

**TOWN OF LINCOLN
GRAFTON COUNTY, NEW HAMPSHIRE
SEWER USE ORDINANCE**

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GENERAL PROVISIONS

This ordinance sets forth uniform requirements for users of the Publicly Owned Treatment Works (POTW) of the Town of Lincoln and enables the Town of Lincoln to comply with all applicable state and federal laws, including the Clean Water Act (33 United States Code § 1251 *et seq.*) and the General Pretreatment Regulations (40 Code of Federal Regulations Part 403).

Except as otherwise provided herein, the Public Works Director shall administer, implement, and enforce the provisions of this ordinance. Any powers granted to, or duties imposed upon the Public Works Director may be delegated by the Public Works Director to other Town of Lincoln personnel.

Article I: DEFINITIONS

- A. Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:
1. “Act” or “the Act” shall mean the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. § 1251 *et seq.*
 2. “AGRU” or “Automatic Grease Recovery Unit” shall mean an interior grease interceptor that separates grease from the wastewater by active mechanical or electrical means.
 3. “BOD” or “Biochemical Oxygen Demand” shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure for 5 days at 20° centigrade, expressed as a concentration (e.g. milligrams per liter).
 4. “Building Drain” shall mean that part of the lowest horizontal piping of a drainage system that receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet outside the inner face of the building wall.
 5. “Building Sewer” shall mean the extension from the building drain to the public sewer or other place of disposal, also called house connection.
 6. “Categorical Pretreatment Standard” or “Categorical Standard” shall mean any regulation containing pollutant discharge limitations promulgated by EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. § 1317) that apply to a specific category of users and that appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.
 7. “Combined Sewer” shall mean a sewer receiving both wastewater and storm or surface water.
 8. “Commercial” or “Commercial Use” shall mean premises used for

financial gain, such as a business, but excluding residential uses and related accessory uses.

9. "Easement" shall mean an acquired legal right for the specific use of land owned by others.
10. "Environmental Protection Agency" or EPA" shall mean the United States Environmental Protection Agency or, where appropriate, the EPA Regional Water Management Division Director, or other duly authorized official of said agency.
11. "Fats, Oils and Grease" or "FOG" shall mean any fats, oils and grease generated from the food preparation process.
12. "Floatable Oil" shall mean oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. Wastewater shall be considered free of floatable oil if it is properly pretreated and the wastewater does not interfere with the POTW.
13. "Force Main" shall mean a line without access from individual properties, providing a connection from a pump station to a pump station, trunk, or sanitary sewer manhole.
14. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food and from the handling, storage and sale of produce.
15. "Grab Sample" shall mean a sample that is taken from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.
16. "Grease" shall mean the material removed from a grease interceptor (trap) serving a restaurant or other facility requiring such grease interceptors. Also means volatile and non-volatile residual fats, fatty acids, soaps, waxes and other similar materials.
17. "Grease trap/interceptor" shall mean any device or equipment designed to separate fats, oils and grease from wastewater while allowing water to flow through.
18. "Hauler" or "Septage Hauler" shall mean those persons, firms, or corporations, who pump, haul, transport, or dispose of septage and who are licensed by the New Hampshire Department of Environmental Services pursuant to RSA 485-A:4,XVI-a and rules adopted to implement said section.
19. "Indirect Discharge" shall mean the introduction of pollutants into the POTW from any non-domestic source regulated under Section 307(b), (c), or (d) of the Act.
20. "Industrial Discharge Permit" shall mean the written permit between the Town of Lincoln and an industrial user that outlines the conditions under

which discharge to the POTW will be accepted.

