

RECEIVED
By Darlene Brady at 12:25 pm, Feb 15, 2023

Town of Kent Sewer Commission

Sewer Use Regulations

Drafted 11/24/19

Reviewed at Public Hearing held on: January 21, 2020
Approved by Sewer Commission On: October 19, 2021

Notes: These regulations were prepared as part of a process to separate the use regulations from Chapter 15 of the Town's Code of Ordinances. These changes were an effort to allow the Sewer Commission to revise the Sewer Use Regulations after a Public Hearing rather than having them approved at a Town Meeting. These regulations were prepared in conjunction with changes to Chapter 15 of Town Ordinances. Changes to Chapter 15 were approved at the January 21, 2021 Town Meeting.

Accepted for Filing by Town Clerk: Darlene Brady
Date: 10/20/2021

TABLE OF CONTENTS

SECTION 1. Use of Public Sewers3
 Section 1.01 Authorization for Regulations3
 Section 1.02 Purpose and Enforcement of these Regulations3
 Section 1.03 Required Permits.4
 Section 1.04 Procedure for Obtaining Connection and Discharge Permits.....4
 Section 1.05 Discharge Permit11
 Section 1.06 Permit Revocation11
SECTION 2. Orders To Connect.....12
 Section 2.01 Connection of Existing Properties and Developments12
SECTION 3. Section 3.0 - Building Sewers and Connections.....12
 Section 3.01 Ownership.....12
 Section 3.02 Inspection.....13
 Section 3.03 Standards of Construction.....13
SECTION 4. Water Meter Requirements16
 Section 4.01 Water Meter Installation16
SECTION 5. Fog Interceptors and Fog Management Equipment.....17
 Section 5.01 Requirements for FOG Interceptors17
SECTION 6. Oil and Sand Interceptors19
 Section 6.01 Special oil and sand interceptors.19
SECTION 7. Septage Disposal.....19
 Section 7.01 Septage Hauler Registration.19
 Section 7.02 Septage Disposal Permit20
 Section 7.03 Regulations concerning discharge of Septage21
SECTION 8. Community Sewerage Systems22
 Section 8.01 Approval of Plan.....22
 Section 8.02 Application Requirements23
 Section 8.03 Common Interest Ownership Systems.....23
 Section 8.04 Requirements for Systems Owned by Property Owner’s Association24
 Section 8.05 Approval of Community Sewerage System26
 Section 8.06 Permanent Maintenance Agreement.....26
 Section 8.07 Existing Community Systems.....28
SECTION 9. Discharge Limitations Regarding the Use of Public Sewers.....28
 Section 9.01 Discharge Limitation Requirements28
SECTION 10. Penalties32
 Section 10.01 Fines32
 Section 10.02 Revocation of Permits32
SECTION 11. Use Charges and Connection Fees33
 Section 11.01 General33
 Section 11.02 User Charges.33
SECTION 12. Assessment of Benefits.....35
 Section 12.01 Procedures for Assessments35
SECTION 13. Definitions.37
 Section 13.01 Words used in these regulations.....37
SECTION 14. Savings Clause.....41

SECTION 1. Use of Public Sewers

Section 1.01 Authorization for Regulations

A. These Regulations shall be subject to the requirements of and the limitations imposed by the ordinances of the Town of Kent including primarily the Ordinance governing Sewers and Sewage Disposal, Chapter 15 of the Kent Code of Ordinances. These Regulations are further promulgated in accordance with Conn. Gen. Statutes, Chapter 103.

Section 1.02 Purpose and Enforcement of these Regulations

- A. These regulations are intended to:
1. inform the public as to the technical and administrative procedures to be followed in obtaining connection to the Kent sanitary sewer system;
 2. prevent the introduction of pollutants into the sanitary sewer system which will interfere with the collection and/or treatment system;
 3. prevent the introduction of pollutants into the treatment system which will pass through the system, inadequately treated, into the waters of the State, or the atmosphere, or otherwise be incompatible with the system;
 4. improve the opportunity to recycle and reclaim wastewaters and sludges from the system.
 5. describe how bills for sewer use are calculated;
 6. provide for rules of operation for the Septage receiving Lagoons;
 7. describe the requirements for community systems connected to the sewer and those that maintain their own treatment system.

B. This regulation shall apply to the town of Kent and to persons outside the town of Kent who are users of the Treatment System. Except as otherwise provided herein, the Superintendent shall otherwise implement and enforce the provisions of these regulations.

Section 1.03 Required Permits.

A. A Sewer Connection Permit is required prior to opening any manhole, uncover any public, private or building sewer for the purpose of making a connection to a sanitary sewer, altering or repairing, using or discharging to any public sewer or appurtenance. The connection permit is requested by the Contractor performing the work after a Discharge Permit has been approved.

B. A Sewer Discharge Permit is required prior to any Person increasing the volume of sewage, changing the character of the pollutants discharged, expanding or changing the use of any Residential, Commercial, Food Service, and/or Special Uses. A certificate of occupancy issued by the Building official shall not entitle the recipient to use or discharge to the public sewer in the absence of a Discharge Permit issued by the Commission. The Discharge Permit shall be subject to the requirements of and the limitations imposed by these Sewer Use Regulations and the ordinances of the Town of Kent.

C. Septage Hauler's Discharge Registration – Each Septage Hauler must register each truck that the firm operates and will be discharging to the Septage Treatment Facility. Registration is issued for a two year period. The requirements for obtaining the Permit are provided for in Section 7.01.

D. Septage Discharge Permit – Each source of Septage must apply for a Permit. The Septage Hauler must have a discharge Permit for each user that is contained in the truck and other requirements as further stated in these regulations in Section 7.02.

Section 1.04 Procedure for Obtaining Connection and Discharge Permits

A. Any property owner desiring to discharge sewage to the public sewer system, to

increase the volume of sewage discharged to the public sewer system, to change the character of the pollutants being discharged to the public sewer system, or to change the use of any premises discharging to the sewer system shall file an application for a Sewer Connection Permit with the Commission on forms provided by the Commission and additional information as may be needed to properly review the proposed use and connection.

B. Residential Uses In the case of an application for a Sewer Connection Permit for a single-family dwelling or a multi-family dwelling that is not a community system, the Applicant shall submit the following information in such form as may be required by the Commission:

1. Name and contact information;
2. Property identification information;
3. Number of separate dwelling units;
4. Estimated daily average sewage flows;
5. Water source and metering details;
6. Plans of the proposed sewerage facilities. Plans for multi-family residences shall be sealed by a licensed professional engineer;
7. For a multi-family dwelling, information on the planned future ownership of the complex, i.e., whether it will be an apartment complex in one ownership, or whether it will be owned in as a common interest ownership community (e.g., condominium);
8. Such other information as the Commission may require; and
9. Such fees as may be required by the Commission.

C. Commercial Uses

In the case of an application for a Sewer Connection Permit for commercial uses or Class I

and II Food Service establishments that are not a community system, the Applicant shall submit the following information in such form as may be required by the Commission:

1. Name and contact information;
2. Property identification information;
3. Type of sewage; if non-domestic, include complete listing of constituent chemicals and concentrations;
4. Estimated daily peak and daily average sewage flows;
5. Water source and metering details;
6. Number of separate units in any complex;
7. Type or types of business(es);
8. Such other information as the Commission may require; and
9. Such fees as may be required by the Commission.

