretreatment Standards or any other National, State, or local Pretreatment Standards or Requirements. A user shall not contribute the following substances into the POTW:

- a) Fire and Explosive Hazards: Any liquids, solids or gases which either alone or by

interaction with other substances create a fire or explosive hazard in the POTW, including, but not limited to, waste streams with a closed cup flash- point of less than 140 degrees Fahrenheit (60 degrees Centigrade) using the test method specified in 40 CFR 261.21, or be injurious in any other way to the POTW. At no time, shall two successive readings on an explosion hazard meter, at the point of discharge or at any point in the system, be more than five percent (5%) nor any single reading over ten percent (10%) of the Lower Explosive Limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosine, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances which the Town, the State or EPA has notified the User is a fire hazard or a hazard to the system.

- b) Toxic Pollutants: Any waters or wastes containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW, or to exceed the limitation set forth in a Categorical Pretreatment Standard. A toxic pollutant shall include but not be limited to any pollutant identified pursuant to §307 (a) of the Act.
- c) pH: Any waters or wastes having a pH less than 6.0 or greater than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel of the POTW.
- d) Solid or viscous substances: Solid or viscous substances in amounts which will cause obstruction of the flow in a sewer or at the POTW, but in no case solids greater than one-half inch (1/2") in any dimension.
- e) Temperature: Any wastewater having a temperature higher than 160°F (71°C), or containing heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities which cause the temperature at the point of introduction into the treatment plant to exceed 104°F (40°C).
- f) POTW Interference: Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW.
- g) Petroleum or Mineral Oils: Petroleum oil, nonbiodegradable cutting oil, or oil products of mineral origin, in amounts that will cause interference or pass through;
- h) Worker Health and Safety: Pollutants which result in the presence of toxic, noxious or malodorous gases, vapors, liquids or fumes within the sewers or POTW in a quantity that may cause acute worker health and safety problems;
- i) Trucked or hauled pollutants: Trucked or hauled pollutants except at discharge points

designated by the Superintendent.

- j) Radioactive Waste(s): Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable State or Federal regulation.

Sec. 4. Industrial Users. All industrial users shall notify in writing, the Superintendent, the Department of Environmental protection, and the EPA of any discharge which would be considered a hazardous waste if disposed of in any manner other than by discharge to the POTW.

Sec. 5. Specific Prohibitions. No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely in the opinion of the Sewer Commission that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming its opinion as to the acceptability of these wastes, the Sewer Commission will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. Discharges of the following substances are prohibited unless an Industrial User Discharge Permit has been obtained as outlined in Article V of this regulation. Any pretreatment limit which is established pursuant to this regulation may not be waived without EPA notice and approval.

Prohibited substances include, but are not limited to:

- a) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32)° and one hundred fifty (150)° F.
- b) Any garbage that has not been properly shredded (must be less than one-half inch (1/2") in any dimension). The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Sewer Commission.
- c) Any waters or wastes containing strong acid, iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- d) Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Sewer Commission for such materials.
- e) Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Sewer Commission as necessary, after treatment of the composite sewage to meet the requirements of the State,

Federal, or other public agencies or jurisdiction for such discharge to the receiving waters.

f) Materials which exert or cause:

f.a) Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium, chloride and sodium sulfate).

f.b) Wastewater which imparts color which cannot be removed by the treatment process thereby violating the Town's N.P.D.E.S. permit.

f.c) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.

f.d) Unusual volume of flow or concentration of wastes constituting slug loads or slugs as defined herein.

g) Any substance which may cause the POTW's effluent sludge, or scums to be unsuitable for reclamation and reuse; or interferes with the reclamation process. No substance shall be discharged to the POTW that causes the POTW to be in non-compliance with sludge use or disposal criteria developed under §405 of the Act, the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State Criteria applicable to the sludge management method being used.

Sec. 6. Violation of General or Specific Discharge Prohibitions. If any waters or wastes are discharged that contain the substances or possess the characteristics enumerated in Sections 3 or 4 of this Article the Sewer Commission may:

a) Reject the wastes,

b) Require pretreatment to an acceptable condition for discharge to the public sewers,

c) Require control over the quantities and rates of discharge, and/or

d) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 8 of this Article; or

e) Assess the fines and penalties as outlined in Article X.

Sec. 7. Review and Approval. If the Sewer Commission permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Sewer Commission, and subject to the requirements of all applicable codes, regulations, and laws.

Sec. 8. Grease, Oil and Sand Interceptors. Grease, oil, and sand interceptors shall be provided

by the User when, in the opinion of the Sewer Commission, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Sewer Commission and shall be located as to be readily and easily accessible for cleaning and inspection.

