

CHEMUNG COUNTY SEWER USE LAW
RULES & REGULATIONS

ARTICLE 1
SHORT TITLE AND PURPOSE

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Section 101 - Short Title

For brevity and ease of communication, these Rules and Regulations may be cited as the Chemung County Sewer Use Rules & Regulations, or the Rules & Regulations.

Section 102 - General Purpose

The general purpose of these Rules and Regulations is to implement the Chemung County Sewer Use Law including the following: To provide for efficient, economic, environmentally safe, and legal operation of the Chemung County POTW.

Section 103 - Specific Purposes

The specific purposes of this Rules & Regulations are the following:

- (1) To prevent the introduction of substances into the POTW that will:
 - (a) interfere with or adversely impact the POTW in any way,
 - (b) pass through the POTW to the state's waters and cause contravention of standards for those waters or otherwise cause violation of the POTW's SPDES permit,
 - (c) contaminate or adversely impact the POTW sludge management, increase the cost or otherwise hamper the disposal of POTW sludge and/or residuals,
 - (d) endanger the health and welfare of persons.

- (e) cause air pollution, or groundwater pollution, directly or indirectly or otherwise present and endangerment to the environment.
 - (f) cause, directly or indirectly, any public nuisance condition.
- (2) To prevent new sources of infiltration and inflow and, as much as possible, eliminate existing sources of infiltration and inflow.
- (3) To assure that new sewers and connections are properly constructed.
- (4) To provide for equitable distribution to all users of the POTW of all costs, associated with sewage transmission, treatment, and residuals disposal, and to provide for the collection of such costs.
- (5) To require compliance with the Chemung County Sewer Use Law, these Rules and Regulations and all applicable State, Federal and Local laws, regulations, administrative orders and ordinances.
- (6) To improve opportunities to recycle and reclaim POTW sludge and/or residuals.

Section 104 - Applicability

These Rules & Regulations apply to all users of the POTW without exception.

Section 105 - Replacement of Previous Sewer Use Rules & Regulations

The provisions in the existing Chemung County Elmira Sewer District and Sewer District no. 1 Rules and regulations entitled Chemung County Sewer District No. 1 Rules and Regulations and Chemung County Elmira Sewer District Rules and Regulations are hereby repealed and said provisions are replaced by the herein set forth Articles.

Section 106 - Violations

Any violation of these Rules & Regulations shall constitute a violation of the Chemung County Sewer Use Law. It shall be a violation of these Rules and Regulations to discharge any pollutant or waste directly or indirectly into the POTW except in compliance with these Rules and Regulations and all applicable Federal, State or local laws or regulations.

Section 107 - Organization

The Chemung County Legislature confirms the members of the Administrative Board of the Chemung County Sewer District No. 1 and the members of the Administrative Board of the Chemung County Elmira Sewer District after appointment by the County Executive. The Administrative Boards are responsible for the policy, rules, operation, administration and review of the programs within the Chemung County Sewer District No. 1 and the Chemung County Elmira

Sewer District respectively. The Executive Director of the Chemung County Sewer Districts is authorized by the Administrative Boards to implement these Rules & Regulations and to otherwise carry out the policies, operations, administration, maintenance, design, construction and supervision of all programs within each Sewer District.

Section 108 - Applications, Requests and Submissions

(1) Applications, requests and submissions shall be made to the Executive Director, who will review and forward the item to the appropriate person within the Executive Director's organization or the appropriate Administrative Board for action.

(2) Instructions and forms for applications for permits required by the Chemung County Sewer Use Law or these Rule and Regulations shall be obtained at the offices of the Executive Director.

(3) Application forms will be prepared by the Executive Director and submitted to the Administrative Board for approval as to form. The Executive Director may designate a municipal agent to obtain the application forms for persons under their jurisdiction and to issue permits for connections to the sewer system within the authority granted by the Executive Director.

Section 109 - Hearings

Requests for a hearing concerning any decision made by the Executive Director or the Executive Director's office shall be made by petition to the appropriate Administrative Board.

END OF ARTICLE 1

ARTICLE 2

DEFINITIONS

Section 201 - Defined Terms

Section 202 - Abbreviations

Section 203 - Undefined Terms

Section 201 - Defined Terms

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

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

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

Administrative Boards - The Administrative Boards of the Chemung County Sewer District No. 1 and the Chemung County Elmira Sewer District.

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

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

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

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

Approved Laboratory Procedure - The procedures defined as 'Standard Methods' in this article, or other procedures approved by the Executive Director, NYSDEC, NYSDOH and USEPA for flow measurement or determination of the concentration of pollutants or their surrogates in waters, wastewaters, and/or sludges.

ASTM, denoting American Society for Testing and Materials - The latest edition of any ASTM specification, when stipulated in these Rules & Regulations.

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

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

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

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

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

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

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

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

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

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

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

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

Connection Charge (Tap Fee) - The one time application fee to offset the District's expenses to process an application for a connection of a building/street lateral to the public sewer. The fee may also cover plan review, permit issuance, and inspection costs. The fee will be established by the Scale of Charges.

Control Authority - The term shall refer to the Executive Director of the Chemung County Sewer Districts.

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

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

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

County - Chemung County, the County in which exist the Chemung County Sewer Districts.

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

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

District(s) - Chemung County Sewer District No.1 and/or Chemung County Elmira Sewer District.

Domestic Wastes - see Sewage, Domestic.

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

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

End of Pipe - For the purpose of determining compliance with limitations prescribed by Article 6, end of pipe shall mean the control manhole, provided the samples collected from the control manhole are representative of the discharge to the POTW.

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

End of Process Concentration - see National Categorical Pretreatment Standard.

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

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

Executive Director - That individual appointed by the County Executive and confirmed by the Administrative Boards as the Executive Director of the Chemung County Sewer Districts. Such an individual shall be licensed to practice engineering in the State, and is otherwise qualified to oversee water treatment and distribution and POTW operations. This definition shall also include his or her authorized deputy, agent or representative.

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

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

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

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

Hazardous Waste- As defined under Federal RCRA regulations.

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

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

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

Industrial Chemical Survey (ICS) - The survey of industries in Chemung County, initiated by the District to determine chemical usage and storage by those industries.

Industrial User - See User, Industrial

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

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

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

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

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

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

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

Lateral, Building - The sewer extension from the building drain to the Street Lateral or other place of wastewater disposal.

Lateral, Street - The sewer extension from the public sewer to the property line.

National Categorical Pretreatment Standard, or Categorical Standard - Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307 (B) and (C) of the Act (33 U.S.C. 1317), which applies to a specific category of industrial users. This term includes National Prohibitive Discharge Standards. These standards apply at the end of the categorical process (end of process).

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

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

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

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

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

New User - A discharger to the POTW who commences discharge after the effective date of these Rules & Regulations.

Normal Sewage - see Sewage, Normal.

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

NYSDEC - or New York DEC - New York Department of Environmental Conservation.

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

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

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

Pass Through - A discharge which exits the County POTW into waters of the State 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 SPDES permit (including an increase in the magnitude or duration of a violation).

Permit - A temporary revocable written document allowing use of the POTW for the discharge of specified pollutants over a limited period of time, containing sampling locations and reporting frequencies, and requiring other actions as specified by these Rules & Regulations.

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

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

Phosphorus, total - See total phosphorus.

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

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

Pretreatment (Treatment) - The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be achieved by physical, chemical, or biological process, process changes, or by other means, except as prohibited by 40 CFR, Section 403.6 (D). Dilution is not an acceptable means of pretreatment.

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

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

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

Prohibitive Discharge Standard - See National Prohibitive Discharge Standard.

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

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

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

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

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

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

Septage shall not have been contaminated with substances of concern or priority pollutants.

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

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

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

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

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

- (a) B.O.D. (Five Day) - 2090 lbs. per million gallons (250 milligrams per liter), or less.
- (b) Suspended Solids - 2500 lbs. per million gallons (300 milligrams per liter), or less.
- (c) Phosphorus - 125 lbs. per million gallons (15 milligrams per liter), or less.
- (d) Ammonia - 250 lbs. per million gallons (30 milligrams per liter), or less.
- (e) Total Kjeldahl Nitrogen - 417 lbs. per million (50 milligrams per liter), or less.
- (f) Chlorine Demand - 209 lbs. per million gallons (25 milligrams per liter), or less.
- (g) Chemical Oxygen Demand - 2920 lbs. per million gallons (350 milligrams per liter), or less
- (h) Oil and Grease - 830 lbs. per million gallons (100 milligrams per liter), or less.

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

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

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

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

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

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

Sewer, Public - A sewer in which all abutting property owners have equal rights, and the use of which is controlled by the District.

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

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

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

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

Significant Industrial User - see User, Significant Industrial

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

(a) Chronic violations of wastewater discharge limits, defined here as those in which sixty-six (66) percent or more of all of the measurements taken for the same pollutant parameter during a six-month period, exceed (by any magnitude) a numeric pretreatment standard or requirement, including instantaneous limits;

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

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

(d) Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the Executive Director's exercise of its emergency authority under Article 4 of the Chemung County Sewer Use Law to halt or prevent such discharge;

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

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

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

(h) Any other violation or group of violations, which may include a violation of best management practices, which the Executive Director determines will adversely affect the implementation or operation of the local pretreatment program.

Slug - A substantial deviation from normal rates of discharge or constituent concentration (see normal sewage) sufficient to cause interference or a discharge which, in concentration of any constituent or in quantity of flow exceeds, for any period of duration longer than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hour concentration or flow during normal user operations, including but not limited to an accidental spill or non-customary batch discharge, shall constitute a slug.

S.P.D.E.S. Permit - or NYSDEC Permit issued to POTW's in compliance with the State Pollution Discharge Elimination System.

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

Standard Methods - Procedures established by the Administrator, pursuant to Section 304 (G) of the Act and contained in 40 CFR, Part 136, and amendments thereto or any other procedure approved by the Administrator, or any other procedure approved by the Executive Director, whichever is the most conservative.

State - State of New York. **State's Waters** - See Waters of the State.

Storm Water - Any storm water runoff, snowmelt runoff, and surface runoff and drainage.

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

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

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

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

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

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

User - Any person who contributes, causes, or permits the contribution of wastewater into the POTW.

User, Existing - A discharger to the POTW who is discharging on or before the effective date of these Rules & Regulations.

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

User, New - A discharger to the POTW who initiates discharge after the effective date of these Rules & Regulations.

User, Significant Industrial (SIU) - Means, except as provided in (c)below:

(a) All industrial users subject to National Categorical Pretreatment Standards; and

(b) Any other industrial user that:

(i) discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);

(ii) contributes a process wastestream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant;

(iii) is designated as such by the Executive Director on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement;

(c) Upon a finding that an industrial user meeting the criteria of paragraph (b), above, has no reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement, the Executive Director may at any time, on his or her own initiative or in response to a request received from an industrial user, determine that such industrial user is not a significant industrial user.

Volume Charge (User Charge) - The sewer use charge which is based, in part or wholly, on the volume of normal sewage discharged into the POTW. The specific charge shall be established by the Administrative Board as the Scale of Charges, approved by the County Legislature.

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

Wastewater Discharge Permit - A permit as set forth in Article 9 of these Rules & Regulations.

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

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

Section 202 - Abbreviations

The following abbreviations shall have the designated meanings:

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

Section 203 - Undefined Terms

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

END OF ARTICLE 2

Article 3

USE OF PUBLIC SEWERS REQUIRED

Section 301 - Basis of Sewer Use Requirement

Section 302 - Limitation on Use of Public Sewers

*Section 303 - Wastewater from Outside the POTW Service Area -
Inter-municipal Agreements*

Section 304 - Moratorium

Section 301 - Basis of Sewer Use Requirements

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

Section 302 - Limitation on Use of Public Sewers

The use of Chemung County's public sewers shall be strictly limited and restricted, except as provided in Section 303, to receive and accept the discharge of sewage and other wastes, including industrial wastes generated on or discharged from real property within the bounds of the Service Area of the POTW.