D. Restaurant Uses. In the case of an application for a Sewer Connection Permit for Food Service establishments, the Applicant shall submit the following information in such form as may be required by the Commission:

1. Name and contact information;
2. Property identification information;
3. Type of sewage; if non-domestic, include complete listing of constituent chemicals and concentrations;
4. Menus;
5. Estimated daily peak and daily average sewage flows;

6. Water source and metering details;
7. Number of separate units in any complex;
8. Type or types of business(es);
9. Nature, type and size of grease or oil producing facilities and expected quantity per day of grease or oil to be discharged;
10. Such other information as the Commission may require; and
11. Such fees as may be required by the Commission.

E. Special Uses. Special Users are those users that do not fall into the Residential, Commercial and Restaurant definitions due to volume of flow, character of the wastewater, conformance with general permits or other factors that do not allow it to be treated similar to those uses that fall in the three categories. Special Users require negotiated agreements and user rates.

1. The following sewage, waters or wastes, are considered Special Users:
 - a) having a five day biochemical oxygen demand (BOD) greater than three hundred (300) milligrams per liter; or
 - b) containing more than three hundred-fifty (350) milligrams per liter of suspended solids; or
 - c) containing any quantity of substances having the characteristics described in Section 10.0; or
 - d) having an average daily flow greater than one thousand gallons (1000); or
 - e) from any flow-equalizing or "off peak discharge" facility.
2. In the case of an application for a Sewer Connection Permit for Special Use

establishments, the Applicant shall submit the following information in such form as may be required by the Commission:

- a) Name and contact information;
- b) Property identification information;
- c) Copy of permits issued by the Department of Environmental Protection under the provisions of Section 22a-430 (Regulations, Section 22a-430-1 et seq.) of the General Statutes;
- d) Nature of industrial waste; if non-domestic, include complete listing of constituent chemicals and concentrations, waste characteristics, including temperature, toxicity, flammability, pH, radiation, solids content, and bio-chemical oxygen demand (BOD);
- e) Type or types of industrial use / business; include Standard Industrial Classification (SIC) codes and North American Industry Classification System (NAICS) codes;
- f) Estimated average and peak daily discharge of industrial wastes;
- g) Water source and metering details
- h) Nature, type and size of grease or oil producing facilities and expected quantity per day of grease or oil to be discharged;
- i) List of all chemicals to be used on premises, including safety data sheets (SDS);
- j) Site Plan, and plans of proposed sewerage facilities, sealed by a licensed professional engineer; and
- k) Such fees as may be required by the Commission.

F. Additional Requirements

1. Building Sewer Plan. All applications for a Sewer Connection Permit shall submit a detailed sketch or plan showing the proposed installation in sufficient detail to enable

the Commission to determine that the proposed installation meets the requirements of these regulations, the sewer ordinance and other applicable specifications, codes, and laws. In the case of applications for multifamily, commercial or special uses, such plan shall be prepared by a Connecticut licensed professional engineer.

2. Building Plans. All applications may be required to submit floor and plumbing plans for the building or Complex. This is necessary to confirm the number of units, the layout of facilities in the building, etc. Floor plans usually will need to be drawn by Licensed Professionals; however, the Commission may waive this requirement on a case by case basis.

3. DEEP Permits: Prior to the issuance of any Sewer Connection Permit, applicants who propose a discharge requiring a Department of Energy and Environmental Protection (DEEP) individual permit or a DEEP general permit under the provisions of Section 22a-430 (Regulations, Section 22a-430--1 et seq.) of the General Statutes shall submit the information to the Commission to register such discharge as part of a Connection Permit Application and prior to filing a copy with the DEEP. After Approval by the Commission, the applicant shall file a copy of such permit with the DEEP and submit proof of mailing to the Commission. Examples of such discharges requiring a DEEP permit include, but are not limited to, domestic sewage in excess of 7,000 gallons per day, industrial waste, domestic sewerage from a community sewerage system (General Permit GP-028), food services establishments (General Permit GP-001), sewer compatible wastewater (General Permit GP-012), vehicle maintenance wastewater (General Permit GP-010) and swimming pool wastewater (General Permit GP-005).

G. Sewer Connection Permit: The Connection permit is intended to provide information concerning the contractor who will perform the work, their insurance information, the schedule they intend to follow, confirm that local zoning and building permits have been obtained, if needed, and confirm that the appropriate State and or local road opening permits have been obtained. Any contractor shall be licensed in the State of CT and shall show proof of insurance for general liability and workers compensation. Request for a connection permit shall be made on forms provided by Commission.

H. Consideration of Permit Applications

1. Sewer Connection Permits will be granted only when the Commission has determined that the public sewer system and existing sewage treatment capacity is capable of conveying and adequately treating the sewage to be discharged.

2. Applications for Sewer Connection Permits which are incomplete or which are not accompanied by the items specified in these Regulations shall not be approved.

3. No Sewer Connection Permit shall be issued with respect to any property for which sewer use, connection or other charges or assessments are delinquent. All delinquent sewer use, connection and other charges and assessments with respect to the property for which such permit is sought shall be paid prior to the issuance of any Sewer Connection Permit. Similarly, no Sewer Discharge Permit shall be issued with respect to any property for which sewer use, connection and other charges or assessments have become delinquent subsequent to issuance of a Sewer Connection Permit. Delinquency exists if such charges remain unpaid for thirty (30) days following issuance of a bill for same. Delinquency shall include all costs, including attorney's fees, incurred by the Commission in collecting such unpaid amounts.

I. Lapse of Permits --

1. The Sewer Connection Permit shall automatically lapse two (2) years after the date of issuance unless a written extension is granted by the Commission prior to the expiration of said two (2) year period. Within such time, the permittee must complete the installation of the building sewer as approved; and obtain an inspection and approval of the connection by the Commission, upon which event a Sewer Discharge Permit may be issued.

2. The Sewer Discharge Permit shall automatically lapse after (6) months. A new Sewer Connection Permit application will be required before further authorization to construct and connect the building sewer maybe granted. All work on the construction of the building sewer shall immediately cease whenever the Sewer Connection Permit or the Sewer Discharge Permit under which it is being performed has lapsed.

J. Change of Ownership

1. Sewer Connection Permits and Sewer Discharge Permits are not transferable. Anyone purchasing a building with a connection to the Sanitary sewer system shall submit an application for a Discharge permit. The purpose of this is to obtain current billing information and determine if any change of use is planned by the new owners. All units that are metered must have the meter read at the meter head itself and any final bill to the existing owner will be based on this meter reading.

2. In the event the ownership of the premises changes before the work is completed, or if another contractor is chosen to perform or finish the work, the original permit becomes void, and new connection and discharge permits must be obtained by the new parties in interest.

Section 1.05 Discharge Permit

A. No discharge to the sewer system shall be permitted until a Sewer Discharge Permit is issued by the Commission and only after the filing of "as-built" drawings depicting the building sewer in relationship to the public sewer line and other structures; and only after and all work, including the actual connection of the building sewer to the municipal sewer line, has been inspected and approved by the Commission.

Section 1.06 Permit Revocation

A. Sewer connection permits or sewer discharge permits may be revoked by the Commission following notice to the property owner and a right to be heard for any of the following reasons: nonpayment of applicable fees, assessments or charges; failure to comply with the conditions of the applicable sewer connection or sewer discharge permit; failure to comply with the discharge requirements set forth in the Sewer Ordinance or in these Sewer Use Regulations; lapse or termination of any applicable DEEP discharge permit respecting such discharge issued to the property owner. Upon revocation of any such sewer connection or sewer discharge permit, the Sewer Commission may take such steps as are necessary to discontinue and terminate sewer service.