Sec. 9. Flow Equalization. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

Sec. 10. Special Agreements. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the Town and any industrial user whereby an industrial waste of unusual strength or character may be accepted by the Town for treatment, subject to payment therefore, by the industrial user. No such agreement or arrangement shall violate any pretreatment standard or requirement; and such agreement or arrangement shall be approved by the EPA in accordance with 40 CFR 403.18.

Sec. 11. National Categorical Pretreatment Standards. Upon the promulgation of the National Categorical Pretreatment Standards for a particular industrial subcategory, the National Standard, if more stringent than limitations imposed under the regulation for sources in that subcategory, shall immediately supersede the limitations imposed under this regulation. Categorical industrial users are subject to the applicable reporting requirements under 40 CFR, §403.12. The National Categorical Pretreatment Standards found in 40 CFR Chapter I, Subpart N, Parts 405-471, as amended from time to time, are hereby incorporated into this regulation.

Sec. 12. Modification of National Categorical Pretreatment Standards. The Sewer Commission may, at its discretion and subject to the conditions contained in 40 CFR 403.7, modify pollutant discharge limits of Categorical Industrial users which reflect removal by the POTW of pollutants specified in the categorical Pretreatment Standard(s).

Sec. 13. State Requirements. State requirements and limitations on discharges shall apply in any case where they are more stringent than Federal requirements and limitations or those in this regulation.

Sec. 14. Right of Revision. The Town reserves the right to establish regulations or permit more stringent limitations or requirements on discharges to the wastewater disposal system if deemed necessary to comply with the objectives presented in Article I of this Regulation.

Sec. 15. Excessive Discharge. No industrial User shall ever increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the National Categorical Pretreatment Standards, or in any other pollutant-specific limitation developed by the Town or State.

Sec. 16. Septic Tank Discharge. No septic tank contents shall be discharged into the public sewer

system. Septic tank pumpage from Gill will be accepted at the designated location at the Montague Sewage Treatment Plant. Reasonable charges for such discharges shall be made at the same rates and terms and conditions as applied to the discharge of similar wastes from Montague. Montague shall receive septic tank pumpage at the Montague treatment plant during the normal 40-hour workweek. Montague will, by prior arrangement or in an emergency, receive pumpage at the Montague treatment plant during other hours.

ARTICLE V

INDUSTRIAL PRETREATMENT REGULATIONS

Sec. 1. Administration

Sec. 1.1. Wastewater Dischargers Permit Requirements:

- a) No significant industrial user shall discharge wastewater into the POTW without first obtaining a wastewater discharge permit from the Sewer Commission in accordance with the provisions of this regulation.
- b) The Sewer Commission may require other users to obtain wastewater discharge permits as necessary to carry out the purposes of this regulation.
- c) Any violation of the terms and conditions of a wastewater discharge permit shall be deemed a violation of this regulation and subjects the wastewater discharge permittee to the sanctions set out in Article V, Sec. 2 and Article 10 of this regulation. Obtaining a wastewater discharge permit does not relieve a permittee of its obligation to comply with all National and State pretreatment standards or requirements or with any other requirements of Federal, State and local law.

Sec. 1.2. Wastewater Contribution Permits:

1.2.1.Existing Connections: Any user required to obtain a wastewater discharge permit who was discharging wastewater into the POTW prior to the effective date of this regulation and who wishes to continue such discharges in the future, shall, within 90 days after said date, apply to the Sewer Commissioners for a wastewater discharge permit in accordance with Article V Section 1.2.3 of this regulation, and shall not cause or allow discharges to the POTW to continue after 180 days of the effective date of this regulation except in accordance with a wastewater discharge permit issued by the Sewer Commissioners.

1.2.2.New Connections: Any user required to obtain a wastewater discharge permit that proposes to begin or recommence discharging into the POTW must obtain such permit prior to the beginning or recommencing of such discharge. An application for this wastewater discharge permit, in accordance with Article V Sec. 1.2.3, must be filed at least 90 days prior to the date upon which any discharge will begin or recommence.

1.2.3. Permit Application. Users required to obtain a Wastewater Contribution Permit shall

complete and file with the Sewer Commissioners an application in the form prescribed by the Sewer Commissioners. Existing Users shall apply for a Wastewater Contribution Permit within 90 days after the effective date of this regulation, and proposed new users shall apply at least 90 days prior to connecting to or contributing to the POTW. In support of the application, the User shall submit, in units and terms appropriate for evaluation, the following information:

- a) **Identifying information.** The User shall submit the name and address of the facility including the name and address of the operator and owners;
- b) **Permits.** The User shall submit a list of any environmental control permits held by or for the facility and SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended;
- c) **Description of Operations.** A brief description of: the nature, average rate of production, and standard industrial classifications of the operation(s) carried out by the user. This description should include a schematic process diagram, which indicates points of discharge to the POTW from the regulated process; site plans, floor plans, mechanical and plumbing plans and any details to show all sewers, sewer connections, and appurtenances by the size, location and elevation; each product produced by: type, amount, process or processes and the rate of production; type and amount of raw materials processed (average and maximum per day); number and type of employees, and hours of operation of plant and proposed or actual hours of operation of pretreatment systems; all materials that are, or could be, discharged.
- d) **Wastewater constituents and characteristics:** including but not limited to those mentioned in Article IV of this regulation as determined by a reliable analytical laboratory; sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to §304(g) of the Act and contained in 40 CFR, Part 136, as amended;
- e) **Flow measurements.** Information showing the measured average daily flow, maximum daily flow, and 30 minute peak flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined waste stream formula set out in 40 CFR 403.6(e).
- f) **Measurement of Pollutants.**
 - a) Where known, the categorical pretreatment standards applicable to each regulated process.
 - b) The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the Superintendent, of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum, and long-term average concentrations, or mass, where required, shall be reported. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in 40 CFR Part 136, unless otherwise specified in an applicable

categorical pretreatment standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, sampling and analyses must be performed in accordance with procedures approved by EPA.

- g) **The nature and concentration of any pollutants.** Where known, the nature and concentration of any pollutants in the discharge which are limited by any Town, State, or National Pretreatment Standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and if not, whether additional Operation and Maintenance (O & M) and/or additional pretreatment is required for the User to meet applicable Pretreatment Standards;
- h) **Additional pretreatment:** If additional pretreatment and/or O & M is required a detailed schedule of the project shall be proposed to the Sewer Commissioners. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard. Progress reports are required within 14 (fourteen) days of the compliance schedule milestone and within 14 (fourteen) days of the final date for compliance. Delays of more than 14 (fourteen) days in any stage of the proposed project schedule must be reported to the Sewer Commission.
- i) **Certification.** A statement, reviewed by the User's authorized representative and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.
- j) **Other.** Any other information as may be deemed by the Sewer Commissioners to be necessary to evaluate the permit application.

After evaluation and acceptance of the data furnished, the Sewer Commissioners may issue a Wastewater Contribution Permit subject to terms and conditions provided herein.

1.2.4. Permit Modifications. Upon the promulgation of a National Categorical Pretreatment Standard, the Wastewater Contribution Permit of Users subject to such standards shall be revised to require compliance with such standard within the time frame prescribed by such standard. Where a User, subject to a National Categorical Pretreatment Standard, has not previously submitted an application for a Wastewater Contribution Permit as required by Article V Sec. 1.2.1, the User shall apply for a Wastewater Contribution Permit within 90 days after the promulgation of the applicable National Categorical Pretreatment Standard. In addition, the User with an existing Wastewater Contribution Permit shall submit to the Superintendent within 90 days after the promulgation of an applicable National Categorical Pretreatment Standard the information required by paragraph (h) and (i) of Article V Section 1.2.2.

1.2.5. Permit Conditions. Wastewater Contribution Permits shall be expressly subject to all provisions of this regulation and all other applicable regulations, user charges and fees established by the Town. A wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the Sewer Commissioners to prevent pass through or interference, protect

the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

Permits may contain the following:

- a) A statement that indicates wastewater permit durations (see Article V, Sec. 1.2.6);
- b) A statement that the wastewater discharge permit is nontransferable without prior notification to and approval by the Sewer Commissioners in accordance with Article V, Sec. 1.2.7 of this regulation, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;
- c) Effluent limits based on applicable pretreatment standards;
- d) Self-monitoring, sampling, reporting, notification and record-keeping requirements. These requirements shall include an identification of pollutants to be monitored, sampling location, sampling frequency, and sample type based on Federal, State and local law; and
- e) A statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule.

Permits may contain, but need not be limited to, the following conditions:

- f) The unit charge or schedule of user charges and fees for the wastewater to be discharged to a municipal sewer;
- g) Limits on the average and maximum wastewater constituents and characteristics;
- h) Limits on average and maximum rate and time of discharge or requirements for flow regulation and equalization;
- i) Requirements for installation and maintenance of inspection and sampling facilities;
- j) Specifications for monitoring programs, which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedule;
- k) Compliance schedules;
- l) Requirements for submission of technical reports or discharge reports (see section 1.3 of this Article);
- m) Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the Sewer Commissioners and affording Town access thereto, in all instances, however, such records shall be retained for at least 3 (three) years;
- n) Requirements for notification of the Town of any new introduction of wastewater

constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater treatment system. The Sewer Commissioners have the authority to deny or condition new or increased discharges prior to the commencement of the discharge.

- o) Requirement for notification of slug discharges as per Article V Sec. 1.7;
- p) Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;
- q) Other conditions as deemed appropriate by the Sewer Commissioners to ensure compliance with this regulation.