21. "Industrial User" shall mean a person who discharges industrial wastes to the POTW of the Town of Lincoln.
22. "Industrial Wastes" shall mean the wastewater and waterborne wastes from any liquid, gaseous, or solid waste substance resulting from any process of industry, manufacturing trade, or business or from development of any natural resources as distinct from domestic wastewater, sewage or unpolluted water.
23. "Interference" shall mean a discharge which, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and therefore is a cause of a violation of the Town of Lincoln's NPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent state or local regulations: Section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as RCRA; any state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; the Marine Protection, Research, and Sanctuaries Act; 40 CFR Part 503 Standards for Sewage Sludge Use and Disposal and RSA 485-A:4, XVI-b.
24. "Local Limits" shall mean numerical limitations on the discharge of pollutants established by the Town of Lincoln, as distinct from state or federal limitations for non-domestic wastewater discharged to the POTW.
25. "May" shall mean permissive (see "Shall").
26. "Medical/Infectious Waste" shall mean medical/infectious waste as defined by RSA 125-N:2, VIII.
27. "National Pollutant Discharge Elimination System Permit" or "NPDES Permit" shall mean a permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).
28. "Natural Outlet" shall mean any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake or other body of surface or groundwater.
29. "NHDES" shall mean the New Hampshire Department of Environmental Services.
30. "Normal Domestic Wastewater" shall mean wastewater generated by residential users containing not more than 200 mg/l BOD and not more than 250 mg/l suspended solids.
31. "Non-Contact Cooling Water" shall mean water used for cooling that

does not directly contact any raw material, intermediate product, waste product, or finished product.

32. "Owner" shall mean any person vested with ownership, legal or equitable, sole or partial, or in possession of any property where wastewater requiring disposal or treatment is generated.
33. "Pass-through" shall mean a discharge that exits the POTW into the waters of the United States in quantities or concentrations, which alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirements of the Town of Lincoln's NPDES permit, including an increase in the magnitude or duration of a violation.
34. "Person" shall mean an individual, partnership, co-partnership, firm, company, association, joint stock company, trust, estate, society, corporation, governmental agency or any other legal entity, or their legal representatives, agents or assigns. This definition includes all federal, state and local government entities.
35. "pH" shall mean a logarithmic measure devised to express the hydrogen ion concentration of a solution, expressed in standard units. Solutions with pH values greater than 7 are basic (or alkaline); solutions with pH values less than 7 are acidic.
36. "Pharmaceutical Waste" shall mean a prescription drug, as defined by RSA 318:1, XVII, or a nonprescription or proprietary medicine, as defined by RSA 318:1, XVIII, that is no longer suitable for its intended purpose or is otherwise being discarded.
37. "Pollutant" shall mean dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes, and characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).
38. "Pollution Prevention" shall mean the use of materials, processes, or practices that reduce or eliminate the creation of pollutants or wastes at the source, or minimize their release to the environment prior to recycling, treatment or disposal. It includes practices that reduce the use of hazardous materials, energy, water or other resources. It also includes practices that protect natural resources and human health through conservation, more efficient use, or effective release minimization.
39. "Pretreatment" shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained

by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.

40. "Pretreatment Requirements" shall mean any substantive or procedural requirement related to pretreatment imposed on a user, other than a pretreatment standard.
41. "Pretreatment Standards" shall mean prohibited discharge standards, categorical pretreatment standards, and local limits.
42. "Prohibited Discharge Standards" or "Prohibited Discharges" shall mean absolute prohibitions against the discharge of certain substances as identified in this ordinance.
43. "Properly Shredded Garbage" shall mean wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one half inch in any dimension.
44. "Public" shall mean anything owned or controlled by a governmental agency or utility company. Also refers to the Town of Lincoln POTW.
45. "Public Sewer" shall mean a pipe or conduit that carries wastewater, storm water, groundwater, subsurface water, or unpolluted water from any source, which is controlled by a governmental agency or public utility.
46. "Public Works Director" shall mean the person designated by the Town of Lincoln to supervise the operation of the POTW, and who is charged with certain duties and responsibilities by this ordinance, or a duly authorized representative.
47. "Publicly Owned Treatment Works" or "POTW" shall mean a "treatment works," as defined by Section 212 of the Act (33 U.S.C. §1292) that is owned by the Town of Lincoln. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature. It also includes sewers, pipes, and other conveyances only if these structures convey wastewater to a POTW wastewater treatment facility. The term also means the municipality that has jurisdiction over discharges to and from such a treatment plant, and any sewer that conveys wastewater to the POTW from persons outside the Town of Lincoln who are, by contract or agreement with the Town of Lincoln, users of the Town of Lincoln's POTW.
48. "Radiological Waste" shall mean radioactive waste as regulated by RSA 125-F.
49. "Sanitary Sewer" shall mean a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial

facilities, and institutions, together with minor quantities of storm, surface and groundwater that are not intentionally admitted.