SECTION 2. Orders To Connect

Section 2.01 Connection of Existing Properties and Developments

A. In accordance with the provisions of Section 7-257 of the General Statutes, the Commission may order the owner of any building to which a sewerage system is available to connect such building with the sewer system. No such order shall be issued until after a public hearing with respect thereto after due notice in writing to such property owner. Whenever an order to connect is issued against a property owner, such owner shall fully comply with the requirements of these Regulations in making the connection to and in the use of the sewer system.

B. Sewers are considered available when: there is sufficient capacity in the Sewer Treatment Plant and the Sewer Collection system, and the property is within the Sewer Service Area as shown on the latest version of the map as maintained by the Sewer Commission.

C. Hardships. The Commission may consider an appeal by property owners from the requirement to connect if the owner can show that the order imposes a hardship. Hardships cases must show how the connection is excessively expensive to connect based on a preliminary design for the connection, that other methods of sewage disposal meeting required codes are available and that the sewage disposal method will be properly maintained.

SECTION 3. Section 3.0 - Building Sewers and Connections

Section 3.01 Ownership.

A. Building Sewers remain the property of the property owner making the connection to the sewer from the building drain to the connection to the Sewage Collection System. All repairs and maintenance (including but not limited to pipe breaks, tree roots, etc) of the building sewer is the responsibility of the property owner. This applies even if the Commission has provided a connection to the sewer main for the convenience of the property owner while constructing the sewer main

Section 3.02 Inspection.

A. No discharge into the public sewer shall be made until such time as the building sewer and connection have been inspected and approved by the Commission and until a Sewer Discharge Permit has been issued. The Applicant shall notify the Commission when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Commission or its authorized agent.

Section 3.03 Standards of Construction

A. Existing Building Sewers. Existing building sewers may be used in connection with existing buildings only when they are found, on examination and testing, to be satisfactory to the Commission. In general, a sewer is satisfactory when: shown to be not less than four inches (4") in diameter, be structurally sound; not likely to allow intrusion of water or roots through defects in the pipes or joints; and to meet the requirements of these Regulations. Discharge and connection permits are required for re-use of existing building sewers,

B. Protection of Water Supplies

1. No building sewer shall be constructed within 25 feet of a water supply well. If a building sewer is constructed within 75 feet of a water supply well having a required withdrawal rate of 10 gallons or less per minute it shall be constructed of a pipe material and in accordance with the requirements of Table 2-A of the Technical Standards of the Connecticut Public Health Code, revision of January 1, 2018, as amended. For water supply wells with a required withdrawal rate greater than 10 gallons per minute, minimum separating distances shall be determined in accordance with the requirements of Section 19-13-B51d of the Connecticut Public Health Code.

2. Any proposed installation showing a Sewer crossing or is located within 10 ft of the Public Water System operated by Aquarion Water Company or Community water system shall be submitted to the Water Company for review and comments.

C. Trench Excavation, Building Code Compliance & Inspection

1. Construction Standards The size, slope, alignment, materials of construction and location of accessible manholes and cleanouts of the building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench and the connection of the building sewer to the public sewer shall all conform to the requirements of the Technical Standards, Section III, of the Connecticut Public Health Code revision of January 1, 2018, as amended, and to such other applicable provisions of the building and plumbing codes enforced in the Town of Kent. In no event, however, shall the diameter of the building sewer be less than six (6) inches, except as provided in **Section 3.0.B.1.** as to existing building sewers. The slope of such six-inch pipe shall not be less than one-quarter inch per foot except as otherwise authorized by the Commission. In the absence of regulatory or code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the Water Pollution Control Facility Manual of Practice No. FD-5 and the New England Interstate Environmental Training Center (NEIETC) Guides for the Design of Wastewater Treatment Works TR-16 shall apply. Backwater valves shall be installed where required by Section 715 of the Plumbing Code.

2. Trenching Standards.

a) All excavations required for the installation of a building sewer shall be open trench work, unless otherwise approved by the Sewer Commission. The water level in the trench shall be maintained at a level below the building sewer during construction.

b) All Excavation shall be made safe for workers in the trench. Representatives of the Sewer Commission will not be obligated to enter the trench for inspection until the trench is made safe.

c) All excavations for building sewer installations shall be adequately guarded with barricades and lighted so as to protect the public from hazard. Streets, sidewalks, parkways and other public property may be disturbed in the course of the work only pursuant to a permit issued to the applicant by the applicable municipal or state highway department and shall be restored in a manner satisfactory to such department.

3. Inspection. No trench containing a building sewer shall be backfilled until the Sewer Commission has completed an inspection of and approved the work. No discharge into the public sewer shall be made until such time as the building sewer and connection has been inspected and approved. The applicant or the applicant's licensed installer shall notify the Sewer Commission when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Sewer Commission or its authorized agent. Special fittings may be used for the connection of the building sewer to the public sewer only when approved by the Sewer Commission or its authorized agent.

4. Underground tanks removed from service.

a) Immediately after connecting any building to the municipal sewer system and after approval to discharge to the system, the owner shall abandon any existing septic tank, or other hollow leaching structure, in such a manner as to eliminate the danger of collapse or entry into such septic tank or leaching structure. Prior to abandonment, the septic tank or leaching structure shall be pumped of all septic wastes. The accepted methods of abandonment shall be to crush such tank or structure and backfill with clean soil or to fill the tank or structure with medium to coarse sand.

b) In addition, the applicant shall comply with all requirements imposed by the Torrington Area Health District with respect to the abandonment of such septic tank.

c) Grease Traps shall be treated as septic tanks when abandoned.

5. Sewer Lift Stations

a) In all buildings in which a building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by an approved artificial means and discharged to the building sewer. All lift stations design and installation must be approved by the Commission.

b) Design and Construction Standards: For buildings with up to 3 residential or low water use commercial units, Lift Stations shall:

- 1) be designed by an Engineer Licensed in Connecticut.
- 2) be located outdoors when for the building sewer
- 3) properly vented to the building vent.
- 4) use grinder pumps unless otherwise approved by the Commission.
- 5) Have a high level alarm that has a local beacon and audible alarm;
- 6) have a minimum of one-day's storage above the high level alarm.

c) Design and Construction Standards for large multifamily, commercial, restaurant and Special users. In addition to the requirements above, Lift Stations shall:

- 1) Have duplex pumping systems;
- 2) Be allowed eight hours of storage above the high level alarm if served with a stationary emergency generator;
- 3) Have an emergency alarm notification system known as the Alarm Agent manufactured by RACO manufacturing (This unit is required to be compatible with existing alarms systems in use by the Commission);
- 4) Have other requirements based on the specific conditions for each situation;
- 5) Designed with the requirements specified in TR-16, Guides for the Design of Wastewater Treatment Works.

SECTION 4. Water Meter Requirements

Section 4.01 Water Meter Installation

A. Approved meters for recording water consumption shall be required on the incoming water service whether the building is connected to a public system, community water supply or a well servicing a single residence. Except when the water supply is to be metered by a public service company for which meter readings are made available to the Commission, plans and specifications for meters must be submitted for review along with the application for Sewer

Connection Permit. Such meters must be located in a frost proof environment and have a remote reading device that does not require entry into residences or other buildings. Water meters are required for all properties and for each individual residential, commercial or industrial unit that will be billed by the Commission. The Commission may allow multiple units to be served by one meter, if the bills will be delivered directly to one party and the costs of the use charge is paid by that one party.