1.2.6. Permits Duration. Permits shall be issued for a specified time period, not to exceed five (5) years. A permit may be issued for a period less than a year or may be stated to expire on a specific date. The User shall apply for permit reissuance a minimum of 180 days prior to the expiration of the user's existing permit. The terms and conditions of the permit may be subject to modification by the Sewer Commissioners during the term of the permit as limitations or requirements as identified in ARTICLE IV are modified or other just cause exists. The User shall be informed of any proposed changes in his permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

1.2.7. Permit Transfer. Wastewater Contribution Permits are issued to a specific User for a specific operation. A wastewater contribution permit shall not be reassigned or transferred or sold to a new owner, new User, different premises, or a new or changed operation without the approval of the Sewer Commissioners. Wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least 90 days advanced notice to the Sewer Commissioners and the Sewer Commissioners approve the wastewater discharge permit transfer. The notice to the Sewer Commissioners must include a written certification by the new owner and/or operator: (1) States that the new owner/operator has no immediate intent to change the facilities operations and process; (2) Identifies the specific date on which the transfer is to occur; and (3) Acknowledges full responsibility for complying with the existing wastewater discharge permit.

Sec. 1.3. Reporting Requirements for Permittee

1.3.1. Compliance Date Report. Within 90 days following the date for final compliance with applicable Pretreatment Standards or, in the case of a New Source, following commencement of the introduction of wastewater into the POTW, any User subject to Pretreatment Standards and Requirements shall submit to the Sewer Commission a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by Pretreatment Standards and Requirements and the average and maximum daily flow for these process units in the average and maximum daily flow for these process units in the User facility which are limited by such Pretreatment Standards or Requirements. The report shall state whether the applicable Pretreatment Standards or Requirements are being met on a consistent basis and, if not, what additional O & M and/or pretreatment is necessary to bring the User into compliance with

the applicable Pretreatment Standards or Requirements. This statement shall be signed by an authorized representative of the Industrial User, and certified by a qualified professional.

1.3.2. Periodic Compliance Reports.

1. Any User subject to a Pretreatment Standard shall submit to the Sewer Commission a report indicating the nature and concentration of pollutants in the effluent that are limited by such Pretreatment Standards. The reports shall be submitted during the months of June and December, unless required more frequently in the Pretreatment Standard or by the Sewer Commissioners. In addition, this report shall include a record of average and maximum daily flows for the reporting period. The Sewer Commission may, at its discretion, agree to alter the months during which the above reports are to be submitted.
2. The Sewer Commission may impose mass limitations on Users to meet applicable Pretreatment Standards or Requirements. In such cases the Periodic Compliance Report shall indicate the mass of pollutants regulated by Pretreatment Standards in the effluent of the User. These reports shall contain the results of sampling and analysis of the discharge, including the flow and the nature and concentration, or production and mass where requested by the Sewer Commission, of pollutants contained therein which are limited by the applicable Categorical Pretreatment Standards. The frequency of monitoring shall be prescribed in the applicable Pretreatment Standard. All analysis shall be performed in accordance with procedures established by the Administrator of EPA pursuant to §304 (g) of the Act and contained in 40 CFR, Part 136 and amendments thereto or with any other tests procedures approved by the Administrator. Sampling shall be performed in accordance with the techniques approved by the Administrator.

1.3.3. Notice of Violation/Re-sampling Requirement. If sampling by an Industrial User indicates a violation of any Pretreatment Standard, such User shall notify the Superintendent within 24 (twenty-four) hours of becoming aware of the violation; such User shall re-sample and submit the results to the Superintendent within 30 (thirty) days of becoming aware of the initial violation.

1.3.4. Signatory and Certification Requirements. All reports submitted by an Industrial User must contain the certification statement outlined at 40 CFR 403.6 (a)(2)(ii) and be signed by an authorized representative as stated in 40 CFR 403.12(1). Certification statement: 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 assure 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.

Sec. 1.4. Monitoring Facilities. The Sewer Commission shall require monitoring facilities to be provided and operated at the User's own expense, to allow inspection, sampling, and flow measurement of the building sewer and/or internal drainage systems. The monitoring facility

should normally be situated on the User's premises, but the Town may, when such a location would be impractical or cause undue hardship on the User, allow the facility to be constructed in the public street or sidewalk area and located so that landscaping or parked vehicles will not obstruct it.

There shall be ample room in or near such sampling manhole or facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measurement equipment shall be maintained at all times in a safe and proper operating condition at the expense of the user.

Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with the Town's requirements and all applicable local construction standards and specifications. Construction shall be completed within 90 days following written notification by the Sewer Commissioners.