50. "Screening Level" shall mean that concentration of a pollutant that under baseline conditions would cause a threat to personnel exposed to the pollutant or would adversely impact structures of the POTW. To be administered as local limits applicable to a particular discharge, the screening levels must be adjusted to account for conditions at the point of discharge that differ from baseline conditions.
51. "Selectmen" or "Board of Selectmen" shall mean the Board of Selectmen of the Town of Lincoln or their authorized representative(s).
52. "Septage" or "Septic Tank Waste" shall mean any liquid, solid, or sludge pumped from chemical toilets, septic tank, cesspool, privy vault, or similar storage device, that have received only domestic wastewater.
53. "Sewage" or "Domestic Wastewater" shall mean normal water carried household and toilet wastes or waste from sanitary conveniences of residences, commercial buildings, institutions, and industrial establishments, excluding ground, surface, or storm waters and contains no industrial waste.
54. "Sewer" shall mean a pipe or conduit that carries wastewater, storm water, groundwater, subsurface water, or unpolluted water from any source.
55. "Shall" shall mean mandatory (see "May").
56. "Significant Indirect Discharger" shall mean an indirect discharger that meets one or more of the following criteria:
 - a. Is subject to national categorical pretreatment standards under 40 CFR 403.6;
 - b. Discharges an average of 10,000 gallons per day or more of process wastewater;
 - c. Discharges a process wastewater which contributes 5 percent or more of the hydraulic or organic loading to the POTW treatment plant;
 - d. Discharges medical/infectious waste, pharmaceutical waste, or radiological waste if such a discharge has been designated by the Town of Lincoln as having a reasonable potential for adversely affecting the POTW or for violating any pretreatment standard or requirement; or
 - e. Is designated as such by the Town of Lincoln as having a reasonable potential for adversely affecting the POTW's operation or performance or for violating any pretreatment standard or requirement.

57. "Slug" shall mean:
- a. Any discharge of water, wastewater, sewage, or industrial sewage which, in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hour concentration or flow during normal operation;
 - b. Any discharge at a flow rate or concentration that could cause a violation of the prohibited discharge standards of this ordinance; or
 - c. Any discharge that may adversely affect the collection system and/or performance of the POTW.
58. "Standard Industrial Classification (SIC) Code" shall mean a classification pursuant to the *Standard Industrial Classification Manual* issued by the United States Office of Management and Budget.
59. "State" shall mean the State of New Hampshire.
60. "Storm Drain" or "Storm Sewer" shall mean a sewer, which carries storm and surface waters, groundwater, subsurface water or unpolluted water from any source.
61. "Storm Water" shall mean any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.
62. "Suspended Solids" or "TSS" shall mean total suspended matter that floats on the surface of, or is suspended in water, wastewater, or other liquid, and which is removable by laboratory filtering.
63. "Town" shall mean the Town of Lincoln, Grafton County, New Hampshire, a municipality of the State of New Hampshire, acting by and through its Board of Selectmen or, in appropriate cases, acting by and through its authorized representatives, including Board of Sewer Commissioners if hereafter created.
64. "Treatment Plant" or "Treatment Facility" shall mean any device or system used in the storage, treatment, equalization, recycling or reclamation of wastewater and/or wastewater sludges as defined herein.
65. "Unpolluted Water" shall mean water of quality equal to or better than the State Water Quality Standards (Part Env-Wq 1700) or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the POTW.
66. "User Charge System" shall mean an equitable system of fees and assessments established by the Town of Lincoln for the purpose of recovering from the users the costs of constructing, operating, and maintaining the POTW.
67. "Wastewater" shall mean liquid and water-carried industrial wastes

and/or sewage from residences, commercial buildings, industrial and manufacturing plants, and institutions, whether treated or untreated, which are contributed to the POTW.