B. Water meters shall meet the following requirements:

1. The minimum size water meter shall be 5/8 by 3/4.
2. Meters larger than 2" shall be approved based on a special review by the Commission;
3. Conform with AWWA requirements;
4. Master Meter Positive displacement Meters with Electrical output register IP-68+ and LCD Counter measuring in CF, or equal;

C. Sewer users are responsible for proper maintenance of meters and reading systems. Meters for users having water use greater than 2000 gallons per day must have its accuracy verified at least once every two years, or more frequently if the flow rates warrant it, as determined by the Commission. All other meters must be replaced or have their accuracy verified once every fifteen years.

SECTION 5. Fog Interceptors and Fog Management Equipment

Section 5.01 Requirements for FOG Interceptors

A. FOG Interceptors (also known as grease traps) shall be provided for Class III and IV Food Service Establishments in accordance with the Department of Energy and Environmental Protection General Permit for the Discharge of Wastewater Associated with Food Establishments, issued October 5, 2015, as amended. Fog Interceptors are tanks located outside

of the building and buried underground. When, in the opinion of the Commission, they may be required for facilities other than those defined in the General Permit. Such interceptors shall not be required for private living quarters or dwelling units unless these facilities are shown to be producing excessive grease over what is normally associated with a residential unit. Alternate FOG Management Equipment conforming to the requirements of the General Permit may be approved by the Commission on a case by case basis.

B. A written Operation and Maintenance Plan shall be prepared by the Applicant and submitted to the Commission for approval with the application for Sewer Connection Permit. Such plan shall include a) a FOG Minimization Plan establishing procedures for all Food Preparation Establishment employees to minimize FOG entering the wastewater collection system; b) a description of a FOG Pretreatment Training Program for Food Preparation Establishment employees in FOG minimization procedures; c) the schedule for pumping, cleaning and maintenance of equipment; d) copies of maintenance log forms to be utilized by the owner; e) a list of spare parts to be maintained at the subject facility, and f) a list of contacts for the manufacturer and supplier. Following approval by the Commission, the Operation and Maintenance Plan shall be permanently maintained on the premises, shall be available on demand for inspection by the Commission and its designated agent and shall be adhered to by the property owner or other sewer user.

C. For pre-existing Food Preparation Establishments not served by a FOG Interceptor (grease trap) or alternate FOG Management Equipment approved by the Commission, the following procedures shall apply: Within six (6) months of issuance by the Commission of a notice to submit an application for approval of FOG Interceptor or FOG Management Equipment, a property owner shall submit a complete application for permission to install an external FOG Interceptor, or where that is not feasible, for permission to install internal FOG Management Equipment. The property owner shall promptly revise or alter such application, including the proposed design for the FOG Interceptor or the design and equipment for the proposed FOG Management Equipment, as deemed necessary by the Commission or its engineer. Within twelve (12) months of approval of such application, the property owner shall

complete the installation of the external FOG Interceptor or internal FOG Management Equipment as approved by the Commission. Failure to submit, revise or pursue such application to an approval or failure to complete the installation of approved facilities shall be grounds for termination of sewer service to the property.

SECTION 6. Oil and Sand Interceptors

Section 6.01 Special oil and sand interceptors.

A. shall be provided for non-domestic waste when required by CTDEEP General Permit for the Discharge of Vehicle Maintenance Wastewater, Issued January 23, 2011. They may be required for other facilities when such interceptors are, in the opinion of the Commission, necessary for the proper handling of liquid wastes containing oil, grease, any flammable waste, sand or any other harmful waste. All oil and sand interceptors shall be approved by the Commission or its designated agent.

B. Oil and Sand Interceptors shall be maintained by the owner, at its expense, in continuously efficient operation at all times. The owner shall cause each such interceptor to be pumped and cleaned not less than once every six months pursuant to a routine maintenance program. Such pumping and cleaning schedule may be modified by the Commission for functional oil and sand interceptors subject to abnormally light flows and for oil and sand interceptors subject to excessively heavy flows commensurate with the nature of such flows. In addition, the owner shall cause an inspection and pumping log, in a form approved by the Commission, to be maintained at the premises served by said interceptor which log shall be completed and certified by the contracted hauler to reflect the date and observations of each inspection and the date of each cleaning and pumping. All maintenance logs shall be maintained on the premises for not less than three years and shall be available for examination by the Commission or its designated agent at any time during normal business hours of said premises.

SECTION 7. Septage Disposal

Section 7.01 Septage Hauler Registration.

A. Registration required to discharge. No licensed hauler shall deposit, unload, dump, or otherwise discharge septage to the sewerage disposal system or at the sewerage treatment facility until first registering with the Sewer Commission.

1. Application. Any septage hauler desiring to register shall file an application on a form provided by the Commission. Applications for Septage Hauler Registrations which are incomplete or which are not accompanied by items required by the Commission shall not be considered. The Fee for a Hauler Permit shall be listed on the schedule of fees.

2. Issuance. In order to be eligible for registration, the applicant a) must present a copy of the license issued by the State of Connecticut pursuant to Section 20-341 of the Connecticut General Statutes; b) must agree to comply with the rules, regulations and procedures established by the Commission relative to the disposal of septage at the municipal treatment facility; c) must have a record of past compliance with the Commission's rules, regulation and procedures applicable to the disposal of septage; and maintain his equipment in a serviceable condition including sight glasses, etc.

3. Revocation of Registration. The Commission may deny or revoke registration or place restrictions on a permit on the basis of any of the following reasons: (1) the septage hauler wishes to deposit septage of a quality incommensurate with the capacities and processing abilities of the treatment facility; (2) the septage hauler's license from the state is or has been suspended or revoked; (3) the septage hauler has been charged with violations of federal, state or local environmental laws, regulations or codes; (4) the septage hauler makes misrepresentations of fact on his application; and (5) the septage hauler has a record of non-compliance with the Commission's rules, regulation and procedures applicable to the disposal of septage.

Section 7.02 Septage Disposal Permit

A. Each time waste is to be removed from a septic tank, holding tank or other facility, the owner of the property is to complete a permit form. Permits only apply to a one-time disposal. The fees for permits shall be set by the Commission as stated on the Fee Schedule.

B. Accepted Wastes. Waste shall be septage removed from septic tanks at residences and other facilities where the waste is generally Sewer Compatible Wastewater as defined in GP-012.

C. Prohibited wastes. No Waste incompatible with operation of the septage lagoons shall be disposed of. This includes, but is not limited to: any waste identified in Section 9 of these regulations except BOD and Suspended solids, other hazardous wastes, grease interceptor wastes, sand and oil separators, etc. If there is any question concerning whether the waste may be disposed of, the hauler should apply for a discharge permit prior to accepting the waste. The Commission may refuse any waste it feels will be harmful to the treatment system, or, cause the facility to be out of compliance with its permit. Waste will not be accepted from any truck that a hauler has licensed to dispose of hazardous wastes.

D. Waste Haulers shall provide each property with a copy of the Septage Disposal permit form to be completed and signed by the property owner or their representative. Every tank where waste is removed shall be identified separately on such form or separate forms. The forms will include information such as contact information for the owner, the location of the property, the nature of the waste discharged to the system, the volume of the tank where the waste is being removed. This and other information is to be provided on a form provided by the Commission. The property owners shall complete and sign the Septage Disposal Permit. The Commission shall provide a form. The Waste Hauler shall submit these forms and the associated fee to the Superintendent or his representative prior to discharging waste.

E. The Commission currently accepts waste from the following communities: Kent, New Milford, Sharon, Warren, Cornwall, Washington. Other Communities may be accepted if the Commission chooses.

Section 7.03 Regulations concerning discharge of Septage

A. The hauler discharging must do the following while discharging waste:

1. Keep the discharge area clean;

2. Monitor the discharge and keep the bar racks clean and prevent overflows;
3. Clean the bar rack of any trash collected after the truck has finished discharging its load and place the waste in the dumpster provided by the Commission.