Sec. 1.5. Inspection and Sampling. The Town, POTW personnel, Sewer Commission and Superintendent or their representative, shall have the right to inspect, sample, examine records, copy records, and perform any additional duties at the facilities of any User to ascertain whether the purpose of this regulation is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the Town, Sewer Commission and Superintendent or their representative ready access at all reasonable times to all parts of the premises for the purposes of inspection, sampling, records examination or in the performance of any of their duties. The Town, Sewer Commission and Superintendent or their representative, POTW personnel, Approval Authority and EPA shall have the right to set up on the User's property such devices as are necessary to conduct sampling inspection, compliance monitoring and/or metering operations. Where a User has security measures in force which would require proper identification and clearance before entry into their premises, the User shall make necessary arrangements with their security guards so that upon presentation of suitable identification, personnel from the Town, Sewer Commission and Superintendent or their

representative, POTW personnel, Approval Authority and EPA will be permitted to enter, without delay, for the purposes of performing their specific responsibilities.

Sec. 1.6 Pretreatment. Users shall provide necessary wastewater treatment as required to comply with this regulation and shall achieve compliance with all National Categorical Pretreatment Standards within the time limitations as specified by the National Pretreatment Regulations. Any facilities required to pretreat wastewater to a level acceptable to the Sewer Commissioners shall be provided, operated, and maintained at the User's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the Sewer Commissioners for review, and shall be acceptable to the Sewer Commissioners before construction of the facility. The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the Town under the provisions of this regulation. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the Town prior to the user's initiation of the changes.

The Town shall annually publish in the Greenfield Recorder a list of the Users, which, during the previous twelve (12) months, were in significant noncompliance with applicable pretreatment standards and requirements. The term significant noncompliance shall mean:

- a) Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of wastewater measurements taken during a six (6) month period exceed the daily maximum limit or average limit for the same pollutant parameter by any amount;
- b) Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six (6) month period equals or exceeds product of the daily maximum limit or the average limit multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
- c) Any other discharge violation that the Superintendent believes has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of POTW personnel or the general public;
- d) Any discharge of pollutants that has caused imminent endangerment to the public or to the environment, or has resulted in the Superintendent's exercise of its emergency authority to halt or prevent such a discharge;
- e) Failure to meet within ninety (90) days of the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;
- f) Failure to provide within thirty (30) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical pretreatment standard deadlines, periodic self- monitoring reports, and reports on compliance with compliance schedules;
- g) Failure to accurately report noncompliance;
- h) Any other violations that the Superintendent determines will adversely affect the operation or implementation of the local pretreatment program.

The notification shall also summarize any enforcement actions taken against the user(s) during the same 12 months.

All records submitted pursuant to these regulations shall be considered public records pursuant to MA G.L. c. 66, Sec. 10 and shall be available for inspection, except to the extent any record may fall within the scope of an exemption provided by law.

Sec. 1.7. Accidental Discharges/Slug Control Plans. Each industrial User shall provide

protection from accidental discharge of prohibited materials or other substances regulated by this regulation. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or user's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Sewer Commissioners for review, and shall be approved by the Sewer Commissioners before construction of the facility. An accidental discharge/slug control plan shall address, at a minimum, the following:

- a) Description of discharge practices, including nonroutine batch discharges;
- b) Description of stored chemicals;
- c) Procedures for immediately notifying the Superintendent of any accidental or slug discharge;
- d) Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant runoff, worker training, building containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

No industrial User who commences contribution to the POTW after the effective date of this regulation shall be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the Sewer Commissioners. Review and approval of such plans and operating procedures shall not relieve the industrial User from the responsibility to modify the User's facility as necessary to meet the requirements of this regulation. In the case of an accidental discharge, it is the responsibility of the User to immediately telephone and notify the Superintendent of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions.

Within five (5) days following an accidental discharge, the industrial User shall submit to the Sewer Commission a detailed written report describing the cause of the discharge and the measures to be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, fish kills, or any other damage to person or property; nor shall such notification relieve the User of any fines, civil penalties, or other liability which may be imposed under Article X or other applicable law.

A notice shall be permanently posted on each industrial User's bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge. Employers shall insure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure.

Sec. 1.8. Confidential Information. Information and data on a User's industrial process obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be a public record and shall be available for inspection as provided in the Public

Records Law, G. L. c. 66, Sec. 10. A User may withhold information considered confidential, but it must establish to the satisfaction of the Sewer Commission that the disclosure of the information in questions to the public would divulge trade secrets of the User or would result in an advantage to competitors.

When requested by the person furnishing a report, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available to governmental agencies for uses related to this regulation, the National Pollutant Discharge Elimination System (NPDES) Permit, State Disposal System permit and/or the Pretreatment Programs, and in enforcement proceedings involving the person furnishing the report Wastewater constituents and characteristics will not be recognized as confidential information.