68. "Watercourse" shall mean a channel in which a flow of water occurs either continuously or intermittently.

Article II: USE OF PUBLIC SEWERS

- A. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Town of Lincoln, or in any area under the jurisdiction of said Town, any human or animal excrement, garbage, or other objectionable waste.
- B. It shall be unlawful to discharge to any natural outlet within said Town of Lincoln, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance and with state and federal laws and regulations.
- C. No person shall discharge into any public sewer of the Town of Lincoln, or into any fixture that thereafter discharges into any public sewer, any waste or substance other than for which the particular sewer is intended, designed or provided.
- D. No person shall discharge into any public sewer of the Town of Lincoln, or into any fixture that thereafter discharges into any public sewer, any waste or substance until all applicable federal, state and local permits have been obtained.
- E. Except as specifically provided with reference to some particular sewer, sanitary sewers shall be used only for the conveyance and disposal of domestic wastewater, and for industrial wastes that are not objectionable as hereinafter provided. No sanitary sewer shall be used to receive and convey or dispose of any storm or surface water, subsoil drainage, or unpolluted water.
- F. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designed as storm sewers, or a natural outlet approved by the Public Works Director. A NPDES permit is required prior to discharging industrial cooling water, process waters, or storm water runoff generated in areas of industrial activity (as defined in 40 CFR Part 122) to a storm sewer or natural outlet.
- G. If the intended or designated use of any particular sewer or drain and allowable discharge thereto is unclear, the Public Works Director will consider the pertinent facts and make a determination. Said determination shall be final and binding.

- H. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.
- I. The owner(s) of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the Town of Lincoln and abutting on any street, alley, or right-of-way in which a public sanitary sewer of the Town of Lincoln is located, is hereby required at the owner's expense to install suitable toilet facilities there in, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within ninety (90) days after date of official notice to do so, provided that said public sewer is within one-hundred (100) feet of said house or building.
- J. If any owner fails to comply with the provisions of Section I of this Article, the Town of Lincoln may make the required sewer connections and may collect from the owner the costs and expenses thereof by such legal proceeding as may be permitted by law. The Town of Lincoln shall have full authority to enter onto the owner's property to do whatever is necessary to cause compliance with the provisions of this Article.

Article III: PRIVATE SEWAGE DISPOSAL

- A. Where a public sanitary sewer is not available under the provisions of Article II, Section I, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this Article and RSA 485-A:29-44 and rules promulgated thereto.
- B. Before commencement of construction of a private wastewater disposal system, the owner(s) shall first obtain design approval (Approval for Construction) from NHDES.
- C. The type, capacities, location and layout of a private wastewater disposal system shall comply with all regulations of the NHDES. No permit shall be issued for any private wastewater sewage disposal system employing subsurface facilities where the percolation test results indicate poor drainage conditions exist. No septic tank or cesspool shall be permitted to discharge to any natural outlet.
- D. At such time as a public sewer becomes available to a property served by a private wastewater disposal system, as provided in Article II, Section I, a direct connection shall be made to the public sewer within ninety (90) days in compliance with this ordinance, and any septic tanks, cesspool, or similar private wastewater disposal facilities shall be cleaned of sludge and filled with clean mineral soils, and their use shall be discontinued.

- E. The owner(s) shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the Town of Lincoln. Sludge removal from private disposal systems shall be performed by licensed operators and disposed of at facilities approved by NHDES. At no time shall any quantity of industrial waste be discharged to a private wastewater disposal facility.
- F. No statement contained in this Article shall be construed to interfere with any additional requirements that may be imposed by the Public Works Director.