Section 303 - Wastewater from Outside the POTW Service Area - Inter-municipal Agreements

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

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

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

Section 304 - Moratorium

At the recommendation of the Executive Director who determines that:

- (1) one or more segments of the POTW is exceeding its hydraulic capacity at any time or;
- (2) any specific purpose of these Rules & Regulations is being violated, The Administrative Board shall have the authority to limit or deny new connections to the POTW until the conditions leading to the moratorium are corrected.

Such correction may be by:

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

END OF ARTICLE 3

Article 4

BUILDING LATERALS, STREET LATERALS

CONNECTIONS, and FEES

- Section 401 A - Permit Required for Sewer Connections*
- Section 401 B - Inflow/Infiltration Prohibited*
- Section 402 A - Sewer Lateral Permits*
- Section 402 B - Performance Bonds*
- Section 402 C - Liability Insurance*
- Section 403 A - New Building Laterals*
- Section 403 B - Laterals Serving Several Buildings*
- Section 403 C - Laterals Serving Complexes*
- Section 403 D - Dry Sewers*
- Section 404 - Using Existing Building Laterals*
- Section 405 - Lateral Pipe Materials*
- Section 406 A - Street Lateral to Public Sewer Connection*
- Section 406 B - Future Connection Locations; As-Built Drawings*
- Section 406 C - Special Manhole Requirements*
- Section 407 - Laterals At and Near Buildings*
- Section 408 - Sewage Lifting*
- Section 409 - Lateral Pipe Installation*
- Section 410 A - Watertight Joints*
- Section 410 B - Cast Iron Pipe Poured Joints*
- Section 410 C - Cast Iron Push Joints*
- Section 410 D - PVC Push Joints*
- Section 411 A - Building Lateral/Street Lateral Connection*
- Section 411 B - Cleanout Repair/Replacement*
- Section 411 C - Street Lateral Replacement; Ownership*
- Section 412 - Testing*
- Section 413 A - Connection Inspection*
- Section 413 B - Trench Inspections*
- Section 414 - Public Safety Provisions Required;
Restoration of Disturbed Areas*
- Section 415 A - Interior Clean-Out*
- Section 415 B - Required Back Flow Protection*
- Section 416 C - Required Venting*
- Section 416 - Costs Borne by Owner*

Section 401 A - Permit Required for Sewer Connections

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

Section 401 B - Inflow/Infiltration Prohibited

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

Section 402 A - Sewer Connection Permits

There shall be three classes of sewer connection permits:

- (1) For residential service,
- (2) For commercial, and institutional service,
- (3) For service to establishments producing industrial wastes.

In all cases, a permit application shall be submitted to the Executive Director. The Executive Director may issue permit application forms for this purpose. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent, in the judgement of the Executive Director. A fee, established by Article XI of these Rules & Regulations, shall accompany the application.

Section 402 B - Performance Bonds

The Executive Director may decline to reissue a permit to any user which has failed to comply with any provisions of this law or the Rules & Regulations or any order or previous permit or licenses issued hereunder unless such user first files with it a satisfactory bond, payable to the POTW, in a sum not to exceed a value determined by the Executive Director to be necessary to achieve consistent compliance.

Section 402 C - Liability Insurance

The Executive Director may decline to reissue a permit to any user which has failed to comply with the provisions of this law or the Rules & Regulations or any order or previous licenses or permit issued hereunder, unless the user first submits proof that it has obtained financial assurances sufficient to restore or repair POTW damage caused by its discharge.

Section 403 A - New Building Laterals

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

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

- (1) exposed and totally encapsulated in not less than three inches of concrete, or
- (2) exposed and walled and the building rooms above positively ventilated outdoors.

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

Section 403 B - Laterals Serving Several Buildings

When building laterals are to serve multiple dwelling structures the building lateral shall be sized in accordance with the metered water use and with sound professional engineering judgement in accordance to the NYS Building Codes.

Section 403 C - Laterals Serving Complexes

Where a lateral sewer is to serve a complex of industrial, commercial, institutional, or dwelling structures, special design of the building lateral system shall be required. Such lateral sewer shall be connected to the public sewer through a manhole constructed at the expense of the permittee desiring connection. The Executive Director shall determine if and where this connection to the public sewer is required. If required, a new manhole shall be installed in the public sewer pursuant to Section 504(4) and 907 and the lateral connection made and tested as directed by the Executive Director. Plans and specifications shall be prepared and submitted for approval pursuant to these Rules & Regulations.

Section 403 D - Dry Sewers

Dry Sewers shall be designed and installed in accordance with these Rules & Regulations.

Section 404 - Using Existing Building Laterals

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

Section 405 - Lateral Pipe Materials

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

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

(2) Polyvinyl chloride (PVC) pipe and fittings conforming to ASTM Specification D-3034-73, "SDR-35 Polyvinyl Chloride (PVC) Sewer Pipe and Fittings" and PVC Schedule 40 or heavier conforming to ASTM Standard D-1785. All pipe shall be suitable for gravity sewer service. Provisions shall be made for contraction and expansion at each joint with a rubber ring. The bell shall consist of an integral wall section stiffened with two PVC retainer rings which securely lock the solid cross-section ring into position. Minimum "Pipe Stiffness" (F/Y) at five percent (5%) deflection shall be 46 PSI when tested in accordance with ASTM Specification D-2412. Any part of the building or street lateral that is located within five (5) feet of a water main or water service shall be constructed of cast iron soil pipe. Cast iron soil pipe may be required by the Executive Director where the building or street lateral is likely to be damaged by tree roots. If installed on fill or unstable ground, the building or street lateral shall be of cast iron soil pipe, although other pipe material may be permitted if such pipe is uniformly supported on a poured concrete cradle approved by the Executive Director. The distance between consecutive joints, as measured along the centerline of the installed pipe, shall not be less than ten (10) feet, except under abnormal circumstances, in which case this dimension may be diminished, if approved by the Executive Director. The size and slope of building and street laterals shall be subject to approval by the Executive Director but in no event shall the internal pipe diameter be less than 4 inches, nor shall the pipe slope be less than $\frac{1}{4}$ inch per foot unless directed by the District's authorized representative.

Section 406 A - Street Lateral to Public Sewer Connection

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

Section 406 B - Future Connection Locations; As-Built Drawings

The street lateral, including the wye and eighth bend fittings, shall be connected to the main sewer at the time of constructing the main sewer, for each proposed lot for either immediate or future development. Laterals installed for future development shall be fitted a standard plug approved for use by the Executive Director. All sewer connections shall be via a properly installed saddle on the main sewer pipe. No portion of the lateral pipe shall protrude into the main sewer pipe. The location of all lateral connections shall be field marked with a 2 inch by 6 inch corrosion and rot resistant board

or a galvanized steel rod. The marker board/rod shall extend from the depth of the lateral to a minimum of two (2) feet above grade. The location of all lateral connections shall be indicated on a drawing and four (4) copies of this drawing, showing the as-built location of these connections, shall be furnished to the Executive Director by the installation contractor or his engineer. A refundable deposit shall be placed with the District to assure receipt of these as-builts. The deposit shall be placed when application is made; the amount of the deposit shall be \$100 per sheet of plans showing locations of lateral connections. No sanitary sewer shall be accepted by the District until four (4) copies of this record drawing have been so filed with the Executive Director and the Executive Director has approved the submitted drawings.

Section 406 C - Special Manhole Requirements

When any street lateral is to serve a school, hospital, or similar institution, or public housing, or is to serve a complex of industrial or commercial buildings, or which, in the opinion of the Executive Director will receive wastewater or industrial wastes of such volume or character that frequent maintenance of said building or street lateral is anticipated, then such street lateral shall be connected to the public sewer through a manhole constructed at the expense of the permittee. The Executive Director shall determine if and where this type of connection to the public sewer is required. Connections to existing manholes shall be made as directed by the Executive Director. If required, a new manhole shall be installed in the public sewer pursuant to Sections 504 and 907, and the lateral connection made thereto as directed by the Executive Director.

Section 407 - Laterals At and Near Buildings

Whenever possible, the building lateral shall be brought to the building at an elevation below the basement floor. Building laterals laid parallel to a bearing wall shall not be installed closer than three (3) feet to such wall. The building lateral shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipe and fittings. Changes of direction of 90 degrees or greater shall be made with a cleanout which extends to grade, terminating in a terminal box set in concrete. The ends of all building or street laterals, which are not connected to the interior plumbing of the building, for any reason, shall be sealed against infiltration by a suitable stopper, plug, or by other approved means.

Section 408 - Sewage Lifting

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

Section 409 - Lateral Pipe Installation

All excavations required for the installation of a building or street lateral shall be open trench work unless otherwise approved by the Executive Director. Pipe laying and backfilling, regardless of pipe material used, shall be performed in general accordance with paragraphs 3 through 6 of ASTM Specification C-12, except that trench width, measured at the top of the

installed pipe, shall not exceed the outside pipe diameter plus 14 inches and, except that no backfill shall be placed until the work has been inspected by Sewer District authorized personnel. The depth of cover over the pipe shall be sufficient to afford protection from frost, but in any case such depth shall not be less than four (4) feet unless prior approval is granted by the District or its authorized representative.

Section 410 A - Watertight Joints

All joints and connections shall be made watertight.

Section 410 B - Cast Iron Pipe Poured Joints

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

Section 410 C - Cast Iron Push Joints

Pre-molded gaskets may be used for hub and plain end cast iron pipe joints and joints with fittings, if approved by the Executive Director. The gasket shall be a neoprene compression-type unit which provides a positive seal in the assembled joint. The gasket shall be pre-molded, one-piece unit, designed for joining the cast iron hub and plain end soil pipe and fittings. The assembled joint shall be sealed by compression of the gasket between the exterior surface of the spigot and the interior surface of the hub. The joint shall be assembled following the manufacturer's recommendations using acceptable lubricant and special pipe-coupling tools designed for that purpose. The plain spigot end shall be forced into the hub end of the pipe for the full depth of the hub itself. Lubricant shall be a bland, flax-base, non-toxic material, and shall not chemically attack the gasket material.

Section 410 D - PVC Push Joints

Joints for PVC sewer pipe shall follow the manufacturer's recommendations, using properly designed couplings and rubber gaskets pursuant to the published information relating thereto, and conforming to the applicable ASTM specification identified in Section 405.

Section 411 A - Building Lateral/Street Lateral Connection

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

(2) The cost of constructing the street lateral from the existing public sewer to the property line shall be at the property owner's expense; all subsequent costs and expense incidental to the installation and connection of the building lateral shall also be borne by the owner.

(3) The property owner shall indemnify Chemung County and the Chemung County Sewer Districts from any loss or damage that may directly or indirectly be occasioned by the installation of the building lateral.

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

(5) The method of connection of the building lateral to the street lateral will be dependent upon the type of sewer pipe material, and, in all cases, shall be approved by the Executive Director.

Section 411 B - Cleanout Repair/Replacement

If, in the judgement of the Executive Director it is determined that a building lateral, without a property line clean-out, needs repair or replacement, the District may install a clean-out at the property line, at the property owner's expense, such that the street lateral can be maintained independently of the building lateral.

Section 411 C - Street Lateral Replacement; Ownership

Any existing street lateral which, upon examination by the Executive Director is determined to be in need of replacement will be replaced with a new street lateral with a property line clean-out. The replacement street lateral shall be constructed by an approved contractor. The cost of constructing the replacement street lateral and clean-out shall be at the property owner's expense.

Section 412 - Testing

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

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

(b) by a suitable method, with the prior written approval of the Executive Director or authorized representative.

Section 413 A - Connection Inspection

The applicant for the building lateral permit shall notify the Executive Director and provide 24 hour notice of when the building lateral is ready for inspection and connection is to be made to the street lateral. The connection shall be made under the supervision of the Executive Director or authorized representative.

The applicant for the street lateral permit shall notify the Executive Director and provide 24 hours notice of when the street lateral is ready for inspection and connection is to be made to the main sewer. The connection shall be made under the supervision of the Executive Director or an authorized representative.