B. **Actions Against Permit Holders.** If the Commission finds that the waste from any permit holder is not being correctly reported, the Commission can refuse to accept waste from the permit holder. The Commission will refuse trucks the ability to discharge waste to the Septage Lagoons even if a prohibited owner makes up one any portion of a load from a Waste Hauler. If any load is found to contain waste identified in Section 10, the Commission may pursue legal action against Permit Holders and Waste Haulers for restitution.

C. **Actions against Waste haulers.** If waste haulers do not conform with standard practice listed above, or, it is determined that the waste being discharged does not meet the requirements for Accepted wastes, then the Commission may choose to do one or more of the following:

1. Revoke the Haulers registration to discharge at the plant;
2. Require restitution of the costs to perform cleaning or repair damages;

SECTION 8. Community Sewerage Systems

Section 8.01 Approval of Plan

A. Any person desiring to construct, enlarge, modify, or install a community sewerage system as defined in Section 7-245 of the General Statutes, or any part thereof, shall, before such construction, enlargement, modification or installation, apply to the Commission for approval of the design and layout of such community sewerage system and for permission to construct said system. Community systems include those systems that include on-site treatment systems which are not connected to the sewage collection system and those that are connected to

the collection system that may or may not have on-site treatment. No community sewerage system involving a subsurface septic system or leaching system shall be approved by the Commission when the proposed community has access to the Sewer System.

Section 8.02 Application Requirements

A. The application shall be a letter of Intent the Commission. The application shall include a complete set and five (5) copies of maps or plans depicting the proposed work prepared and sealed by a professional engineer licensed by the State of Connecticut showing:

1. all proposed sewer lines, trunks, laterals, connections and mains, pump station and sewage treatment facilities including any affected portions of the existing municipal sewage collection system;
2. all affected public or private roadways, rights of ways and private access ways;
3. property boundaries and dimensions and names of adjacent property owners;
4. location of all existing or planned utilities;
5. location of all existing or planned structures;
6. location and dimensions of all proposed easements. Sewer easements shall be not less than twenty-five feet (25') in width;

Section 8.03 Common Interest Ownership Systems.

A. If the Applicant proposes that the community sewerage system be owned and managed by a property owners association, including a common interest ownership community, and if the Applicant wishes to be excused from the requirements of funding a permanent cash escrow with the Commission to insure proper management, maintenance and repair of such system, the Applicant shall provide the additional information required by **Section 8.04**.

B. The Applicant shall provide information on the number and type of dwellings

and/or buildings contemplated for construction and the existing and proposed use of the property to be served by the proposed community sewage system. The Applicant shall provide information concerning the design criteria for any proposed pump station. The Applicant shall provide the Commission with permission for the Commission members, employees and agents to enter upon the subject property at all reasonable times to inspect the site before, during and after construction. The Commission may require such additional information as it deems necessary.

C. The application shall be accompanied by an application fee established by the Commission to meet the Commission's estimated expense for administration and for engineering and legal review and analysis. The minimum of such fee shall be set by the Commission as stated in its fee schedule. An amount to cover the expenses of application review shall be deposited in an escrow account and additional funds shall be deposited if the expenses are above the initial estimate.

Section 8.04 Requirements for Systems Owned by Property Owner's Association

A. If the Applicant proposes that the community sewerage system be owned and managed by a property owners association, including a common interest ownership community, the applicant shall provide specific evidence demonstrating that the ownership and management of the system shall meet the following requirements.

1. The owners of all properties to be served by the community sewerage system shall be members of a property owners' association which is organized and operated as a non-stock corporation in accordance with the provisions of Section 33-1000 et seq. of the Connecticut General Statutes and which shall exist as long as any property is served by the system;

2. The association shall have the responsibility to operate, maintain, repair and improve the system in accordance with all applicable requirements, and in a manner which will prevent pollution of the waters of the state. Such association shall have the power to borrow money to finance such activities, and to defray the cost of such activities by levying assessments against the properties served by the system. Unpaid assessment shall constitute a lien upon the

property against which such assessment was levied. Each such lien may be continued, recorded and released in the manner provided by the General Statutes for continuing, recording and releasing property tax liens, and such lien may be foreclosed in the same manner as a lien for property taxes;

3. All of the properties to be served by the community sewerage system, and all other land upon which is located any part of the system, shall be owned in fee or shall be subject to a system of perpetual easements, held by the association or by the members thereof. Such title or easements shall be sufficient to allow such properties to be served by the system and to allow the association to operate, maintain, repair and improve the system as required under Section 8.04(A)(2) of these Regulations;

4. The applicant shall demonstrate that such association shall assure the availability of funds that are of actuarial adequacy for the continued operation, maintenance, repair and improvement of the system without pollution of the waters of the state;

5. prior to any discharge to the system, the following requirements shall be met:

a) The association shall be created and a document or documents establishing its duties and powers as provided in this section shall be filed on the land records and evidence thereof provided to the Commission. Such documentation shall specifically require that the association assure the availability of funds that are of actuarial adequacy as described in **Section 8.06** for the continued operation, maintenance, repair and improvement of the system without pollution of the waters of the state;

b) the system shall be owned by the association as provided in this section and rights of any and all mortgagees or similar interest in the system shall be subordinated to the ownership of association. Evidence satisfactory to the Commission that all mortgages and liens have been so subordinated shall be provided to the Commission;

c) the association shall obtain a permit to discharge as provided by Conn. Gen. Stat., Section 22a-430, and

d) the association shall certify to the Commission and the Building Official that a permit to discharge has been obtained

Section 8.05 Approval of Community Sewerage System

A. The Commission shall not consider an incomplete application. Before the Commission approves an application, the Commission shall find that the proposed work: (1) satisfies the requirements of Section 7-246f of the General Statutes and **Section 8.04** of these Regulations if such system is to be owned and managed by a property owners association; (2) is consistent with the Commission's water pollution control plan, if any; (3) conforms to the design, easement and contract requirements of the Commission; (4) is to be performed by a contractor approved by the Commission; (5) is subject to inspection during construction by the Commission; (7) is secured by a Permanent Maintenance Agreement as specified in **Section 8.06** of these Regulations; and (8) conforms to such other requirements established by the Commission to preserve the public health and safety and to preserve water quality.

Section 8.06 Permanent Maintenance Agreement

A. Prior to approval of a community sewerage system, the Applicant shall provide a fully executed Permanent Management, Maintenance and Escrow Agreement acceptable to the Commission ensuring the prompt and proper management, maintenance, repair and replacement of such community sewerage system. Such Agreement shall provide for a cash depreciation escrow account of actuarial adequacy as hereafter provided to be established with the Commission, or if the system is to be owned by a property owner's association pursuant to **Section 8.04** of these Regulations, with the Association, to fund 100% of the replacement cost of such community sewerage system. Such cash depreciation escrow account shall be funded with an initial cash deposit in an amount to be established by the Commission which amount shall be not less than ten percent (10%) of the estimated installed cost of all mechanical, electrical and pump equipment plus not less than two percent (2%) of the estimated installed cost of all other system components; and shall be further funded in an amount equal to one hundred percent (100%) of the replacement cost of such system, as adjusted as deemed appropriate by the

Commission, for changes in the cost of equipment, materials and construction, within the time or times specified by the Commission but within not more than fifty (50) years for sewer pipe, manholes, wet wells, valve chambers and clean outs, within not more than fifteen (15) years for pumps, electrical and mechanical equipment, and within not more than fifty (50) years for force mains, and other incidental types of non-mechanical equipment. Funding of the full replacement value shall be accomplished through annual budgeting by the property owners or the property owner's association until the full replacement value of each component has been accomplished. The existence of such cash depreciation escrow serves to protect the Town of Kent and shall not relieve the Applicant or its successors of separately funding operating, maintenance and depreciation expense of such community sewerage system. For any Permanent Maintenance Agreement involving a community sewerage system in which the cash depreciation escrow account is held by a property owner's association, the Agreement shall require annual accounting of funds deposited into such escrow and of the amount on hand, shall prohibit any expenditure of funds held in escrow in excess of \$5,000 in any calendar year without Commission approval, and shall provide the Commission with all of the rights and remedies specified in Section 7-246f(b) of the Connecticut General Statutes.