Article IV: BUILDING SEWERS AND CONNECTIONS

- A. No person(s) shall uncover, make connections with or open into, use, alter, or disturb any public sewer or appurtenances thereof without first obtaining a written permit from the Public Works Director.
- B. There shall be two classes of building sewer permits:
 - 1. For residential and commercial service producing only domestic wastewater; and
 - 2. For service to establishments producing industrial wastes.

In either case, the owner or his agent shall make application on a special form furnished by the Town of Lincoln. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Public Works Director. A permit and inspection fee in accordance with the provisions of this ordinance shall be paid to the Town of Lincoln at the time the application is filed.

- C. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner(s). The owner(s) shall indemnify the Town of Lincoln for any loss or damage that may directly or indirectly be caused by the installation of the building sewer. The owner(s) shall be obligated to pay all costs and expenses of operation, repairs, maintenance and reconstruction of the building sewer including the connection to the public sewer.
- D. A separate and independent building sewer shall be provided for every building; except where one building stands at rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway. In such cases, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer, but the Town of Lincoln does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection.

- E. Existing building sewers may be used in connection with new buildings only when they are found, on examination and test by the Public Works Director, to meet all requirements of this ordinance.
- F. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and back filling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town of Lincoln and NHDES rules Env-Wq 700. In the absence of a code of provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society for Testing and Materials (ASTM) and Water Environment Federation (WPCF) Manual of Practice No. FD-5 shall apply. The entire line when completed shall be gas tight and watertight and shall be verified as such by proper testing. Any deviation from the prescribed procedure and materials must be approved by the Public Works Director before installation.
- G. During construction of a new sanitary sewer, the Town of Lincoln may construct the service connections for existing buildings to the curb or the property line or the edge of a right-of-way. Construction of the building sewer, including connection to the structures served, shall be the responsibility of the owner(s) of the improved property to be connected; and such owner shall indemnify and save harmless the Town of Lincoln, its officers, and agents from all loss or damage that may result, directly or indirectly, due to the construction of a building sewer on his premises or its connection to the service connection. The owner(s) shall thereafter be obligated to pay all costs and expenses of operation, repair, maintenance, and reconstruction of the building sewer and service connection.
- H. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by a means approved by the Public Works Director and discharged to the building sewer at the owner's expense.
- I. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface run-off or groundwater to a building sewer or building drain, which in turn is connected directly or indirectly to a public sanitary sewer.
- J. No person shall obstruct the free flow of air through any drain or soil pipe.
- K. The applicant for the building sewer permit shall notify the Public Works Director when the building sewer is ready for inspection and connection to the public sewer. Such notice shall be provided not less than 72 hours in advance

of the time any connection is to be made to any public sewer. The connection shall be made under the supervision of the Public Works Director or their representative. Suitable provisions shall be made at the point of connection for testing, which responsibility shall rest with the holder of the sewer connection permit. No building sewer shall be covered until it has been inspected and approved by the Public Works Director or their representative. If any part of the building sewer is covered before so being inspected and approved, it shall be uncovered for inspection at the cost and expense of the owner. This requirement shall also apply to repairs or alterations to building connections, drains or pipes thereto.

- L. The Public Works Director shall maintain a record of all connections made to public sewers and drains under this ordinance and all repairs and alterations made to building connections or drains connected to or discharging into public sewers and drains of the Town of Lincoln or intended to so discharge. All persons concerned shall assist the Public Works Director in securing the data needed for such records.
- M. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town of Lincoln at the expense of the owner. Prior to any excavating within the highway right of way or on any public property, a trenching permit shall be obtained from the Town of Lincoln or State of New Hampshire as applicable.
- N. The owner(s) of any property connected to a public sewer shall be responsible for maintaining the building sewer which serves said property, in a sanitary and safe operating condition at all times.
- O. If any person shall fail or refuse, upon receipt of a notice from the Town of Lincoln, in writing, to remedy an unsatisfactory condition with respect to a building sewer, within forty-five (45) days of receipt of such notice, the Town of Lincoln may remedy any unsatisfactory condition with respect to a building sewer and may thereof by such legal proceedings as may be provided by law. The Town of Lincoln shall have full authority to enter on the owner's property to do whatever is necessary to remedy the unsatisfactory condition.
- P. Any person proposing to construct or modify any of the following or any combination of the following shall submit an application for a Sewer Connection Permit to NHDES in accordance with Env-Wq 700:
 - 1. Any extension of a collector or interceptor, whether public or private, regardless of flow;
 - 2. Any wastewater connection or other discharge in excess of 5,000 gallons per day;