Section 413 B - Trench Inspections

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

Section 414 - Public Safety Provisions Required; Restoration of Disturbed Areas

All excavations for constructing building laterals shall be adequately protected with barricades and lights so as to protect the public from hazard, in accordance to NYSDOT Manual of Uniform Traffic Control Devices. Streets, sidewalks, parkways, and other public property disturbed, in the course of the work, shall be restored in a manner satisfactory pursuant to the permit from the pertinent party having jurisdiction thereof. When installation requires disturbance of paved public roads and shoulders, restoration shall involve backfilling to road grade. It is the sole responsibility of the contractor to restore any highway excavations to the satisfaction of the pertinent Highway Department.

Section 415 A - Interior Clean-Out

An interior clean-out fitting complying with NYS Building Codes shall be provided for each building lateral at a readily accessible location, preferably just inside the basement wall. The fitting shall contain a 45-degree branch with removable plug or test tee, and so positioned that sewer cleaning equipment can be inserted therein to clean the building lateral. The cleanout diameter shall be no less than the building lateral diameter.

Section 415 B - Required Backflow Prevention

For any connection that may have services and/or fixtures that exist below surface grade of the nearest main sewer, backflow protection, i.e. a check valve, shall be provided and installed at the owners expense for each building lateral at a readily accessible location, preferably just inside the basement wall.

Section 415 C - Required Venting

A sewer vent system shall be provided for each building lateral. Said vent shall be located downstream from any building fixture connections and will be a minimum diameter size equal to that of the building lateral.

Section 416 - Costs Borne by Owner

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

END OF ARTICLE 4

Article 5

NEW SEWERS or SEWER EXTENSIONS

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

Section 501 A - Proper Design

New sanitary sewers and all extensions to sanitary sewers owned and operated by Chemung County shall be designed, by a professional licensed to practice sewer design in the State, in accordance with the Recommended Standards for Sewage Works, as adopted by the Great Lakes - Upper Mississippi River Board of State Sanitary Engineers ("Ten State Standards"), and in strict conformance with all requirements of the NYSDEC. Plans and specifications shall be submitted to, and written approval shall be obtained from the Executive Director and NYSDEC, before initiating any construction. The design shall anticipate and allow for flows from all possible future extensions or developments within the immediate drainage area. All requirements and provisions of the State Environmental Review Act shall be followed and maintained and shall be at the sole cost of the applicant if the same is required by law.

Section 501 B - Performance Bonds

The Executive Director may decline to reissue a permit to any user which has failed to comply with any provisions of this law or the Rules & Regulations or any order or previous permit or licenses issued hereunder unless such user first files with it a satisfactory bond, payable to the POTW, in a sum not to exceed a value determined by the Executive Director to be necessary to achieve consistent compliance.

Section 501 C - Liability Insurance

The Executive Director may decline to reissue a permit to any user which has failed to comply with the provisions of this law or the Rules & Regulations or any order or previous licenses or permit issued hereunder, unless the user first submits proof that it has obtained financial assurances sufficient to restore or repair POTW damage caused by its discharge.

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

When a property owner, builder, or developer proposes to construct sanitary sewers or extensions to sanitary sewers in an area proposed for subdivision, the plans, specifications, and method of installation shall be subject to the approval of the Executive Director in accordance with Section 501. Additional approvals may be required by the Planning Board having jurisdiction and the Chemung County Health Department and NYSDEC. Said property owner, builder, or developer shall pay for the entire installation including any connection fees for a proportionate share of the treatment plant, intercepting or trunk sewers, pumping stations, force mains, and all other County expenses incidental thereto. Each street lateral shall be installed and inspected pursuant to Article 4. Design and installation of sewers shall be as specified in Section 503, and in conformance with Paragraphs 3 through 6 of ASTM Specification C-12. The installation of the sewer shall be subject to periodic inspection by the Executive Director or assigned representative without prior notice. The sewer, as constructed, must pass the infiltration test (or the exfiltration test, with prior approval), required in Section 505, before any building lateral is connected thereto. The Executive Director shall be notified 15 days in advance of the start of any construction actions so that such inspection frequencies and procedures as may be necessary or required, may be established. No new sanitary sewers will be considered for acceptance by the Administrative Board until such positive construction inspections have been made so as to assure the Administrative Board of compliance with these Rules & Regulations and any amendments or additions thereto. The Executive Director has the authority to require such excavation as necessary to inspect any installed facilities if the facilities were covered or otherwise backfilled before they were inspected so as to permit inspection of the construction. The Executive Director shall report all findings of inspections and tests to the Administrative Board.

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

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

Section 503 A - Sewer Pipe

(1) Sewer pipe material shall be:

(a) Reinforced Concrete Pipe (Note that non-reinforced concrete pipe shall not be used.)

Portland cement shall conform to ASTM C-150 Type II. The pipe and specials shall conform to ASTM Specification C-76. The reinforcing wire cage shall conform to ASTM Specification A 15, A 82, or A 185, as appropriate. Entrained air shall be 5.0% to 9.0% by ASTM C-890 Water absorption and three-edge bearing tests shall conform to ASTM Specification C-497. Gaskets shall conform to Sections 3.3 and 3.4 of AWWA Specification C-302.

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

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

ANSI/ASTM D 3034 (4" - 15")

ASTM F 679 Type I (18" - 27")

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

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

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

(g) Other pipe materials: Other pipe materials require prior written approval of the Executive Director before being installed.

(2) The minimum internal pipe diameter shall be 8 inches for municipal connections.

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

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

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

(6) Wye branch fittings shall be installed, for connection of street laterals, in accordance with Section 606.

Section 503 B - Safety and Load Factors

Selection of pipe class shall be predicated on the following criteria: Safety factor - 1.5 , Load factor - 1.7 ,Weight of soil - 120 lbs./cu. ft. ,Wheel loading - 16,000 lbs.

Utilizing the foregoing information, design shall be made as outlined in Chapter IX of the Water Environment Federation (previously Water Pollution Control Federation) Manual of Practice No. 9, latest edition, "Design and Construction of Sanitary and Storm Sewers", and the pipe shall have sufficient structural strength to support all loads to be placed on the pipe, with a safety factor as specified above. PVC pipe shall not be encased in concrete due to their different coefficients of linear thermal expansion.

Section 503 C - Sewer Pipe Installation

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

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

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

(4) Traffic shall be maintained at all times in accordance with applicable highway permits. At least ½ of a street shall be kept open for traffic flow, unless otherwise permitted by a highway permit.

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

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

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

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

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

(10) The trench shall be excavated approximately six (6) inches deeper than the final pipe grade. When unsuitable soils are encountered, these shall be excavated and replaced with select materials.

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

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

(13) No structure shall be undercut unless specifically approved by the Executive Director and structure owner.

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

(15) To protect workers and to prevent caving, shoring and sheeting shall be used, as needed. Caving shall not be used to backfill the trench. Shoring shall not be removed but cut off no lower than one foot above the pipe crown

nor no higher than one foot below final grade, and left in the trench, during backfill operations.

(16) The pipe barrel shall be supported, along its entire length, on a minimum of six (6) inches of crusher run max. ½ inch stone free of organic material. This foundation shall be firmly tamped in the excavation.

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

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

(19) The joints shall be made, and the grade and alignment checked and made correct.

(20) The pipe shall be in straight alignment.

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

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

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

(24) The remaining portion of the trench above the pipe embedment shall be backfilled in 6 inch lifts which shall be firmly compacted. Compaction near/under roadways, driveways, sidewalks, and other structures shall be to 95 % of the maximum moisture-density relationship, as determined by ASTM Specification D 698, Method D. Ice, snow, or frozen material shall not be used for backfill.

Section 504 - Manholes and Manhole Installation

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

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

(3) Manhole bases shall be constructed or placed on a minimum of six (6) inches of crusher run max. ½ inch stone free of organic materials.

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

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

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

All sections shall be cast solid, without lifting holes. Flat top slabs shall be a minimum of 8 inches thick and shall be capable of supporting a H-20 loading.

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

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

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

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

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

(11) When located in a traveled area (road or sidewalk), the manhole frame and cover shall be heavy duty cast iron. When located in a lawn or in a field, the manhole frame and cover may be light duty cast iron. The cover shall be 36 inches in diameter. The minimum combined weight of the heavy duty frame and the cover shall be 735 +/- 5% lbs. The minimum combined weight of the light duty frame and the cover shall be 420 +/- 5% lbs. The mating surfaces shall be machined, and painted with tar pitch varnish. The cover shall not rock in the frame. Infiltration between the cover and frame shall be prevented by proper design and painting. Covers shall have "Sanitary Sewer" cast into them. Covers shall have lifting holes suitable for any lifting/jacking device. The lifting holes shall be designed so that infiltration is prevented.

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

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

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

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

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

(17) Manholes which extend above grade, shall have the frames cast into the manhole top plate. The top plate shall be securely anchored to the manhole barrel, by a minimum of six ½ inch corrosion resistant anchor bolts, to prevent overturning when the cover is removed. The anchor bolts shall be electrically isolated from the manhole frame and cover.

(18) Building sewer connections directly into manholes will not be permitted without special authorization of the Executive Director. Such connections will be at invert level with no internal drops or piping for such.

Section 505 A - Infiltration/Exfiltration Testing

All sanitary sewers or extensions to sanitary sewers, including manholes, shall satisfy requirements of a final infiltration test before they will be considered for approval and wastewater flow permitted by the District. The infiltration rate shall not exceed 25 gallons per 24 hours per mile per nominal diameter in inches. An exfiltration test may be substituted for the infiltration test; the same rate shall not be exceeded. The exfiltration test shall be performed by the applicant, under the supervision of the Executive Director. The applicant shall have the responsibility for making proper and accurate measurements required. The exfiltration test consists of filling the pipe with water to provide a head of at least 5 feet above the top of the pipe or 5 feet above groundwater, whichever is higher, at the highest point under test, and then measuring the loss of water, from the pipe section under test, by the amount of water which must be added to maintain the original level. However, under no circumstances shall the head at the downstream manhole exceed ten (10) feet or fill to within six (6) inches of the top of the downstream manhole. Should this condition prevail, the testing methods in Sections 505 F and/or 505 G shall be utilized. In this test, the test section must remain filled with water for at least 24 hours prior to taking any measurements. Exfiltration shall be measured by the drop of water level in a standpipe with a closed bottom end, or in one of the sewer manholes serving the test section. When a standpipe and plug arrangement is used in the upper manhole in the test section, there shall be some positive method for releasing entrapped air prior to taking any measurements.

Section 505 B - Test Section

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

Section 505 C - Test Period

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

Section 505 D - Pipe Lamping

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

Section 505 E - Deflection Testing

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

Section 505 F - Low Pressure Air Testing

Low Pressure Air Testing Alternative In lieu of hydrostatic testing (exfiltration or infiltration), low pressure air testing may be employed. Low pressure air tests shall conform to ASTM Specification C 828. All sections to be tested shall be cleaned and flushed, and shall have been backfilled, prior to testing.

Air shall be added until the internal pressure of the test section is raised to approximately 4.0 PSIG. The air pressure test shall be based on the time, measured in seconds, for the air pressure to drop from 3.5 PSIG to 2.5 PSIG. Acceptance is based on limits tabulated in the "Specification Time Required for a 1.0 PSIG Pressure Drop" in the Uni-Bell PVC Pipe Association "Recommended Practice For Low-Pressure Air Testing of Installed Sewer Pipe". Before pressure is applied to the line all connections shall be firmly plugged. Before the test period starts, the air shall be given sufficient time to cool to ambient temperature in the test section. If the test section is below groundwater, the test pressure shall be increased an amount sufficient to compensate for groundwater hydrostatic pressure, however, the test pressure shall not exceed 10 PSI. The pressure test gauge shall have been recently calibrated, and a copy

of the calibration results shall be made available to the Executive Director prior to testing.