B. At the expense of the Applicant, the Commission shall record the Permanent Management, Maintenance and Escrow Agreement on the land records of the Town of Kent for the purposes of informing existing or future property owners of liability for future management, maintenance and depreciation escrow expense.

C. The Applicant shall provide the Commission with copies of all proposed manufacturer equipment warranties, contractor warranties and necessary easements in a form satisfactory to the Commission attorney before commencing any work on the community sewerage system. The Applicant shall provide the Commission with complete "as-built" plans and elevations of the system within thirty (30) days following the completion of such work and if the system is to be owned and managed by a property owner's association in accordance with **Section 8.04** of these Regulations, all documents evidencing satisfaction of the requirements of **Section 8.04**. In addition, as a condition of approval, the Applicant, within thirty (30) days of

billing, shall be required to reimburse the Commission for all expenses incurred by the Commission for oversight of the project and for engineering and legal review, document preparation, analysis and inspections.

Section 8.07 Existing Community Systems

A. All existing community systems that do not have Permanent Maintenance Agreement shall be required to enter into such Agreement with the Commission by December 31, 2021. The following systems are exempt from this requirement: Brookwoods, Clover Farms.

B. Existing Systems Served by on-site sewage disposal systems shall be required to provide the Commission with copies of all maintenance performed, discharge reports and other correspondence provided to the CTDEEP. The Existing systems requiring to comply with these requirements include: Brookwood, Clover Farms, Marvelwood School, Highwatch Farms, South Kent School and any other large disposal system having a discharge permit with the CTDEEP.

SECTION 9. Discharge Limitations Regarding the Use of Public Sewers

Section 9.01 Discharge Limitation Requirements

A. No person shall discharge or cause to be discharged to any sanitary sewer any unpolluted waters such as storm water, groundwater, roof runoff or subsurface drainage. No person shall connect any roof down spout, foundation drain, area way drain or any other source of surface water runoff or groundwater to a building sewer or to a building drain which, in turn, is connected directly or indirectly to a public sewer.

B. No person shall dilute, by process water or otherwise, a discharge to the sewage system as a partial or complete substitute for adequate pretreatment to achieve compliance with specific pollutant limitations which may be established or imposed by the Commission.

C. No person shall discharge or cause to be discharged to the municipal sewer system any sewage, wastewater or pollutant which will interfere with the operation or performance of the sewage treatment plant.

D. No person shall discharge or cause to be discharged to the Town sewer system any of the following described waters or waste:

1. Any gasoline, benzene, naphtha, fuel oil or other inflammable or explosive liquid, solid or gas. The lower explosive limit reading on an explosion hazard meter, at the point of discharge into the sewer system or at any point in the system shall not exceed five percent (5%) for any two successive readings nor ten percent (10%) for any single reading;

2. Any solid, fibrous or viscous substance which is capable of causing an obstruction to the flow in the sewers or other interference with the proper operation of the sewerage system, including, but not limited to grease, garbage with particles greater than one-half inch (1/2") in any dimension, diapers, adult diapers, cloth and fiber materials, sanitary napkins, animal guts or tissues, paunch, manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud or glass grinding or polishing wastes;

3. Any waters or wastes having a pH lower than five and five-tenths (5.5) or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewerage works. The upper limit of pH for any industrial wastewater discharge shall be established under the discharger's DEEP discharge permit.

4. Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals or create a hazard in the sewerage facilities or the receiving waters of the sewage treatment plant;

5. Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant, or which cause the effluent limitations of the NPDES permit to be exceeded;

6. Objectionable poisons, cyanides, or any substance likely to generate poisonous

fumes that may interfere with, constitute a hazard to, or be dangerous to human beings or animals or prevent entry into the public sewer for purposes of maintenance and repair;

7. Any sewage which exceeds the limitations set forth in an applicable "Categorical Pretreatment Standard"; or

E. Except as approved by the Commission, no person shall discharge or cause to be discharged to the Town sewer system any of the following described waters or wastes:

1. Any liquid or vapor having a temperature higher than one hundred fifty degrees (150) Fahrenheit;

2. Any waters or wastes which may contain more than one hundred (100) milligrams per liter of fat, wax, petroleum, oil or grease; or which may contain more than twenty (20) milligrams per liter of floatable oil; or which may contain substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty degrees (150) Fahrenheit;

3. Any garbage that has not been properly shredded to particle size of not greater than one-half inch (1/2") in any dimension;

4. Any sewage or waste containing odor producing substances which exceed limits established by the Department of Environmental Protection;

5. Any radioactive wastes or isotopes, or concentrations thereof, which exceed limits established by the Department of Energy and Environmental Protection;

6. Any discharge of nitrogen or phosphates which will interfere with the operation or performance of the treatment plant; or

7. Any wastes or material which exerts or causes;

a) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions);

- b) Unusual concentrations of inert suspended solids (such as, but not limited to sodium chloride and sodium sulfate);
- c) Unusual biochemical oxygen demand (BOD), chemical oxygen demand or chlorine demand and thereby constituting a significant load on the sewage treatment plant;
- d) Unusual volume of flow or concentrations of wastes constituting a "slug" as defined in **Section 13.0**;
- e) Overflow from holding tanks or other receptacles storing organic wastes; or
- f) Sewage with a concentration of pollutants in excess of the following limits (note: All metals are to be measured as total metals):

POLLUTANT	CONCENTRATION: PARTS/MILLION mg/l
Arsenic as As	0.05
Barium as Ba	5.0
Boron as BO3	5.0
Cyanides as CN (amendable)	0.1
Fluoride as F	20.0
Chromium (Total)	1.0
Chromium (Cr plus 6)	0.1
Magnesium as Mg	100.0
Manganese as Mn	5.0
Copper as Cu	1.0
Zinc as Zn	1.0
Cadmium	0.1
Lead	0.1
Tin	2.0
Silver	0.1
Mercury	0.01
Nickel	1.0

F. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in these regulations, shall be made and determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater",

published by the American Public Health Association. Sampling methods, locations, times, duration, and frequencies may be determined by the Commission for individual users of the system. All costs incurred by the Commission in connection with such measurement tests and analyses shall be reimbursed to the Commission by the property owner; and if not sooner paid, may be added to and collected in the same manner as such property owner's sewer use charges.

SECTION 10. Penalties

Section 10.01 Fines

A. Any person who violates, and any property owner whose property gives rise to a violation of, any provision of these Regulations or the Ordinance governing Sewers and Sewage Disposal, Chapter 15 of the Kent Code of Ordinances, or any requirement of any sewer connection or sewer discharge permit shall be subject to a fine of \$250.00 for each day that such violation continues; and shall also be subject to any and all civil remedies, including temporary and permanent injunction, that may be available to the Commission or the Town to abate such violation. In addition, and without limitation, the Sewer Commission shall have all powers set forth in Section 15-8(d) of the Code of Ordinances concerning the revocation of the applicable sewer permits and the termination of sewer service.