Sec. 2. Enforcement.

Sec. 2.1. Notification of Violation. Whenever the Sewer Commission finds that any User has violated or is violating this regulation, wastewater contribution permit, or any prohibition, limitation or requirements contained herein, the Sewer Commission may serve upon such person a written notice stating the nature of the violation. Within 30 days of the date of the notice, the User shall submit a plan for the satisfactory correction of the violation to the Sewer Commission.

Sec. 2.2. Consent Orders. The Sewer Commission may enter into Consent Orders, assurances of voluntary compliance, or other similar documents establishing an agreement with any User responsible for noncompliance. Such documents will include specific action to be taken by the User to correct the noncompliance within a time period specified by the document.

Sec 2.3. Show Cause Hearing

2.3.1 Notice. The Sewer Commission may order a User which has violated or continues to violate, any provision of this regulation, a wastewater discharge permit or order issued hereunder, or any other Pretreatment Standard or requirement to show cause before the Sewer Commission why the proposed enforcement action should not be taken. A notice shall be served on the User specifying the time and place of a hearing to be held by the Sewer Commission regarding the violation, the reasons why the action is to be taken, the proposed enforcement action, and directing the user to show cause before the Sewer Commission why the proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least (ten) days before the hearing. Service may be made on any agent or officer of a corporation.

2.3.2 Conduct of Hearing. The Sewer Commission may itself conduct the hearing and take the evidence, or may designate any of its members or the Superintendent of the POTW or his duly authorized Representative to:

- a) Issue in the name of the Sewer Commission notices of hearings requesting the attendance

and testimony of witnesses and the production of evidence relevant to any matter involved in such hearings;

- b) Take the evidence;
- c) Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the Sewer Commission for action thereon.

2.3.3. Hearing Records. At any hearing held pursuant to the regulation, testimony taken must be under oath and recorded stenographically. The transcript, so recorded, will be made available to any member of the public or any party to the hearing upon payment of the usual charges thereof.

2.3.4 Orders. After the Sewer Commission has reviewed the evidence, it may issue an order to the User responsible for the discharge directing that, following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices or other related appurtenances shall have been installed or existing treatment facilities, devices or other related appurtenances are properly operated. Further orders and directives as are necessary and appropriate may be issued.

Sec. 2.4. Emergency Suspension. Without limiting the Town's enforcement rights, the Town may immediately suspend the user's discharge and/or a Wastewater Contribution Permit when such suspension is necessary, in the opinion of the Town, in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons. The Sewer Commissioners may also immediately suspend a user's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or may present an endangerment to the environment.

Any User notified of a suspension of its discharge and/or the Wastewater Contribution Permit shall immediately stop or eliminate the contribution. In the event of a failure of a User to comply voluntarily with the suspension order, the Sewer Commissioners may take such steps as deemed necessary including but not limited to, immediate severance of the sewer connection, to prevent or minimize damage to the POTW system, its receiving stream, or endangerment to any individuals. The Sewer Commissioners shall allow the User to recommence its discharge upon proof of the elimination of the non-complying discharge. A detailed written statement submitted by the user describing the causes of the harmful contribution and the measures taken to prevent any future occurrence shall be submitted to the Sewer Commissioners within 15 days of the date of occurrence.

Sec. 2.5. Revocation of Permit. Without limiting the Town's enforcement rights, any User who violates the following conditions of the regulation, or applicable State and Federal regulations, is subject to having his permit revoked in accordance with the procedures of Article V Sec. 2. of this regulation:

- a) Failure of a User to factually report the wastewater constituents and characteristics of his discharge;

- b) Failure of the User to report significant changes in operations, or wastewater constituents and characteristics;
- c) Refusal of reasonable access to the User's premises for the purpose of inspection or monitoring; or,
- d) Violation of conditions of the permit.

Sec. 2.6 Legal Action. If any person discharges sewage, industrial wastes or other wastes, waters or liquids into the Town's wastewater disposal system contrary to the provisions of the regulation, National or State Pretreatment Requirements, or any order of the Town, the Town Counsel upon the authorization of The Board of Selectmen may commence an action for appropriate legal and/or equitable relief.

ARTICLE VI ***PROTECTION FROM DAMAGE***

Sec. 1. Violation. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works.

Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct or other applicable offense and/or subject to the penalties and enforcement actions in this regulation.

Sec. 2. Unlicensed Repairs. No owner, agent, occupant, or other person having charge of premises connected or to be connected with any public sewer shall allow, direct, or permit any repairing or obstructing of a public sewer, or any excavation to be made for the purpose of connecting therewith, except by a person duly licensed for that purpose.