Section 505 G - Vacuum Testing Alternative

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

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

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

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

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

Acceptance of sewers (7" Hg to 6" Hg) is based on the time tabulated in the "Specification Time Required for a 0.5 PSIG Pressure Drop" in the Uni-Bell PVC Pipe Association "Recommended Practice For Low-Pressure Air Testing of Installed Sewer Pipe". The vacuum test gauge shall have been recently calibrated, and a copy of the calibration results shall be made available to the Executive Director prior to testing.

Section 506A - Force Mains

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

Additional design requirements are:

(1) Force main pipe material shall be:

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

- (b) Polyvinyl Chloride (PVC) Plastic Pipe shall conform to ASTM D2241. Materials used in the manufacture of PVC pipe shall meet ASTM

c1784. The minimum wall thickness shall be SDR-21. Fittings shall conform to ASTM D2241. Joints and gaskets shall conform to ASTM D2241, D1869, and F477.

- (c) Other pipe materials require prior written approval of the Executive Director before being installed.
- (2) Trenching, bedding, and backfilling shall be in accordance with Section 503 C.
 - (3) Joint preparation and assembly shall be in accordance with the manufacturer's written instructions.
 - (4) Anchorages, concrete blocking, and/or mechanical restraint shall be provided when there is a change of direction of 7-1/2 degrees or greater.
 - (5) Drain valves shall be placed at low points.
 - (6) Automatic air relief valves shall be placed at high points and at 400 ft intervals, on level force main runs.
 - (7) Air relief and drain valves shall be suitably protected from freezing.
 - (8) When the daily average design detention time, in the force main, exceeds 20 minutes, the manhole and sewer line receiving the force main discharge or the sewage shall be treated so that corrosion of the manhole and the exiting line are prevented. The corrosion is caused by sulfuric acid biochemically produced from hydrogen sulfide anaerobically produced in the force main.
 - (9) The force main shall terminate, in the receiving manhole, at a PVC plastic sewer pipe "T". The vertical arms of the "T" shall be twice the diameter of the force main. The upper arm shall be at least 4 feet long; the lower arm shall terminate in a PVC plastic sewer pipe 90 degree elbow in a flow channel directed to the manhole exit pipe. The "T" and its arms shall be securely fastened to the inside surface of the manhole wall using corrosion resistant anchors.

Section 506B - Force Main Testing

All force mains shall be subjected to hydrostatic pressure of 150 percent of the normal operating pressure. The duration of the test, at pressure, shall be at least 2 hours. Before conducting the test, the pipe shall be filled with water and all air shall be expelled. During the test, water shall be added, as needed, to maintain the test pressure. The amount of water added shall be recorded so as to calculate leakage. Leakage shall not exceed 25 gallons per day per mile per inch nominal pipe diameter. During the test, the owner and the Executive Director or authorized representative shall walk the route of the force main and examine the exposed pipe and the ground covering any backfilled pipe to discover leaks. Leakage in excess of that specified above shall be

corrected with new material at the owner's expense and the test repeated. Any observed leaks shall be repaired at the owner's expense.

Section 507 - Final Acceptance and Warranty/Surety

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

Section 508 - Liability Insurance Coverage During Construction Period

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

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

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

(b) Personal Bodily Injury and Property damage including completed operations and products, having limits of not less than \$1,000,000 for each occurrence and \$1,000,000 aggregate in an amount not less than \$1,000,000 combined single limit per occurrence subject to an aggregate limit of \$2,000,000.

(c) Coverage shall include but not be limited to:

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

(d) Comprehensive automobile liability (including non-owned and hired automobiles) having limits of not less than \$1,000,000 combined single limit.

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

(f) All insurance policies must provide for thirty (30) business days notice to the County before cancellation and must cover all liabilities of the County, naming the County Sewer Districts and Chemung County as additional insured, and be in a satisfactory form approved by the Board.

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

(3) Where it is necessary to enter upon or excavate any highway or cut any pavement, sidewalk or curbing, permission must be obtained from the Superintendent of Highways if a County, Town, Village or City Highway is involved, from the appropriate Highway Department, and/or the New York State Department of Transportation if a State Highway is involved. Proof of such permission must be submitted to the Executive Director prior to issuance of a connection permit.

END OF ARTICLE 5

ARTICLE 6

DISCHARGE RESTRICTIONS

- Section 601 - Pretreatment Standards**
- Section 602 - General Prohibitions**
- Section 603 - National Categorical Pretreatment Standards**
- Section 604 - Concentration Based Limitations**
- Section 605 - Modification of Limitations**
- Section 606 - Dilution**
- Section 607 - Grease, Oil, and Sand Interceptors**
- Section 608 - Regulated Medical Wastes**
- Section 609 - Access to User's Records**

Section 601 - Pretreatment Standards

All users of the Chemung County POTW will comply with all standards and requirements of the Act and standards and requirements promulgated pursuant to the Act, including but not limited to National Categorical Pretreatment Standards (40 CFR Parts 403-471) and shall also comply with any additional or more stringent limitations required by these Rules & Regulations.

Section 602 - General Prohibitions

No person shall directly or indirectly discharge, cause or permit the discharge of any pollutant or wastewater which, acting alone or in conjunction with other substances in the POTW, will interfere with the operation or performance of the POTW. These general prohibitions apply to all such users of a POTW whether or not the user is subject to National Categorical Pretreatment Standards, or any other National, State, or Local Pretreatment Standards or Requirements.

In addition, no person may introduce

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

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

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

(4) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants (including heat), to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW, or to exceed the limitation set forth in a Categorical Pretreatment Standard. A toxic pollutant shall include, but not be limited to, any pollutant identified pursuant to Section 307(A) of the Act.

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

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

(7) Any wastewater which will cause Interference or Pass Through.

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

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

(10) Any unusual flow rate or concentration of wastes, including oxygen demanding pollutants (high BOD, etc.), constituting slugs, except as specifically allowed by Industrial Wastewater Permit.

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

(12) Any wastewater which causes a hazard to human life or which creates a public nuisance, either by itself or in combination, in any way, with other wastes. Disposal of hypodermic needles and/or syringes into the wastewater system at any point is strictly prohibited

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

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

(15) Any trucked or hauled pollutants, except at discharge points designated by the Executive Director.

(16) Any pollutants which may reasonably be expected to cause the POTW to violate its SPDES permit or applicable water quality standards.

Pollutants, substances or wastewater prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the POTW.

Section 603 - National Categorical Pretreatment Standards

The pretreatment standards found at 40 CFR Chapter I, Subchapter N, Parts 405-471 are hereby incorporated and any discharge in violation of an applicable Pretreatment Standard is prohibited.

1. Where a categorical pretreatment standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the Executive Director may impose equivalent concentration or mass limits in accordance with 40 CFR 403.6(c).
2. When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the Executive Director shall impose an alternate limit using the combined wastestream formula in 40 CFR 403.6(e).
3. A user may obtain a variance from a categorical pretreatment standard if the user can prove, pursuant to the procedural and substantive provisions in 40 CFR 403.13, that factors relating to its discharge are fundamentally different from the factors considered by EPA when developing the categorical pretreatment standard.

Section 604 - Substances Prohibited or Accepted Conditionally

Section 604.1 - Substances Generally Prohibited

Waters bearing miscellaneous substances in concentrations above the standard set for normal sewage shall not be discharged into the County Sewer System or public sewers tributary thereto unless the rules of the Chemung County Sewer District or a finding by the Executive Director and/or the Administrative Board determines that such concentration will not adversely affect any of the biochemical, chemical or other sewage treatment process, sewage system or receiving waters. The following is a partial list of such substances:

- a. Antibiotics
- b. Elemental Bromine, Iodine, Chlorine, Fluorine
- c. Creosols or Creosotes
- d. Phenol and Phenolic Compounds that convert to Phenol in the sewage system
- e. Sulfonamides, Toxic Dyes (organic or mineral)
- f. Beryllium and Beryllium Compounds.
- g. Mercury and Mercury Compounds
- h. All strong oxidizing agents such as Chromates, Dichromates, Permanganates, Peroxides, etc.
- i. Any strong reducing agents causing hazardous conditions in the sewage system.
- j. Chemical compounds producing toxic, flammable or explosive gases, either upon acidification, alkalization, oxidation or reduction.
- k. Wastes from industrial processes or hospital procedures containing viable pathogenic organisms.

Section 604.2 - Permissible concentration of toxic substances:

With the exception of sewer users covered by Federal Categorical Pretreatment Standards, the concentration in sewage of any of the following toxic substances shall not exceed the 24 hour average or 30 day average concentration limits specified below when discharged into the public sewer.

Sewer Users covered by Federal Categorical Pretreatment Standards shall comply with applicable Federal Standards. Substances not regulated by the Categorical Pretreatment Standard shall not exceed the concentration limits specified below.

Chemung County Sewer District may revise with its rules the following limits or insert additional items after a hearing when in the opinion of the Executive Director, the Department of Health, or the Administrative Board, the need for a rule change is indicated or as provided for in Section 604.5. The following list contains the permitted toxic substances and levels of concentration:

Table 6.1
Pollutant Substances

The following list establishes limits for various pollutant substances to regulate industrial discharges.

| <u>Parameter</u> | <u>24 hour</u> <u>Average</u> | <u>30 Day</u> <u>Average</u> |
|---|----------------------------------|---------------------------------|
| a. Arsenic and compounds of Arsenic expressed as (As) | 1.0 mg/l | 0.5 mg/l |
| b. Barium (Ba) | 4.0 mg/l | 2.0 mg/l |
| c. Cadmium (Cd) | 0.40 mg/l | 0.20 mg/l |
| d. Chromium, Total (Cr) | 1.60 mg/l | 0.80 mg/l |
| e. Cyanide, Total (Cn) | 1.6 mg/l | 0.80 mg/l |
| f. Cyanide, Free (Cn) | 0.40 mg/l | 0.20 mg/l |
| g. Dissolved Copper (Cu) | 1.6 mg/l | 0.80 mg/l |
| h. Iron (Fe) | 10.0 mg/l | 5.0 mg/l |
| i. Lead (Pb) | 1.6 mg/l | 0.80 mg/l |
| j. Manganese (Mn) | 4.0 mg/l | 2.0 mg/l |
| k. Nickel (Ni) | 0.40 mg/l | 0.20 mg/l |
| l. Selenium (Se) | 4.0 mg/l | 2.0 mg/l |
| m. Soluble Silver (as Ag) | 2.0 mg/l | 1.0 mg/l |
| n. Zinc (Zn) | 4.0 mg/l | 2.0 mg/l |

Section 604.3 Special Concentration Limits: When findings of the Administrative Board show that the volume of a single toxic industrial wastew discharge or the combined toxic industrial waste discharge of a group of industries within a single contributory area is so large as to raise a question of the ultimate concentration of toxic substances entering a sewage treatment plant; or in cases where it is known that the toxic substances in the concentrations involved will be effectively removed by the sewage treatment plant without causing deleterious effects of any kind to the treatment process, the treatment plant sludge or the receiving waters after treatment, the Chemung County Sewer District may rule that separate or special concentration limits shall be used by the contributors in that area. Concentration limits at variance with Federal Categorical Pretreatment Standards will not be granted.

Section 604.4 Federal Categorical Standards: Upon the promulgation of any Federal categorical pretreatment standard for a particular industrial subcategory, the Federal standard if more restrictive than the limitations imposed under this law for industrial users in that subcategory, shall supersede the limitation imposed under this Law. In consideration of removal allowance the revision of any categorical pretreatment standards to reflect treatment plant removal of pollutants shall follow the formal process required under 40 CFR 403.7 of the "Act". The Executive Director shall notify all affected users of the applicable reporting requirements under 40 CFR Part 403.12.

Section 604.5 Emergency action by the Executive Director. Any discharge which, in the belief of the Executive Director, will cause serious, imminent harm, injury or adverse effect on the sewer system structures or equipment, or to any persons or to the biota of the receiving water, the Executive Director shall take any temporary action necessary to protect the public health, safety or welfare without a prior hearing or Order of the Administrative Board. Review of any emergency action by a Hearing will be accomplished as soon as possible to determine what, if any, permanent restriction is necessary. The Executive Director, acting upon the belief that any emergency exists, shall be indemnified against any personal liability that may arise in the performance of the duties to protect public health, safety or welfare of Chemung County.