Section 10.02 Revocation of Permits

A. Pursuant to Section 15-8(d) of the Code of Ordinances, sewer connection, use or discharge permits (including septage hauler permits) may be revoked following notice and right to be heard for any of the following reasons: nonpayment of application fees, assessments or charges; failure to comply with the conditions or technical requirements of the applicable sewer permit; failure to comply with the discharge requirements established by the Sewer Commission or with the requirements of the Commission's rules and regulations; and lapse or termination of any applicable DEEP discharge permit held by or issued to the property owner. Upon revocation of any such municipal permit, the Sewer Commission may take such steps as are necessary to discontinue and terminate sewer service.

SECTION 11. Use Charges and Connection Fees

Section 11.01 General

A. Sewer use charges, sewer connection fees, septage dumping fees and other appropriate fees and charges shall be established to recover on a proportional basis from each user the costs anticipated by the Sewer Commission for the operation, rehabilitation and maintenance of the sanitary sewer system, including capital expenditures and borrowing costs not otherwise recovered through benefit assessments. Such charges and fees shall generate sufficient revenue to offset the cost of all treatment works, operation, rehabilitation and maintenance provided by the Commission. Shortfalls in revenue will be recouped in subsequent fiscal years. Revenue surplus, if any, may be used as a source of funds to offset use charges in subsequent fiscal years or reserved to fund future capital projects.

Section 11.02 User Charges.

A. The Sewer Commission shall determine and establish such fees and charges following public hearing as required by Section 7-255 of the General Statutes. The Commission may prescribe a minimum annual use charge, or basic charge, based solely on the availability of sewer service, and may fix use charges based on any factor or combination of factors deemed relevant by the Commission including, but not limited to, (1) anticipated or actual costs of operation, rehabilitation and maintenance, (2) discharge types and volumes, (3) metered water usage, (4) “design flows” as set forth in Section IV. Design Flows of the Technical Standards for Subsurface Sewage Disposal, revision of January 1, 2018, as amended, of the Connecticut Public Health Code, (5) other local, state, or federal flow standards, and (6) the costs of bonds and other indebtedness incurred to finance the construction or improvement of the sewerage system or any part thereof. In determining all such fees and charges, the Commission may classify groups of users, and make reasonable estimations.

B. The Current Sewer User Charge System:

1. Each Unit served by the sewer system shall pay a user fee. User Charges are comprised of a basic charge and a Use Charge

2. The Basic Charge. A different basic charge is established for each class of user: Residential, Commercial, Restaurant and Special users. A separate basic charge is due from each unit in any Complex containing two or more separate Units. Basic charges for special users shall be based on the water use for the special user divided by the total water use calculated for all of the users connected to the Commission's collection system times the total income to be collected by the Commission for all users through basic charges.

3. The Use Charge. Use charges shall be based on metered water usage for each unit. Complexes shall have a separate water meter for each unit. Existing Complexes containing two or more separate Units with a common water source, the use charge for each Unit will be based upon the water usage for such Complex divided by the number of Units. If the owners or management of the complex feel that this arrangement results in unfair use charges, the owners may pay the entire use charge and determine an equitable method to divide the use charge to each unit. The owner is responsible for collecting fees from each unit. Please be aware that the owner may be responsible for applying for water use submetering from the CT Public Utilities Regulatory Authority.

4. Special Circumstances - The Commission may allow in special circumstances, for units not individually metered, to base the use charge on estimated water usage. This is generally reserved for small users. The Commission may allow the use charge to be based on "design flows" as set forth in Section IV. Design Flows of the Technical Standards for Subsurface Sewage Disposal, revision of January 1, 2018, as amended, of the Connecticut Public Health Code. The Commission may also allow a complex to be served by one meter if the use charge is paid by the owner for the entire building. Large users that have a single point of entry may be allowed to use actual sewage flow to be metered in place of water meter after a submission of a metering plan which includes installation and maintenance details.

5. Sewer use charges shall be assessed quarterly in September, December, March

and June of each year, in advance, upon the record owner of property served by the sewer system and such owner shall be liable for the payment of such sewer use charge. Sewer use charges, together with interest thereon, and costs and fees incurred in the collection thereof, shall constitute a lien upon the property served by the sewer system and such lien may be foreclosed and such charges collected in the manner provided by the Connecticut General Statutes .

C. Connection Fees. Connection fees shall be payable upon application for a sewer connection permit and are not refundable.

1. A Sewer Connection Fee shall be paid to the Sewer Commission upon application for a sewer connection permit. Any property owner or person desiring to discharge sewage to the public sewer system, or to increase the volume of sewage discharged to the public sewer system, or to change the character of the pollutants being discharged to the public sewer system, or to expand or change the use or occupancy of any premises shall pay a sewer connection fee.

2. Escrow fees for Engineering plan review. The Commission shall establish an escrow account with an amount paid by the applicant for the purpose of paying for the services of an engineer to review the technical aspects of the application and for inspections required during the construction of the connection.

D. General Permit Processing Fees.

1. Users Requiring coverage under one of the General Permits established by CTDEEP shall be charged a processing fee for the renewals and/or inspections required by the General Permit.

SECTION 12. Assessment of Benefits

Section 12.01 Procedures for Assessments

A. At any time after the expansion, improvement or construction of the sewerage system or any portion thereof, the Commission may levy benefit assessments upon the lands and buildings which, in its judgment, are especially benefited thereby, whether they abut on such

sewerage system or not, and upon the owners of such land and buildings. No property shall be assessed in excess of the benefit accrued or accruing to it.

B. No assessment shall be made until after a public hearing before the Commission, at which time, the owner of the property to be assessed shall have an opportunity to be heard concerning the proposed assessment. Notice of the time, place and purpose of such hearing shall be published at least ten (10) days before the date thereof in a newspaper having a general circulation in the municipality, and a copy of such notice shall be mailed to the owner of any property to be affected thereby at such owner's address as shown on the last-completed grand list of the Town or at any later address of which the Commission may have knowledge. A copy of the proposed assessment shall be on file in the office of the Town Clerk and available for inspection by the public for at least ten (10) days before the date of such hearing. When the Commission has determined the amount of the assessment to be levied, it shall file a copy thereof in the office of the Town Clerk and, not later than five (5) days after such filing, shall cause the same to be published in a newspaper having a general circulation in the Town and shall mail a copy of such assessment to the owner of property affected thereby at such owner's address as shown on the last completed grand list of the Town or at any later address of which the Commission may have knowledge. Such publication and mailing shall state the date on which such assessment was filed and that any appeals from such assessment must be taken within twenty-one (21) days after such filing. Any person aggrieved by any assessment may appeal to the Superior Court for the Judicial District of Litchfield in accordance with the provisions of Section 7-250 of the Connecticut General Statutes.

C. Benefit Assessments shall be due and payable at such time as fixed by the Commission. The Commission may provide for the payment of benefit assessments in not more than thirty (30) substantially equal annual installments, together with interest, all as provided for in Section 7-253 of the General Statutes; provided, however, that if any installment remains unpaid for thirty (30) days after the same shall become due and payable, then at the option of the Commission, the entire unpaid balance of such benefit assessment, together with all unpaid interest, shall become immediately due and payable.

SECTION 13. Definitions.

Section 13.01 Words used in these regulations

A. The following definitions shall apply in the interpretation of these Regulations except where inconsistent with the context in which the term or terms are used:

Act or "*the Act*". The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 USC 1251, et. seq.