ARTICLE VII ***POWERS AND AUTHORITY OF INSPECTORS***

Sec. 1. Entry to Private Property. The Sewer Commission and other duly authorized employees of the Town bearing proper credentials and identification may be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this regulation. The Sewer Commission or its representative shall have authority to inquire into any processes having a bearing on the kind and source of discharge to the sewers or waterways or facilities for wastes treatment.

Sec. 2. Liability of the Town. While performing the necessary work on private properties referred to in Article VII, Section 1 above, the Sewer Commission or duly authorized employees or agents

of the Town shall observe all safety rules applicable to the premises established by the company or user.

Sec. 3. Entry to Easements. The Sewer Commission and other duly authorized employees or agents of the Town bearing proper credentials and identification shall be permitted to enter all private properties through which the Town holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE VIII CHARGES AND FEES

Sec. 1. Connection Fee. The owner or applicant shall assume a portion of the cost and expense for the installation of that portion of the building sewer from the public sewer to the property line by payment of a connection fee as determined in regulations promulgated by the Sewer Commission.

Sec. 2. Frontage Charge. The Sewer Commission will charge an assessment, pursuant to MA G.L. c.83, §15, upon owners of land fronting on any way in which a new sewer is constructed by the Town. The assessment shall be based upon the actual cost of the new sewers built by the Town. The frontage charge shall be based on linear feet of frontage of each estate on any street or way where a sewer is constructed. Those persons not eligible for assessments as defined in this Section may use the common sewers for the disposal of their sewage from such land only on payment of such reasonable amount as the Sewer Commission may determine pursuant to MA G.L. c.83, §20.

Sec. 3. Annual Sewer Use Charges. In addition to the one-time charges listed in Sections 1 and 2 of this Article, an annual fee shall be charged to every user of the municipal sewage works. The fee charged shall be established by the Sewer Commission and shall be such as to produce revenues commensurate with the estimated annual cost of operating and maintaining all wastewater collection and treatment works in Gill. Each user fee charged shall be calculated so as to reflect that user's fair share of the operating costs based on volume and strength of wastewater flows as determined by the Sewer Commission.

Sec. 4. Account and Report. The Commission shall keep an accurate account of the cost and all other expenses of each common sewer and, whenever requested, shall make a report thereof to the town meeting. Such Commission shall publish in the annual town report a report of all work performed in the sewage system during the year, including the total length of existing sewers and the amount of all expenditures from the appropriation for sewers.

Sec. 5. Surcharges. All persons discharging commercial or industrial wastes or any wastes of unusual character or amount may be subjected to a surcharge as determined by the Sewer Commission, in addition to any other sewer charges. The amount of surcharge shall reflect the

Sewer Commissioner's best estimate of the additional cost incurred by the Town in repair, maintenance and operation of the sewage works for transport and treatment of such wastes.

Sec. 6. Fees for Implementation of Pretreatment Program. To provide for the recovery of costs from Industrial Users for the implementation of the Town's Pretreatment Program as established in this regulation, the Sewer Commission may adopt certain charges and fees which may include:

- a) fees for reimbursement of costs of setting up and operating the Town's Pretreatment Program;
- b) fees for monitoring, inspections and surveillance procedures;
- c) fees for reviewing accidental discharge procedures and construction;
- d) fees for permit applications;
- e) fees for filing appeals;
- f) fees for consistent removal (by the Town) of pollutants otherwise subject to National Pretreatment Standards;
- g) other fees as the Town may deem necessary to carry out the requirements contained herein.

ARTICLE IX ***BILLING PRACTICE***

Sec. 1. Billing Periods. All annual charges and surcharges are to be billed on a semi-annual basis.

Sec. 2. Payment. All charges shall be payable at the office of the Town Treasurer. Payment of a connection charge is to be made prior to the connection of the building sewer to the public sewer. Frontage and annual charges and surcharges are to be paid within thirty (30) days of the bill. The Sewer Commission, pursuant to MA G.L. c. 83 §19, may extend the time for payment of frontage charges upon land which is not built upon until it is built upon or for a fixed time; but interest at the rate of four percent (4%) per annum shall be paid annually upon the assessment from the time it was made, and the assessment shall be paid within three (3) months after a permit for building on such land is issued.

Sec. 3. Frontage Charge Installment. Pursuant to MA G.L. c.80 §13 any frontage charge to any one property exceeding one hundred dollars (\$100) may be paid in equal annual installments over a twenty (20) year period. The Town shall charge interest on the unpaid balance at the rate of four percent (4%) per annum. Annual installments and interest are due and payable at the same date as the annual general property tax payment.

Sec. 4. Homes Not on Town Water Supply. Homes that are connected to the public sewer system, but not to the public water system, shall have a sewer meter installed to determine sewer usage. The

homeowner shall purchase said meter from the water commissioners, have it installed by a licensed plumber, and have the installation inspected by the water commissioners.