Section 605 - Modification of Limitations

Limitations on wastewater strength or mass discharge contained in these Rules & Regulations may be modified or supplemented with more stringent limitations when, in the opinion of the Executive Director:

(1) The limitations in these Rules & Regulations are not sufficient to protect the POTW.

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

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

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

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

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

Section 606 - Dilution

Except where expressly authorized by an applicable Pretreatment Standard, no user shall ever increase the use of process water or, in any other way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a Pretreatment Standard. Dilution flow shall be considered to be inflow. The Executive Director may impose mass limitations on users which are using dilution to meet applicable Pretreatment Standards or in other cases where the imposition of mass limits is appropriate (e.g. see 40 CFR 403.6(c)).

Section 607 - Grease, Oil, and Sand Interceptors

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

Section 608 - Prohibition of Regulated Medical Wastes

Regulated Medical Wastes as described as follows are prohibited from discharge into the POTW system:

(1) A regulated medical waste is any medical waste generated in the diagnosis, treatment (e.g., provision of medical services), or immunization of human being or animals in research pertaining thereto, or in the production or testing of biologicals that is not excluded or exempted under subsection of this section, and that is listed below:

(a) cultures and stocks of infectious agents and associated biologicals, including: cultures from medical and pathological laboratories; cultures and stocks of infectious agents from research and industrial laboratories; wastes from the production of biologicals; discarded live and attenuated vaccines; and culture dishes and devices used to transfer, inoculate, and mix cultures;

(b) human pathological wastes, including tissues, organs, body parts and body fluids that are removed during surgery or autopsy, or other medical procedures, and specimens of body fluids and their containers;

(c) liquid waste human blood, products of human blood, items saturated and/or dripping with human blood, or items that were saturated and/or dripping with human blood that are now caked with dried human blood, including serum, plasma and other blood components, and their containers which were used or intended for use in either patient care, testing and laboratory analysis or the development of pharmaceuticals, intravenous bags are also included in this category;

(d) sharp that have been used in animal or human patient care or treatment or in medical research, or industrial laboratories, including hypodermic needles, syringes (with or without the attached needle), Pasteur pipettes, scalpel blades, blood vials, needles with attached tubing, culture dishes (regardless of presence of infectious agents). Also included are other types of broken or unbroken glassware that were in contact with infectious agents, such as used slides and cover slips;

(e) contaminated animal carcasses, body parts, and bedding of animals that were known to have been exposed to infectious agents during research (including research in veterinary hospitals), production of biologicals, or testing of pharmaceuticals;

(f) laboratory wastes from medical, pathological, pharmaceuticals, or other research, commercial, or industrial laboratories that were in contact with infectious agents, including slides and cover slips, disposable gloves, laboratory coats, and aprons;

(g) dialysis wastes that were in contact with the blood of patients undergoing hemodialysis or renal dialysis, including contaminated disposable equipment and supplies such as tubing, filters, disposable sheets, towels, gloves, aprons, and laboratory coats;

(h) biological wastes and discarded materials contaminated with blood, excretion,, exudates, or secretions from humans who are isolated to protect others from certain highly communicable diseases, or isolated animals known to be infected with highly communicable diseases; and

(i) the following unused, discarded sharps: hypodermic needles, suture needles, syringes, and scalpel blades.

(2) Exclusions and exemptions.

(a) Exclusions

Household waste, as defined in this section is not Regulated Medical Wastes.

Section 609 - Access to User's Records

The Executive Director shall have the authority to copy any record related to wastewater discharges to the POTW.

END OF ARTICLE 6

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ARTICLE 7

INFLOW

Section 701 - New Inflow Sources Prohibited

Section 702 - Existing Inflow Sources Disconnected

Section 703 - No Re-connection of Inflow Source Allowed

Section 704 - Charges for Inflow

Section 701 - New Inflow Sources Prohibited

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

Section 702 - Existing Inflow Sources Disconnected

- A.** For properties where separate storm sewers or stormwater drainage and disposal systems - natural or manmade - can be made or are available within 100 feet of the property line of a development project, municipally owned connections which contribute inflow to the sanitary or combined sewers must be disconnected prior to reconstruction and/or development of the property, public or private, at the expense of the developer and as approved by the respective municipal jurisdiction in charge of storm water management for the project site. The Executive Director may require the submittal for review, the development plans of a project for the purpose of determining the availability of storm sewers or a drainage system, and as required by this Section, to determine if the municipal connections which contribute inflow have been designated for disconnection in the proposed plans.
- B.** The Executive Director may also review the development plans of a project for the purpose of determining if a storm sewer or a drainage system exists, or can be made available, and, if so, if any private sewer connections which contribute inflow should be disconnected. The Executive Director may require the disconnection of said inflow sources as part of conditions for a building sewer connection or modification to the same.
- C.** The intent of this Article is to remove undesirable inflow from the municipal sewer system of the Chemung County Sewer Districts. A developer may petition the Administrative Board of the respective Sewer District for a waiver to the Sections A and B above, provided that the

developer is able to demonstrate that inflow amounts, equal to or exceeding that which could be received by the waived connection, are removed at other connections into the same sewer network that serves the developer's project.

Section 703 - No Re-connection of Inflow Source Allowed

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

Section 704 - Charges for Inflow

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

END OF ARTICLE 7

ARTICLE 8

TRUCKED OR HAULED WASTE

Section 801 - Licenses and Application

Section 802 - Concurrent Requirements

Section 803 - Dumping Location and Timing

Section 804 - Notification of Dumping

Section 805 - Public Notification of Appeal of Licenses

Section 801 - Licenses and Application

The discharge of trucked or hauled wastes into the Chemung County sewer system and public sewers tributary thereto will be permitted only with the written approval (license) of the Executive Director. Applicants for such license shall apply on a form provided by the Executive Director. These forms may require information such as vehicle specifications, vehicle license number, vehicle color, NYSDEC permits issued under 6 NYCRR Part 364, approximate annual septage volume expected, service area, and any other information that the Executive Director may require, to determine whether the trucked or hauled wastes could adversely impact the POTW. The application shall be accompanied by a fee prescribed by the Executive Director not to exceed \$100.

The licensee of trucked or hauled wastes will also be charged a fee for each dumping, in accordance with Article 11.

All licensees shall comply fully with the terms and conditions of their licenses, in addition to all other provisions of these Rules and Regulations. Violation of a license term or condition is deemed a violation of these Rules and Regulations.

Section 802 - Concurrent Requirements

The applicant for a license to truck or haul wastes shall be the owner of the vehicle or vehicles to be used for such discharge. Any false or misleading statement, in any license application, shall be grounds for invalidating the license. All licenses, issued by the Executive Director for this purpose, shall be for two (2) years. The licensee shall also be duly permitted by the NYSDEC under 6 NYCRR Part 364 ("364 permit"). If, for any reason, the 364 permit is revoked, the 364 permit lapses or becomes invalid, then the license issued under this Article shall become invalid immediately. All acts performed in connection with the license shall be subject to the inspection and regulations, as established by the Executive Director, the terms and conditions of the license and all local and general laws, ordinances, and regulations which are now or may come into effect, and such license may be suspended or revoked, at any time, by the Executive Director for willful, continued, or persistent violation thereof.

Section 803 - Dumping Location and Timing

The Executive Director shall require discharging at only certain locations within the POTW, and only at certain times, and on only certain days of the

week, or seasons of the year as shall be stated on said license or as may be relocated by the Executive Director after appropriate notice. The time and conditions for permissible discharge shall be as set forth on the license, or as may be revised by the Executive Director after appropriate notice.

The Executive Director reserves the right to deny acceptance of any trucked or hauled waste due to circumstances within the POTW.

Section 804 - Notification of Dumping

Each discharge of trucked or hauled wastes shall be made only with the approval of the Executive Director. The Executive Director may require inspection, sampling, and analysis of each load prior to the discharge of a load. Any extra costs associated with such inspection, sampling, and analysis shall be paid by the licensee.

Section 805 - Public Notification and Participation and Appeal of Decisions.

The public notification and participation procedures and the procedures for appeal of all license decisions are specified in Section 312 of the Chemung County Sewer Use Law.

END OF ARTICLE 8

ARTICLE 9

DISCHARGE PERMITS AND PRETREATMENT REQUIREMENTS

- Section 901 A - Wastewater Discharge Reports*
- Section 901 B - Industrial Inventory*
- Section 902 - Notification to Industrial Users*
- Section 903 A - Wastewater Discharges*
- Section 903 B - Wastewater Discharge Permits Required For Significant Industrial Users*
- Section 903 C - Other Industrial Users*
- Section 903 D - Discharge Permits to Storm Sewers Not Authorized*
- Section 904 A - Application for Wastewater Discharge Permits*
- Section 904 B - Permit Modifications*
- Section 904 C - Permit Conditions*
- Section 904 D - Permit Duration*
- Section 904 E - Permit Reissuance*
- Section 904 F - Permit Transfer*
- Section 904 G - Permit Revocation*
- Section 904 H - Public Notification and Appeal of Permits*
- Section 905 - Reporting Requirements for Permittee*
- Section 906 - Flow Equalization*
- Section 907 - Monitoring Stations (Control Manholes)*
- Section 908 - Proper Design and Maintenance of Facilities and Monitoring Stations*
- Section 909 - Vandalism, Tampering with Measuring Devices*
- Section 910 - Sampling and Analysis*
- Section 911 - Accidental Discharges; SPCC Plan*
- Section 912 - Posting Notices*
- Section 913 - Sample Splitting*
- Section 914 - Access to Information*
- Section 915 A - Access to Property*
- Section 915 B - Access to Easements*
- Section 915 C - Liability of Property Owner*
- Section 916 - Special Agreements*
- Section 917 - Hazardous Waste Notification*
- Section 918 - POTW Reports*

Section 901A - Wastewater Discharge Reports

- (1) As a means of determining compliance with these Rules & Regulations, with applicable SPDES permit conditions, and with applicable State and Federal law, each industrial user shall be required to notify the Executive Director of any new or existing discharges to the POTW not previously reported under this provision, by submitting a completed Industrial Chemical Survey (ICS) form and/or a completed Industrial Wastewater Survey (IWS) form to the Executive Director. For all new discharges, this information shall be supplied at least 90 days prior to the proposed discharge to the POTW. For existing discharges that have not previously reported under this Section, this information shall be supplied within 90 days of the effective date of these Rules and Regulations. All industrial users must also notify the Executive Director in advance of any substantial change in the nature,

character, quality or quantity of pollutants in previously reported discharges by submitting the above two forms to the Executive Director. The Executive Director may require any user discharging wastewater into the POTW to file wastewater discharge reports and to supplement such reports as the Executive Director deems necessary. All information shall be furnished by the user in complete cooperation with the Executive Director.

Reports under this Section shall be signed in accordance with the requirements of Section 905 (4).

- (2) All non-domestic users not reporting under Section 901A (1) must notify the Executive Director of the natures and characteristics of their discharge, and, in the case of a new discharger, this notification shall be made prior to commencing said discharge.

Section 901B - Industrial Inventory

The Executive Director shall conduct an industrial user inventory every two years to locate and identify industrial users of the system. To keep the inventory up to date, the names of new industries moving into the Sewer District, or the names of existing industries moving into other buildings, should be forwarded to the Executive Director by the City of Elmira and other Town or County Department from whom permits are required (e.g., water meter hook-ups, plumbing inspections, building permits).

Section 902 - Notification to Industrial Users

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

Section 903 A - Wastewater Discharges

No Significant Industrial User shall discharge wastewater to the POTW without having a valid Wastewater Discharge Permit, issued by the Executive Director. Each permit holder shall comply with any applicable Federal Pretreatment Standards and all other applicable requirements promulgated by the USEPA in accordance with Federal Law, including but not limited to, those requirements specified in 40 CFR 403.12. Each permit holder shall also comply with any more stringent Federal, State or Local requirements. Significant Industrial Users shall comply fully with the terms and conditions of their permits in addition to all other provisions of these Rules & Regulations. Violation of any permit term or condition is deemed a violation of these Rules & Regulations.