3. Any wastewater connection or other discharge to a WWTP operating in excess of 80 percent design flow capacity or design loading capacity based on actual average flow or loadings for 3 consecutive months;
4. Any industrial wastewater connection or change in existing discharge of industrial wastewater, regardless of quality or quantity;
5. Any sewage pumping station greater than 50 gpm or serving more than one building; or
6. Any proposed sewer that serves more than one building or that requires a manhole at the connection.

Article V: PROHIBITED DISCHARGE STANDARDS

- A. General Prohibitions: No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater that causes pass-through or interference. These general prohibitions apply to all users of the POTW whether or not they are subject to categorical pretreatment standards or any other federal, state, or local pretreatment standards or requirements.
- B. Specific Prohibitions: No user shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:
 1. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, gas, solid, or any substance that may generate or form any flammable, combustible or explosive substance, fluid, gas, vapor or liquid when combined with air, water or other substances present in sewers, including, but not limited to, wastestreams with a closed-cup flashpoint of less than 140°F (60°C) using the test methods specified in 40 CFR 261.21;
 2. Wastewater having a pH less than 5.0 or greater than 11.0, as measured at the point of connection to the sanitary sewer or other available monitoring location, or otherwise causing corrosive structural damage or hazard to the POTW equipment, or personnel, or with alkalinity in such quantities that the pH of the influent to the POTW is caused to exceed 8.0;
 3. Solid or viscous substances including water or wastes containing fats, wax, grease, or oils, whether emulsified or not, or containing substances that may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) degrees (0-65 degrees C), in amounts that will cause obstruction of the flow in the POTW resulting in interference;
 4. Pollutants, including oxygen-demanding pollutants (BOD, COD, etc.), or chlorine demand requirements released in a discharge at a flow rate and/or pollutant concentration that, either singly or by interaction with other pollutants, will cause interference with the POTW, constitute a

hazard to humans or animals, create a public nuisance, exceed any national categorical pretreatment standard or cause pass-through ;

5. Wastewater having a temperature greater than 150°F (65°C), or which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater that causes the temperature at the introduction into the POTW treatment plant to exceed 104°F (40°C);
6. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass-through;
7. Pollutants that 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;
8. Trucked or hauled pollutants, except at discharge points designated by the Public Works Director in accordance with this ordinance;
9. Any medical/infectious wastes, pharmaceutical waste, or radiological waste except as specifically authorized in a discharge permit;
10. Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent or sludge to fail a toxicity test;
11. Household hazardous wastes including but not limited to paints, stains, thinners, pesticides, herbicides, anti-freeze, transmission and brake fluids, motor oil and battery acid;
12. Any hazardous waste listed or designated by NHDES under Env-Hw 400;
13. Wastewater that imparts color that may not be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently may impart color to the treatment facility's effluent, thereby violating the Town of Lincoln's NPDES permit;
14. Noxious or malodorous liquids, gases, solids, or other wastewater that, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;
15. Wastewater containing any radioactive wastes or isotopes except in compliance with applicable state or federal regulations;
16. Storm water, surface water, groundwater, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, non-contact cooling water, or otherwise unpolluted wastewater;
17. Sludges, screenings, or other residues from the pretreatment of industrial wastes unless specifically authorized by the Public Works Director in a discharge permit;

18. Detergents, surface-active agents, or other substances that may cause excessive foaming in the POTW;
19. Wastewater causing a reading on an explosion hazard meter at the point of discharge into the POTW, or at any point in the POTW, of more than 10 percent (10%) of the Lower Explosive Limit of the meter;
20. Garbage that has not been properly shredded (garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers);
21. Any quantities of flow, concentrations, or both that constitute a "slug" as defined in this ordinance;
22. Waters or wastes that, by interaction with other water or wastes in the POTW, release dangerous or noxious gases, form suspended solids that affect the operation of the collection system, or create a condition deleterious to structures and treatment processes; or
23. Any materials that exert or cause unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime, slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).