Sec. 5. Abatements. In accordance with MA G.L. c.83, §16E, an owner of real estate aggrieved by a charge imposed by the Town may apply for an abatement thereof by filing a petition with the Sewer Commission on or before the thirtieth (30) day after the date on which the bill or notice was so sent.

Sec. 6. Abatements not allowed. Sewer abatements will not be granted for the following uses:

- a) Watering of gardens
- b) General wash-down of automobiles, building, driveways, etc.
- c) Watering of lawns
- d) No water meter reading or use
- e) Any other reason determined by the Commission after review.

Sec. 7. Abatements considered for approval.

- a) Filling swimming pools or spas. Sewer abatements for the purpose of filling swimming pools or spas may be granted by the Commission if the abatement value is greater than the cost associated for the Town to process the abatement. Abatements shall not be granted if the calculated abatement is less than \$10. In order to claim said abatement, the owner must take a water meter reading prior to filling the pool or spa and immediately after completion. This reading must be reported to the water commissioners via telephone or in writing within 48 hours so that the abatement may take place before the water commissioners present bills to the tax collector. When reporting the initial fill up of a swimming pool or spa, the owner must also notify the water commissioners of the capacity of the unit as provided by the manufacturer.
- b) Excessive usage from broken water pipes. In the event a meter reading is excessive due to broken water pipes, the homeowner may request a sewer abatement if he can prove that the excess water did not enter the sewer system.
- c) Inaccurate readings. Sewer abatements for inaccurate readings shall be subject to the water commissioners confirming the error. The sewer fee charged will be proportional to the corrected water meter reading or estimate.

ARTICLE X
PENALTIES

Sec. 1. Delinquency. Such charges levied in accordance with this regulation shall be a debt due to the Town and shall be a lien upon the property. Without limiting the Town's enforcement rights, if this debt is not paid within thirty (30) days after it shall be due and payable, it shall be deemed delinquent and accrue interest at the rate of fourteen (14) percent per year or as allowed by law and may be recovered by civil action in the name of the Town against the property owner, the person, or both.

Sec. 2. Ownership and Occupancy. Change of ownership or occupancy of premises found delinquent shall not be cause for reducing or eliminating these penalties.

Sec. 3. Liability. Any person found to have violated this regulation or the orders, rules, regulations and permits issued hereunder shall become liable to the Town for any expense, loss or damage to the Town occasioned by reason of such offense, including legal costs and attorneys' fees, in addition to the penalties provided herein.

Sec. 4. Civil Penalty. A user who has violated, or continues to violate, any provision of this regulation, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement shall be liable to the Town for a maximum civil penalty of \$5,000.00 (five thousand per violation per day. In case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.

Sec. 5. Falsifying Information. Any person who knowingly makes any false statements, representation or certification in any application, record, report plan or other document filed or required to be maintained pursuant to this regulation, or Wastewater Contribution Permit, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this regulation, shall be liable to the Town, for a civil penalty of not more than One Thousand dollars (\$1,000) per day per violation.

Sec. 6. Non-Criminal Disposition. In addition to the enforcement authority set forth herein, this regulation and regulations and orders issued hereunder may be enforced using non-criminal disposition in accordance with the Town's Non-Criminal Disposition bylaw and MA G.L. c.40, §21D. The enforcing persons shall be the Sewer Commission, Sewer Commission, Superintendent, any Police Officer of the Town, and their designees. Each day on which any violation exists shall be deemed to be separate offense, and each provision of the bylaw, regulation or order that is violated shall constitute a separate offense. The following non-criminal penalties shall apply:

- First offense: Warning or notice.
- Second offense: \$200.00 (two hundred dollars).
- Third or subsequent offense: \$300.00 (three hundred dollars).

ARTICLE XI
VALIDITY

Sec. 1. Repeal of Conflicting Regulations. All regulations or parts of regulations or regulations or parts of regulations of the Town in conflict with this regulation are hereby repealed to the extent of such inconsistency or conflict.

Sec. 2. Invalidation Clause. Invalidity of any section, clause, sentence or provision in the regulation shall not affect the validity of any other section, clause, sentence or provision of this regulation which can be given effect without such invalid part or parts.

Sec. 3. Severability. If any provision, paragraph, work, section or article of this regulation is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, and chapters shall not be affected and shall continue in full force and effect.

Sec. 4. Amendment. The Town of Gill reserves the right to amend this regulation in part or in whole wherever it may deem necessary, but such right will be exercised only after due notice to all persons concerned and after proper hearing on the proposed amendment.

ARTICLE XII
REGULATION IN FORCE

Sec. 1. Date of Effect. This regulation shall take effect and be enforced from and after adoption by the Sewer Commission and publication as provided for in the MA G.L. c.83 §10.