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

All Significant Industrial Users proposing to connect to or to discharge to the POTW shall obtain a Wastewater Discharge Permit before connecting to or discharging to the POTW.

Section 903 C - Other Industrial Users

The Executive Director may issue Wastewater Discharge Permits to other industrial users of the POTW, based on available information, including the information submitted pursuant to Section 901.

Section 903 D - Discharge Permits to Storm Sewers Not Authorized

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

Section 904 A - Application for Wastewater Discharge Permits

Industrial users required to obtain a Wastewater Discharge Permit shall complete and file with the Executive Director an application in the form prescribed by the Executive Director. In support of any application, the industrial user shall submit, in units and terms appropriate for evaluation, the following information:

- (1) Name, address, and location (if different from the address).
- (2) SIC code of both the industry and any categorical processes.
- (3) Wastewater constituents and characteristics including but not limited to those mentioned in Article 6 of these Rules & Regulations and those which are limited in the appropriate Categorical Standard, as determined by a reliable analytical laboratory approved by the NYSDOH. Sampling and analysis shall be performed in accordance with Standard Methods.
- (4) Time and duration of the discharge.
- (5) Average daily and maximum daily wastewater flow rates, including daily, monthly, and seasonal variations, if any. The same information should be provided for each regulated process stream.
- (6) Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, sewer connections, and appurtenances.

(7) Description of activities, facilities, and plant processes on the premises, including all materials which are or could be discharged to the POTW, and a schematic process diagram which indicates points of discharge to the POTW from regulated processes.

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

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

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

(11) Identification of the Categorical Pretreatment Standards applicable to each regulated process. The results of sampling and analysis, done in accordance with Standard Methods, identifying the nature and concentration of any pollutants in the discharge which are limited by any County, State, or Federal Standards, and a statement whether or not the standards are being met on a consistent basis and if not whether additional Operation and Maintenance (O&M) and/or additional pretreatment is required for the user to meet all applicable Standards.

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

(a) The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable Pretreatment Standards (such events could include hiring an engineer, completing preliminary plans, completing final plans, executing contracts for major components, commencing construction, completing construction, beginning operation, and beginning routine operation).

(b) No increment referred to in (a) above shall exceed 9 months, nor shall the total compliance period exceed 18 months.

(c) No later than 14 calendar days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the Executive Director including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the user to return to the established schedule. In no event shall more than 9 months elapse between such progress reports to the Executive Director.

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

(14) The application must be signed in accordance with the requirements of Section 405 (4).

The Executive Director will evaluate the data furnished by the industrial user and may require additional information. After evaluation and acceptance of the data furnished, the Executive Director may issue a Wastewater Discharge Permit subject to terms and conditions provided herein, except that any Wastewater Discharge Permit to be issued to a SIU must be approved by the applicable Administrative Board.

Section 904 B - Permit Modifications

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

- (1) Promulgation of an applicable National Categorical Pretreatment Standard,
- (2) Revision of or a grant of a variance from such categorical standards pursuant to 40 CFR 403.13,
- (3) Changes in general discharge prohibitions and local limits as per Sections 602, 603 and 605 of these Rules & Regulations,
- (4) Changes in processes used by the permittee, or changes in discharge volume or character,
- (5) Changes in design or capability of any part of the POTW,
- (6) Discovery that the permitted discharge causes or contributes to Pass Through or Interference, and
- (7) Changes in the nature and character of the sewage in the POTW as a result of other permitted discharges.

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

Any permittee may petition the Executive Director for a permit modification based on changed circumstances. The procedures applicable to this shall be those that govern issuance of an initial permit.

Section 904 C - Permit Conditions

Wastewater Discharge Permits shall be expressly subject to all the provisions of the Chemung County Sewer Use Law and these Rules & Regulations, and all other applicable laws and regulations, user charges and fees established by the Sewer Districts or County, State and Federal Government. Permits may contain the following:

- (1) Limits on the average and maximum rate and time of discharge, or requirements for flow regulation and equalization.
- (2) Limits on the average and maximum wastewater constituents and characteristics, including concentration or mass discharge limits.
- (3) The unit charge or schedule of user charges and fees for the management of the wastewater discharged to the POTW.
- (4) Requirements for installation and maintenance (in safe condition) of inspection and sampling facilities.
- (5) Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types, and standards for tests, and reporting schedules.
- (6) Compliance schedules.
- (7) Requirements for submission of technical reports or discharge reports.
- (8) Requirements for maintaining and retaining plant records relating to wastewater discharge, as specified by the Executive Director, and affording the Executive Director access thereto.
- (9) Requirements for notification of the Executive Director of any new introduction of wastewater constituents or of any substantial change in the volume or character of the wastewater constituents being introduced into the POTW.
- (10) Requirements for the notification of the Executive Director of any change in the manufacturing and/or pretreatment process used by the permittee.
- (11) Requirements for notification of and control of excessive, accidental, or slug discharges.
- (12) Other conditions as deemed appropriate by the Executive Director to ensure compliance with these Rules & Regulations, and applicable State and Federal laws, rules, and regulations.
- (13) A statement that compliance with the permit does not relieve the permittee of responsibility for compliance with all applicable Federal Pretreatment Standards, including those which become effective during the term of the permit.
- (14) A statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule.
- (15) Where the Executive Director determines that a slug control plan is necessary, the requirement to implement a slug control plan.

Section 904 D - Permit Duration

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

Section 904 E - Permit Reissuance

The user shall apply for permit reissuance a minimum of 180 days prior to the expiration of the user's existing permit unless a shorter prior is specifically approved by the Executive Director. An expired Wastewater Discharge Permit will continue to be effective and enforceable until the new Permit is issued provided a timely and complete application is submitted in accordance with this Section and failure to reissue the Permit prior to expiration of the previous permit is not due to any act or omission on the part of the applicant. The terms and conditions of the permit may be subject to modification, by the Executive Director during the term of the permit, as limitations or requirements, as identified in Section 904 B, or other just cause exists. The User shall be informed of any proposed changes in his permit at least 30 days prior to the effective date of the change. Any changes or new conditions in the reissued permit may include a reasonable time schedule for compliance as established in Section 904 A (12) (a). Conditions and procedures governing the issuance of a renewal permit shall be the same as those governing issuance of an initial permit.

Section 904 F - Permit Transfer

Wastewater Discharge Permits are issued to a specific User for a specific operation, or discharge at a specific location. A Wastewater Discharge Permit shall not be reassigned, transferred, or sold to a new owner, new User, different premises, or a new or changed operation. Any permittee desiring to make such a change should follow the procedures for issuance of a new permit.

Section 904 G - Permit Revocation

Wastewater Discharge Permits may be revoked for good cause, including but not limited to the following reasons: falsifying self-monitoring reports, tampering with monitoring equipment, refusing to allow the Executive Director timely access to the industrial premises, failure to meet effluent limitations, failure to pay fines, failure to pay user charges, and failure to meet compliance schedules.

Section 904 H - Public Notification and Participation and Appeal of Permit Decision.

The public notification and participation procedures and the procedures for appeal of all permit decisions are specified in Section 312 of the Chemung County Sewer Use Law.

Section 905 - Reporting Requirements for Permittee

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

- (a) The provisions of 18 USC Section 1001 relating to fraud and false statements;
- (b) The provisions of Sections 309(c)(4) of the Act, as amended, governing false statements, representations or certifications;
- (c) The provisions of Section 309 (c)(6) of the Act, as amended, regarding corporate officers.

1. Baseline Monitoring Requirements

Within 180 days after the effective date of a Categorical Standard, or 180 days after the final administrative decision made upon a category determination submission under 40 CFR 403.6(a)(4), whichever is latter, a baseline monitoring report shall be due. All non-categorical industries shall also submit a baseline report within 180 days of commencement of discharge. New sources and existing sources that become Industrial Users subsequent to promulgation of Categorical Standards are required to submit Baseline Monitoring Reports at least 90 days prior to commencement of discharge. New sources shall also include in the report information on the method of pretreatment the source intends to use. New sources shall give estimates of flow and pollutant concentration data.

This report shall contain:

- a) Identifying Information. The User shall submit the name and address of the facility including the name of the operator and owners;
- b) Permits. The User shall submit a list of any environmental control permits held by or for the facility;
- c) Description of operations. The report shall contain a brief description of the nature, average rate of production, and Standard Industrial Classification of the operations performed at the facility. This description should include a schematic process diagram which indicates points of discharge to the POTW from the regulated processes.
- d) Flow measurement. The User shall submit information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams as necessary to allow use of the combined wastestream formula and to determine compliance with regulations.
- e) Measurement of Pollutants. The User shall identify the Pretreatment Standards applicable to each regulated process. In addition, the User shall submit the results of the sampling and analysis identifying the nature and concentration of regulated pollutants from each regulated process. The

samples shall be representative of daily operations and be taken downstream from pretreatment facilities. Sampling and analysis shall be performed in accordance with Section 904 A(3). The report shall indicate the time, date and place of sampling and methods of analysis, and shall certify that such sampling is representative of normal work or production cycles and expected pollutant discharges to the POTW. A minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organics. For all other pollutants, 24 hour composite samples must be obtained through flow proportioned composite sampling techniques where feasible. Except as specified above, a minimum of one representative sample shall be taken to compile the data necessary to comply with this requirement.

f) Certification. A statement reviewed by an authorized representative of the Industrial User and certified to by a qualified professional, indicating whether Pretreatment Standards are being met on a consistent basis, and if not whether additional operation and maintenance and/or additional pretreatment is required for the Industrial User to meet Pretreatment Standards and requirements.

g) Where additional pretreatment and/or operation and maintenance activities will be required to comply with this ordinance, the industry shall provide a declaration of the shortest schedule by which the discharger will provide such additional pretreatment and/or implementation of additional operational and maintenance activities. The completion date in this section shall not be later than the compliance date established for the applicable Pretreatment Standard. The schedule shall contain milestone dates for the commencement and completion of major events leading to the construction additional pretreatment required for the discharger to comply with the requirements of this ordinance including, but not limited to dates relating to hiring an engineer, hiring other appropriate personnel, completing preliminary plans, completing final plans, executing contracts for major components, commencing construction, completing construction, and all other acts necessary to achieve compliance with this ordinance.

Under no circumstances shall the time increment for any single step directed toward compliance exceed 9 months.

Not later than 14 days following each milestone date in the schedule and the final date for compliance, the industry shall submit a progress report to the Executive Director, including no less than a statement as to whether or not it complied with the increment of progress represented by that milestone date of which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the industry to return the construction to the approved schedule. In no event shall more than 9 months elapse between such progress reports to the Executive Director.

h) All Industrial Users are required to promptly notify the POTW in advance of substantial changes in volume or character of discharges.

All industrial users regulated by applicable Federal Standards shall comply with items 2 through 4.

2. Report On Compliance With Categorical Pretreatment Standard Deadline.

Within 90 days following the date for final compliance with applicable Categorical Pretreatment Standards or in the case of a new source following commencement of the introduction of wastewater into the POTW, any Industrial User subject to Pretreatment Standards and Requirements shall submit to the Control Authority a report containing the information described in paragraphs d-f of Section 905 (1.). For Industrial Users subject to equivalent mass or concentration limits established by the POTW this report shall contain a reasonable measure of the User's long term production rate. For all other Industrial Users subject to Categorical Pretreatment Standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the User's actual production during the appropriate sampling period.