C. Federal Categorical Pretreatment Standards: The categorical pretreatment standards are found at 40 CFR Chapter I, Subchapter N, Parts 405-471.

1. EPA shall be the control authority for industrial users subject to categorical pretreatment standards. As the control authority, industrial users are responsible to the EPA for compliance with categorical pretreatment standards and the requirements of 40 CFR Part 403. Categorical industrial users shall provide the Town of Lincoln with copies of any reports to, or correspondence with EPA relative to compliance with the categorical pretreatment standards.
2. The industrial user is responsible for determining the applicability of categorical pretreatment standards. The user may request that EPA provide written certification on whether the user is subject to the requirements of a particular category.
3. Upon promulgation of the federal categorical pretreatment standards for a particular industrial subcategory, the federal standard, if more stringent than limitations imposed under this ordinance for sources in that subcategory, shall, on the compliance date of the categorical pretreatment standards, immediately supersede the limitations imposed under this ordinance.

D. Local Discharge Restrictions: Substances, materials, waters, or waste shall be

limited in discharges to the POTW to concentrations or quantities which will not harm the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger life, limb, public property, or constitutes a nuisance. The Public Works Director may set limitations lower than the limitations that are necessary to meet the above objectives and to prevent pass-through, interference or sludge contamination at the POTW. In forming his opinion as to the acceptability, the Public Works Director will consider the quantity and characteristics of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, degree of treatability of the waste in the wastewater treatment plant, and other pertinent factors. The Public Works Director shall not permit those discharges which are prohibited by this Article. Local discharge restrictions include:

1. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of 50 mg/l or containing substances which may solidify or become viscous at temperatures between 32-150 degrees F.
2. Latest version of applicable federal categorical pretreatment standards and requirements, state pretreatment standards and local numerical discharge limitations established by the Town of Lincoln (referred to as local limits), whichever is more stringent. Refer to Appendix A for local limits.
3. Concentration of any pollutant above screening levels set by the Public Works Director. Screening levels are numerical values above which actions are initiated to evaluate, prevent or reduce adverse impacts due to flammability, chemical reactivity, organic/solids loadings, or worker health and safety. Such screening levels, generated on the basis of standard conditions, shall be adjusted for the particular conditions applicable to the specific discharge. If any of the screening levels are exceeded, repeat analysis shall be performed to verify compliance or noncompliance with that screening level. If noncompliance is confirmed, then the industrial user may be required, at the discretion of the Public Works Director to conduct an appropriate engineering evaluation to determine the potential impact of the discharge of this pollutant to the Town of Lincoln's POTW or alternatively, to develop a pollution prevention plan specifically addressing the pollutant that exceeds the screening level. This study or plan shall be conducted under the supervision and approval of the Town of Lincoln. Should the evaluation indicate the impact to be unsatisfactory, the industrial user shall reduce the pollutant concentration to a satisfactory level. If the evaluation supports development of an alternate site-specific limitation, then the screening level shall be adjusted and administered as a limit for the specific discharge.