Biochemical Oxygen Demand (BOD) is the amount of oxygen required by bacteria while stabilizing decomposable organic matter under aerobic conditions for five days. The determination of BOD shall be performed in accordance with the procedures prescribed in the latest edition of "Standard Methods for the Examination of Water and Wastewater."

Building Drain means that part of the lowest horizontal piping of a building plumbing which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer. The drain ends five (5) feet (1.5 meters) outside the inner face of the building wall.

Building Sewer means the extension from the building drain to the public sewer or other place of disposal. It may also be called a house connection or sewer lateral.

Categorical Standards. National Categorical Pretreatment Standards or Pretreatment Standards.

Combined Sewer means a sewer intended to receive both sewage and storm or surface water.

Commercial and industrial units shall mean any structures or portion of structures not defined as a residential dwelling unit.

Commercial designation shall apply when the majority of the effluent discharged to the system is sanitary waste.

Industrial designation shall apply when the majority of the effluent discharged to the system is industrial waste.

Major industrial use shall mean when the industrial discharge averages a flow which exceeds the of 5,000 gallons per day on any one day over a year.

Commissioner means the Commissioner of Energy and Environmental Protection for the State of Connecticut.

Compatible Pollutant. Biochemical oxygen demand, suspended solids, PH and fecal coliform bacteria; plus any additional pollutants identified in the water pollution control facilities NPDES permit, where the water pollution control facility is designed to treat such pollutants and, in fact does treat such pollutants to the degree required by the NPDES permit.

Complex or Complexes shall mean a structure or structures or portions of structures containing two or more separate residential, commercial or industrial Units with a common water source or a common Building Sewer. A separate Unit in a Complex shall mean a residential unit and/or any fully partitioned area in which a distinct and specific enterprise is conducted, and from which sewage is discharged.

Composite Sample means taking a series of small samples of equal volume (aliquots) and combining them in equal or proportional volumes to make a single sample. The volume of each aliquot shall be proportional to the discharge flow rate for the sampling interval when determined necessary by the Commission. The minimum time period for composite sampling shall be four (4) hours.

Cooling Water means process water in general used for cooling purposes to which the only pollutant added is heat and which has such characteristics that it may discharged to a natural outlet in accordance with Federal and State laws and regulations.

Domestic Sewage means sewage that consists of water and human excretions or other waterborne wastes incidental to the occupancy of a residential building or non-residential building but not wastewater from water softening equipment, commercial laundry wastewater, and blowdown from heating and cooling equipment.

Floatable Oil is oil, fat, or grease in a physical state such that it will separate by gravity from sewage by treatment in an approved pretreatment facility.

FOG - Fats, Oil and Grease means animal and plant derived substances that may solidify or become viscous between the temperatures of 32°F and 150°F (0°C to 65°C), and that separate from wastewater by gravity, including any edible substance identified as grease pursuant to the most current EPA method as listed in 40CFR 136.3.

FOG Interceptor means a passive tank installed outside a building and designed to remove fats, oils, and grease from flowing wastewater while allowing wastewater to flow through it.

FOG Management Equipment means a FOG Recovery Unit or an Alternate FOG Pretreatment System designed to actively remove fats, oil and grease from wastewater.

FOG Recovery Unit means an active indoor mechanical system designed to remove fats, oil, and grease by physical separation from flowing wastewater. The term includes Type I

Hydro Mechanical Grease Interceptors as defined by Standard PDI-G 101 of the Plumbing & Drainage Institute.

Food Preparation Establishment means a Class III and Class IV food service establishments or any other facility determined by the Commission to discharge FOG above the set limits in Section 5(b)(2) of the Department of Environmental Protection's General Permit for the Discharge of Wastewater Associated with Food Preparation Establishments. Such facilities shall include but not be limited to restaurants, hotel kitchens, hospital kitchens, school kitchens, bars, factory cafeterias, and clubs. Class III and Class IV food service establishments shall be as defined under Section 19-13-B42 of the State of Connecticut Public Health Code.

Garbage means the animal or vegetable waste resulting from the handling, preparation, cooking or serving of foods.

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 without consideration of time.

Holding Tank Waste. Any waste from holding tanks such as vessels, chemical toilets, campers, trailers and septage hauling trucks.

Incompatible Pollutant. All pollutants other than compatible pollutants as defined herein.

Industrial Wastewater means all wastewater from industrial processes, trade, or business and is distinct from domestic sewage.

May is permissive (see "Shall").

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

PH means the logarithm of the reciprocal of the hydrogen-ion concentrations. The concentration is the weight of hydrogen ions, in grams, per liter of solution.

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

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

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 to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a water pollution control facility. The reduction or alteration can be obtained by physical chemical or biological processes, except as prohibited by Title 40, Code of Federal Regulations, Section 403 6(d).

Public Sewer shall mean a common sanitary sewer controlled by the Kent Sewer Commission.

Regional FOG Disposal Facility means a facility approved by the Connecticut Department of Environmental Protection for the collection and disposal of non-renderable FOG.

Renderable Fats, Oils, And Grease means material that can be recovered and sent to renderers for recycling into various usable products. Renderable grease is created from spent products collected at the source, such as frying oils and grease from restaurants. This material is also called yellow grease.

Renderable Fats, Oils, And Grease Container means a closed, leakproof container for the collection and storage of food grade fats, oil, and grease.

Residential Dwelling Unit shall mean a structure or portion of a structure which provides the ordinary comforts of living on a permanent or semi-permanent basis and shall specifically include single and multi-family dwelling units, apartment units, condominium units and mobile homes, and shall specifically exclude hotels, motels, and other forms of transient guest quarters.

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

Septage means the liquids and solids that are removed from a tank used to treat domestic sewage.

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

Sewage Collection System means the pipes, structures and equipment required to collect and convey sewage to the Water Pollution Control Facility.

Shall is mandatory (See "May")

Slug means any sudden or excessive discharge which exceeds permitted levels either in terms of pollutant concentration or instantaneous flow rate in such a manner as to adversely affect the sewage collection system and/or the water pollution control facility.

Soluble Oil means oil which is of either mineral or vegetable origin and disperses in water or sewage at temperatures between 0 degrees Centigrade and 65 degrees Centigrade. For the purposes of this ordinance emulsified oil shall be considered as soluble oil.

Storm Sewer means a sewer which collects and conveys storm water or groundwater.

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

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

Unit shall mean any residential dwelling unit, public government unit, commercial unit and/or industrial unit from which sewage is discharged or capable of being discharged. Each single family housekeeping unit in an apartment complex, duplex, condominium complex, hotel, motel or similar facility shall be considered a separate Unit. Separate commercial or industrial establishments that share common sanitary facilities shall each be considered a Unit. The Commission may rely on assessment records maintained by the Kent Tax Assessor for the purpose of determining the number of Units in a residential, commercial or industrial Complex.

User. Any person who contributes, causes or permits the contribution of sewage into the Town of Kent sewer system.

Water Pollution Control Facility (WPCF) means an arrangement of devices for the treatment of sewage and sludge.

Watercourse means a natural or artificial channel for the passage of water either continuously or intermittently.

SECTION 14. Savings Clause

The invalidity of any section, clause, sentence or provision of these Regulations shall not affect the validity of any other part of these Regulations.

10-22-19 Oakwood; amend 11 22/19 jbs - bc

\\SEAGATE-D2\Public\Land Projects\Kent Sewer - Misc projects\correspondence\Regs 10-22-19 amend 11-22-19 (js) 11-24-19(bc).doc