3. Periodic Report On Continued Compliance

(a) Any discharger subject to a Federal Pretreatment Standard, after the compliance date of such pretreatment standard, or, in the case of a new discharger, after commencement of the discharge to the Control Authority, shall submit to the Control Authority during the months of June and December, unless required more frequently in the Pretreatment Standard or by the Executive Director, a report indicating the nature and concentration, of prohibited or regulated substances in the effluent which are limited by such Pretreatment Standards. In addition, this report shall include a record of all measured or estimated average and maximum daily flows for the reporting period for the Discharge reported in Section 905 (1). Flows shall be reported on the basis of actual measurement, provided however, where cost or feasibility considerations justify, the Executive Director may accept reports of average and maximum flows estimated by variable techniques. The Executive Director, for good cause shown considering such factors as local high or low flow rates holidays, budget cycles, or other extenuating factors may authorize the submission of said reports on months other than those specified.

For Industrial Users subject to equivalent mass or concentration limits, this report shall contain a reasonable measure of the User's long term production rate. For all other Industrial Users subject to Categorical Pretreatment Standards expressed only in terms of allowable pollutant discharge per unit of production (or other measure of operation), the report shall include the User's actual average production rate for the reporting period.

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

(c) Any Significant Noncategorical Industrial User and any other industrial user designated by the Executive Director shall submit at least once every six months, on days designated by the Executive Director, a description of the nature, concentration and flow of pollutants required to be reported by the Executive Director in accordance with all the procedures, sampling, requirements and signatory requirements specified in this Section.

4. Signatory Requirements For Industrial User Reports

a) The reports required by this Section shall include the following 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."

(b) The reports required by this Section shall be signed as follows:

(i) By a responsible corporate officer if the Industrial User submitting the report is a corporation. For the purpose of this paragraph a responsible corporate officer means a president, vice-president, secretary, or treasurer of the corporation in charge of a principal business function or any other person who performs similar policy or decision making functions for the corporation, or the manager of one or more manufacturing, production or operation facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(ii) By a general partner or proprietor if the Industrial User submitting the reports is a partnership or sole proprietorship respectively.

(iii) By a duly authorized representative of the individual designated in paragraph (i) or (ii) above if: The authorization is made in writing by the individual described in paragraph (i) or (ii). The authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the Industrial Discharge originates or having overall responsibility for environmental matters for the company; and the written authorization is submitted to the Executive Director.

(iv) If an authorization under paragraph (iii) of this Section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for environmental matters for the company, a new authorization satisfying the requirements of this Section must be submitted to the Executive Director prior to or together with any reports to be signed by and authorized representative.

5. Monitoring and Analysis To Demonstrate Continued Compliance

(a) The reports required in this Section shall contain the results of sampling and analysis of the discharge, including flow and the nature and concentration, or production and mass where requested by the Executive Director, of pollutants contained therein. This sampling and analysis may be performed by the Executive Director in lieu of the Industrial User. Where the POTW performs the required sampling and analysis the User will not be required to submit the compliance certification. In addition, where the POTW itself collects all the information required for the report, including flow data, the Industrial User will not be required to submit the report.

(b) If sampling performed by an Industrial User indicates a violation of any of the requirements the Sewer Use Law or of these Rules and Regulations, including any National Pretreatment Standard, the User shall notify the Executive Director within 24 hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Executive Director within 30 days after becoming aware of the violation, except the industry is not required to resample if:

i) The Executive Director performs sampling that includes analysis for the violated parameters at the Industrial User at a frequency of at least once per month, or

ii) The Executive Director performs sampling at the user between the time when the User performs its initial sampling and the time when the User receives the results of this sampling.

These reports shall be based upon data obtained through appropriate sampling and analysis performed during the period covered by the report, which data is representative of conditions occurring during the reporting period. The Executive Director shall require that frequency of monitoring necessary to assess and assure compliance by Industrial Users with applicable Pretreatment Standards and Requirements.

Information and data furnished to the Executive Director about nature and frequency of the User's discharge shall be available without restriction unless the User can demonstrate the release of such information would divulge trade secrets or proprietary information. All sampling and analysis shall be conducted in accordance with Section 910. Where 40 CFR, Part 136 does not include a sampling or analytical technique for the pollutant in question, sampling and analysis shall be performed in accordance with the procedures set forth in the EPA publication, Sampling and analysis procedures for screening of industrial effluents for priority pollutants, April, 1977, and amendments thereto, or with any other sampling and analytical procedures approved by the administrator of the U.S. EPA.

6. Other Reports: The Executive Director may impose reporting requirements equivalent to the requirements imposed by Section 905(3) for users not subject to pretreatment standards.

7. If an industrial user reporting under this Section samples a pollutant more frequently than required, using Standard Methods, then the results of this monitoring shall also be included in the report.

Section 906 - Flow Equalization

No person shall cause the discharge of slugs to the POTW. Each person discharging into the POTW, greater than 100,000 gallons per day or greater than five percent (5%) of the average daily flow in the POTW, whichever is lesser, shall install and maintain, on his property and at his expense, a suitable storage and flow control facility to insure equalization of flow over a twenty-four (24) hour period. The facility shall have a capacity for at least fifty percent (50%) of the daily discharge volume and shall be equipped with alarms and a rate of discharge controller, the regulation of which shall be directed by the Executive Director. A wastewater discharge permit may be issued solely for flow equalization.

Section 907 - Monitoring Stations (Control Manholes)

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

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

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

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

Preliminary treatment, and flow equalization facilities, or monitoring stations, if provided for any wastewater, shall be constructed and maintained continuously clean, safe, and continuously operational by the owner at his expense. No industrial user may intentionally divert wastestreams from any portion of any treatment facility or allow a bypass, except as provided below.

A bypass may be permitted, with approval of the Executive Director, if all applicable limitations and requirements will be met and it is for necessary maintenance. Where an Industrial User has such treatment, equalization, or monitoring facilities at the time these Rules & Regulations are promulgated, the Executive Director may approve or disapprove the adequacy of such facilities. Where the Executive Director disapproves of such facilities and construction of new or upgraded facilities for treatment, equalization, or monitoring are required, plans and specifications for such facilities shall be prepared by a licensed professional engineer and submitted to the Executive Director. Construction of any new or upgraded facilities, or changes in shall not commence until written approval of the Executive Director has been obtained.

Section 909 - Vandalism, Tampering with Measuring Devices

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

- i. any structure, appurtenance, or equipment which is a part of the County POTW, or
- ii any measuring, sampling, and/or testing device or mechanism installed pursuant to any requirement under these Rules & Regulations except as approved by the Executive Director.

Section 910 - Sampling and Analysis

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

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

Section 911 - Accidental Discharges; SPCC Plan

Each user shall provide for protection from accidental or slug discharges of prohibited materials or discharges of materials in volume or concentration exceeding limitations of these Rules & Regulations or of an Industrial Wastewater Discharge Permit. Users shall immediately notify the Executive Director of any accidental or slug discharge or the discharge of wastes in that could cause problems for the POTW, are violation of these Rules & Regulations or any Permit. Such discharges may result from:

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

Where possible, such immediate notification shall allow the Executive Director to initiate appropriate countermeasure action at the POTW. The notification should include the cause of discharge, location of the discharge, type of wastes, concentration and volume, and corrective actions taken or planned. The user shall prepare and submit to the Executive Director a detailed written statement following any accidental or slug discharge, which describes the causes of the discharge and the measures being taken to prevent future occurrences, within five (5) days of the occurrence. Analytical results and their interpretation may be appended to the report at a date not exceeding 45 calendar days after the occurrence.

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

- (a) Description of discharge practices, including Description of stored chemicals;
- (b) Procedures for immediately notifying the POTW of any accidental or slug discharge. Such notification must also be given for any discharge which would violate any provision of the permit and any National Prohibitive Discharge Standard;
- (c) Procedures to prevent adverse impact from any accidental spills or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response.

- (d) All Significant Industrial Users must submit to the Executive Director within six months of the date of enactment of these Rules & Regulations and every two years thereafter, a description of practices and procedures used to prevent slug discharge, and a description of all slug discharges which have occurred since the last reporting period.

Section 912 - Posting Notices

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

Section 913 - Sample Splitting

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

Section 914 - Access to Information

When requested, the Executive Director shall make available, to the public and other governmental agencies, for inspection and/or copying, all information and data on a user. Information or data, however obtained, which is effluent data, or wastewater constituents and characteristics, as well as information provided by the user on material safety data sheets shall be available to the public without restriction and shall not be awarded trade secret status. Any other information may be protected from disclosure provided the user can demonstrate to the satisfaction of the Executive Director that such information, if made public would divulge information that should be protected as a trade secret of the user. The procedures of Section 301 of the Chemung County Sewer Use Law shall govern requests for protection of information as trade secret.

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

Section 915 A - Access to Property

The Executive Director and other authorized representatives of the District, County, representatives of EPA, NYSDEC, NYSDOH, and/or Chemung County Health Department, bearing proper credentials and identification, shall be permitted to enter upon all non-residential properties, including but not limited to any properties where records are required to be kept under 40 CFR Section 403.12, or the permit, at all times for the purpose of inspection, review and copying of records, observation, sampling, flow measurement, and testing to ascertain a user's compliance with applicable provisions of Federal and State law governing use of the County POTW, and with the provisions of these Rules & Regulations. Inspections can include any facilities, equipment, practices or operations regulated or required under a wastewater discharge permit or these Rules and Regulations; any production, manufacturing, fabricating or storage area where regulated pollutants could originate, be stored or be discharged; and sampling or monitoring for purposes of assuring permit compliance, and substance or parameters at any location. Inspections of residential properties shall be performed in proper observance of the resident's civil rights. Such representative(s) shall have the right to set up, on the User's property or property rented/leased by the User, such devices as are necessary to conduct sampling or flow measurement. Guard dogs shall be under proper control of the User while the representatives are on the User's property or property rented/leased by the User. Such representative(s) shall, additionally have access to and may copy any records the User is required to maintain under these Rules & Regulations. Refusal of access is grounds for permit termination under Section 407 of the Chemung County Sewer Use Law.

Where a User has security measures in force which would require proper identification and clearance before entry into the premises, the user shall make necessary arrangements so that upon presentation of suitable identification, inspecting personnel will be permitted to enter, without delay, for the purpose of performing their specific responsibilities.

The Executive Director shall sample the effluent from each Significant Industrial User at least once per year. From time to time, the Executive Director shall randomly sample and analyze the effluent from industrial users and conduct surveillance activities in order to determine, independent of information supplied by industrial users, any noncompliance with these Rules & Regulations.

Section 915 B - Access to Easements

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

Section 915 C - Liability of Property Owner

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

Section 916 - Special Agreements

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

- (1) pass-through or cause interference
- (2) endanger the public municipal employees
- (3) cause violation of the SPDES Permit
- (4) interfere with any Purpose stated in Section 103
- (5) prevent the equitable compensation to the County for wastewater conveyance and treatment, and sludge management and disposal.

No discharge which violates any applicable pretreatment standards will be allowed under the terms of such special agreements.

Section 917 - Hazardous Waste Notification

(1) All Industrial Users shall notify the POTW, the USEPA Regional Water Management Division Director and New York State Hazardous Waste Authorities in writing of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. New dischargers must provide this information within 180 days after the discharge of the listed or characteristic hazardous waste. The notification requirements of this Section do not apply to pollutants already reported under the self-monitoring requirements of 40 CFR 403.12 (b), (d) and (e). Such notification must include:

- (a) the name of the hazardous waste as set forth in 40 CFR Part 261;
- (b) the USEPA hazardous waste number;
- (c) the type of discharge (continuous, batch or other)

(2) If the Industrial User discharges more than 100 kilograms of such waste per calendar month to the POTW, the notification shall also contain the following information to the extent such information is known and readily available to the Industrial User:

- (a) an identification of the hazardous constituents contained in the waste;
- (b) an estimation of the mass and concentration of such constituents discharged during that calendar month; and
- (c) an estimation of the mass of constituents in the wastestream expected to be discharged during the following 12 months.

(3) Industrial Users are exempt from these notification requirements during a calendar month if they discharge no more than 15 kilograms of hazardous wastes unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30 (d) and 261.33 (e). Discharge of more than 15 kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30 (d) and 261.33 (e), requires a one time notification. Subsequent months in which the Industrial User discharges more than such quantities of any hazardous waste do not require additional notification.

(4) In the case of any new regulation under section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the Industrial User must make the notifications required under this Section within 90 days of the effective date of such regulations.

(5) In the case of any notification made under this Section, the Industrial User shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determine to be economically practical.

(6) All Industrial Users shall promptly notify the POTW in advance of any substantial change in the volume or character of pollutants in their discharge, including the listed or characteristic hazardous wastes for which the Industrial User has submitted an initial notification under this Section.

(7) All reports submitted under this section shall be signed in accordance with the requirements of Section 905 (4).

Section 918 - POTW Reports

(1) The Executive Director shall provide EPA with a report that briefly describe the POTW's program activities, including activities of all participating agencies, if more than one jurisdiction is involved in the program. The report shall be submitted annually and shall include:

(a) An updated list of the POTW's Industrial Users, including their names and addresses. The list shall identify which Industrial Users are subject to categorical pretreatment Standards and specify which Standards are applicable to each Industrial User. The list shall indicate which Industrial Users are subject to local standards that are more stringent than the categorical Pretreatment Standards. The POTW shall also list the industrial users that are subject only to local Requirements.

(b) A summary of the status of industrial user compliance over the reporting period.

(c) A summary of compliance and enforcement activities (including inspections) conducted by the POTW during the reporting period; and

(d) any other relevant information requested by EPA.

END OF ARTICLE 9

ARTICLE 10

PUBLIC DISCLOSURE OF POTW OPERATIONS

Section 1001- POTW Operations Open to the Public
Section 1002- Procedural Requirements Available
Section 1003- Validity Through Public Inspection
Section 1004- Public Information
Section 1005- Public Notifications

Section 1001- POTW Operations Open to the Public

It shall be the policy of the Administrative Boards to conduct all business with full disclosure to the public. All regular meetings of the Administrative Boards are open to the public. Monthly meeting agendas shall include a line item for "Non-Board Presentations". Notices of special meetings will be posted.

Section 1002- Procedural Requirements Available

The nature and requirements of all formal procedures for applying for a permit and for requesting a permit under these Rules & Regulations will be made available to any resident of the Districts upon request.

Section 1003- Validity Through Public Inspection

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

Section 1004 - Public Information

Applications, requests and submissions will be received at the offices of the Executive Director. Pertinent forms for such will be available at the same offices.

Section 1005 - Public Notifications

The Executive Director, in order to comply with the Public Participation notification policy, shall at least annually provide public notification of the Industrial Users who were not in compliance with applicable pretreatment standards or requirements since the last reporting period. The notification shall also summarize the enforcement actions taken by the Sewer Districts since the last reporting period.

END OF ARTICLE 10

ARTICLE XI

CHARGES

Section 1101 Normal Sewage Service Charges
Section 1102 Surcharge for Abnormal Sewage
Section 1103 User Charge System
Section 1104 Segmenting the POTW
Section 1105 Measurement of Flow
Section 1106 Billing Period
Section 1107 Pretreatment Program Costs
Section 1108 Charges for Trucked and Hauled Wastes
Section 1109 Permit and Application Fees
Section 1110 Capital Recovery
Section 1111 Collection of Charges
Section 1112 Fiscal Year for System
Section 1113 Impact Fees
Section 1114 Use of Revenues
Section 1115 Records and Accounts

Section 1101 - Normal Sewage Service Charges

All persons discharging or depositing wastewater into the public sewers shall pay a sewer service charge proportional to the liquid volume of waste so deposited, which charge shall be collected as a sewer use charge.

Section 1102 - Surcharge for Abnormal Sewage

All persons discharging or depositing wastes with concentrations in excess of the pollutant concentrations in normal sewage may be required to pay a surcharge.

In addition, if the sewage contains any of those compounds (substances of concern) which the New York State Department of Environmental Conservation has determined may be harmful to humans, wildlife or the environment, it may be considered abnormal sewage.

Section 1103 - User Charge System

- (1) Sewer use charges shall be levied on a regular basis (at least yearly) to produce adequate revenues required for operation and maintenance (including replacement) of the Sewer Districts and POTW's. The charges will be developed from the use of water by each user. The total charges shall be determined by the annual approved budget for all operation and maintenance (including replacement). Each user shall pay it's proportionate share of the operation and maintenance (including replacement) costs of conveyance and treatment, including the costs of operation and maintenance for all flow not directly attributable to users (i.e., infiltration/inflow), based on the users proportionate contribution to the wastewater loading from all users.

- (2) Each Administrative Board shall prohibit and/or regulate by license or permit the contribution of sanitary sewage, industrial wastes and other wastewater which requires treatment greater than that required for equal volumes of normal sewage . Such users are subject to surcharges for permitted contributions of abnormal sewage.
- (3) Prior to finalization of the Scale of Charges each Administrative Board shall hold at least one public hearing. Subsequently the Scale of Charges must be approved by the pertinent Administrative Board and by the Chemung County Legislature prior to issuance of the bills.
- (4) Penalties may be imposed by the pertinent Administrative Board for bills not paid within a specified period in accordance with Section 416 of the Sewer Use Law or other period of time to be set by the Board. Unpaid Charges remaining after a penalty period shall be a lien upon the real property and will be listed on the next calendar year's tax bill including any penalties and additional county charges. Appeals of sewer use charges may be made by users to the pertinent Administrative Board within a specified period of time after issuance of the bill. Final decisions relative to said appeals will be that of the Board. Penalties for late payment shall be delayed on any account under appeal until a specified time after the user is notified of the disposition of the appeal by the pertinent Administrative Board.
- (5) At least annually each user will be notified, in conjunction with their regular bill, of the rate and that portion of the user charges which are attributable to the operation and maintenance (including replacement) of the Sewer Districts and POTWs.
- (6) Annually, a budget shall be prepared by each District detailing all expected expenditures for the operation and maintenance (including replacement) of the Sewer Districts and POTWs. The expenditures provide for the conveyance and treatment of all liquid in the system whether intended and permitted or extraneous. The budget will include at least, but not be limited to, the following items, operation and maintenance costs (including replacement) and the cost of personnel, material, energy and administration. The basis for those costs will be anticipated expenditures of the system.
- (7) User charge bills will be prepared and sent to users by each District. Payment shall be made to the appropriate District. Payments may be made by mail or in person at the District's office or at a location designated by the Chemung County Treasurer. Revenues from the user charges shall be deposited in the pertinent accounts administered by the Chemung County Treasurer (the Sewer District's fiscal officer) for use by the pertinent District for operation and maintenance (including replacement) costs. All requests for payment from the accounts must first be approved by the Administrative Board of the pertinent District.
- (8) Revenues generated by the Districts from the operation of the treatment facility (e.g. fees for trucked in wastes) shall be used to offset the cost of operation and maintenance and shall proportionately reduce all user charges.

- (9) This user charge system once approved and adopted by the Administrative Boards and enacted by the Chemung County Legislature will become part of the current "Chemung County Sewer Use Law".

Section 1104 - Segmenting the POTW

The service area of the POTW may be segmented to assist in a fair distribution of user charges, especially if there is a pump station serving a segment.

Section 1105 - Measurement of Flow

The volume of flow to be used in computing sewer service charges and abnormal sewage surcharges may be based upon metered water consumption as shown on the records of meter readings maintained by the providing water department. In the event that a person discharging wastes into the POTW produces evidence to the Executive Director demonstrating that a substantial portion of the total amount of metered water does not reach the POTW, then the Executive Director shall either establish a percentage of the total metered water to be used as a basis for such computations, or direct the installation of appropriate flow measuring (and totalizing) devices to measure and record the actual amount of flow into the POTW. In the event that a person discharging wastes into the POTW procures all or part of his water supply from unmetered sources, the Executive Director shall either direct the installation of water meters on the other sources of water supply, or direct the installation of appropriate flow measuring devices to measure and record the actual amount of flow into the POTW. Any water meters and/or flow measuring devices installed pursuant to this Section shall be of a type and design acceptable to the Executive Director and shall be installed, maintained, and periodically tested as required by the Executive Director, at the owner's expense. All such meters and/or flow measuring devices shall be subject to periodic inspection, testing, and reading by the Executive Director. Any person discharging wastes into the POTW may install a flow measuring device at his option, of the type, design, installation, and maintenance standards of the Executive Director, at the owner's expense.

Section 1106 - Billing Period

The billing period may be monthly for industrial and bimonthly for commercial users and annually for residential and small flow users.

Section 1107 - Pretreatment Program Costs

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

- (1) reimbursement of costs of setting up and operating the pretreatment program
- (2) issuing permits
- (3) monitoring, inspections, and surveillance procedures
- (4) costs of equipment and supplies
- (5) reviewing accidental discharge procedures
- (6) construction inspections
- (7) filing appeals

- (8) application for consistent removal status as outlined in 40 CFR 403
- (9) other reasonable expenses to carry out the program to satisfy the requirements of this Law, the NYSDEC, and the Federal government

Section 1108 Charges for Trucked and Hauled Wastes

The charge for dumping septage into the POTW shall be as established by the Scale of Charges. The manner of determining the volume dumped shall be at the discretion of the Executive Director.

Section 1109 Permit and Application Fees

The District may institute an equitable procedure for recovering the costs of administering connection permit applications and performing inspections of sewer connections. Such fees will be established by the Scale of Charges.

Section 1110 - Capital Recovery

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

Section 1111 Collection of Charges

The provisions of Article 4 of this Law relating to the collection of penalties shall apply to the collection of Sewer Service Charges and Abnormal Sewage Service Surcharges, unless where otherwise provided by application of the Sewer Scale of Charges.

Section 1112 Fiscal Year for System

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

Section 1113 Sewer Connection Permit Application Fees

The Sewer District may establish sewer connection permit application fees and such will be a part of the Scale of Charges and adopted by the Chemung County Legislature.

Section 1114 Use of Revenues

Revenues derived from ad valorem taxes, user charges and associated penalties, shall be credited to a special fund. Monies in this fund shall be used exclusively for the following functions:

- (a) For the payment of the operation and maintenance, including repair and replacement costs of the Sewer Districts and POTWs,
- (b) For the discovery and correction of inflow and infiltration,

- (c) For the payment of interest on and the amortization of or payment of indebtedness which has been or shall be incurred for the construction or extension of the District POTWs, and
- (d) For the extension, enlargement, replacement of, and/or additions to the Districts POTWS, including any necessary appurtenances.

Section 1115 - Records and Accounts

The Districts shall maintain and keep proper books of records and accounts for the POTWS, separate from all other records and accounts, in which shall be made full and correct entries of all transactions relating to the POTWS. The District will cause an annual audit of such books of record and account for the preceding fiscal year to be made by a recognized independent certified public accountant, and will supply such audit report to authorized officials, and the public, on request. In conjunction with the audit, there shall be an annual review of the sewer charge system to determine if it is adequate to meet expenditures for all programs for the coming year.

Classification of old and new industrial users should also be reviewed annually.

The Districts shall maintain and carry insurance on all physical properties of the POTWS, of the kinds and in the amounts normally carried by public utility companies and municipalities engaged in the operation of sewage disposal systems. All moneys received for losses under any such insurance policies shall be applied solely to the replacement and restoration of the property damaged or destroyed.

END OF ARTICLE 11

ARTICLE 12

CONFLICTS, SEVERABILITY, EFFECTIVE DATE AND APPLICABILITY

Section 1201- Conflicts

Section 1202- Severability

Section 1203- Effective Date

Section 1204- Applicability

Section 1201- Conflicts

The provisions of any local law in conflict with any provision of these Rules & Regulations are hereby repealed.

Section 1202- Severability

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

Section 1203- Effective Date

These Rules & Regulations shall take effect 30 days after filing with the Clerk of the Chemung County Legislature.

Section 1204- Applicability

All Articles of these Rules & Regulations shall apply to all incorporated areas of the Districts and for all areas within the service area of the POTW's and served by the same.

END OF ARTICLE 12

END OF RULES & REGULATIONS