- E. If any waters or wastes are discharged or are proposed to be discharged to the POTW that exceed the standards or restrictions established in this Article, which in the judgment of the Public Works Director may have a deleterious effect upon the POTW, processes, equipment, or receiving waters, or which otherwise create a hazard to worker safety or health or constitute a public nuisance, the Public Works Director may:
1. Reject or prevent any discharge to the POTW after notice has been served to the discharger and the discharger has had reasonable opportunity to respond;
 2. Require pretreatment to an acceptable condition for discharge to the POTW;
 3. Require control (e.g. equalization) over the quantities and rates of discharge; and/or
 4. Require payment to cover the additional cost of handling and treating wastes.
 5. If the Town of Lincoln permits the pretreatment or equalization of waste flows, the design and installation of the plants, equipment and systems shall be subject to the review and approval of the Town of Lincoln and NHDES, and subject to the requirements of all applicable codes, regulations and laws. Such facilities shall not be connected until said approval is obtained in writing. Such approval shall not relieve the owner of the responsibility of discharging treated wastewater meeting the requirements of this ordinance. Plans and specifications for a proposed pretreatment facility shall be the result of a design completed by a Professional Engineer. Review costs of said plan by the Town of Lincoln or its designee shall be the responsibility of the owner.

Article VI: PRETREATMENT OF WASTEWATER

- A. Fats, Oil, Grease, (FOG) and sand interceptors shall be provided when required by the plumbing code or, in the opinion of the Public Works Director, they are necessary for the proper handling of liquid wastes containing grease and oil or sand in excessive amounts, except that such interceptors shall not be required for private living quarters or dwelling units.
1. Grease or Sand/Oil traps are required for restaurants, hotels, hospitals, grocery stores, cafeterias, factories, coffee shops, and any business that stores, repairs or services automobiles.
 - a. Kitchen grease trap/interceptors shall be ranked and defined as follows (meals per day refers to meals capable of being served at peak capacity):
 - High Volume: Establishments that are full service open 8 hours a day or serving more than 250 meals per day shall require

exterior grease interceptors.

- Medium volume: Establishments that are open 8 hours per day or serving 100 to 250 meals per day shall require an exterior interceptor unless the owner can demonstrate that an interior grease trap of appropriate size would better meet the limits set forth in Article V, Section D.1 to the satisfaction of the Public Works Director.
 - Low Volume: Establishments with small volume fast food or take out with minimum dish washing or seating capacity. Interior traps are allowed providing discharge limits in Article V, Section D.1 are met.
2. All exterior interceptors shall be of a type and capacity approved by the Public Works Director. Tank size will be calculated by using the Table A-Recommended Grease Trap Sizing Formula.
 3. All interior traps shall be located as to be readily and easily accessible for cleaning and inspection and shall have a water seal of not less than six inches. Trap size will be calculated by using Table B-Recommended Trap Sizing Formula.
 4. Exterior tanks shall be required on all new construction and existing renovation projects. Under the sink grease traps will not be accepted in lieu of exterior grease traps, without approval from the Public Works Director.
 5. Any existing business violating the requirements in Article V, Section D.1 shall be required to update their existing Grease Trap tank size in order to conform to said requirement.
 - a. Any sample taken by the Town of Lincoln and found to be in excess of the limits set forth in Article V, Section D.1 shall constitute a violation, and shall be subject to the following penalties:
 - 1st offense shall be a formal written warning.
 - 2nd offense shall be a \$100.00 fine.
 - 3rd offense shall be a \$500 fine per day for each day the violation continues.
 - 4th violation shall constitute the closing of the facility until the owner has corrected the deficiency.
 6. Grease interceptors/traps shall be cleaned by the owner at least twice each calendar year, or more frequently if required by the Public Works Director. A certified, or Town of Lincoln approved, inspector shall clean the trap or interceptor and supply copies of the pumping receipts and inspection evaluation to the Public Works Director within 30 days of the pumping event.

- a. Each calendar year that a grease interceptor or trap is not cleaned at least twice and reported to the Town of Lincoln as specified above shall constitute a violation, and shall be subject to the following penalties:
 - 1st violation within a 36-month period: formal written warning.
 - 2nd violation within a 36-month period: \$100 fine.
 - 3rd violation within a 36-month period: \$500 fine.
- b. Criteria for inspecting and evaluating the condition of traps:

<u>Percent of Trap Filled</u>	<u>Trap Condition</u>
25	Good
25 to 50	Fair
Greater Than 50	Poor

7. Only grease or oily wastes shall be routed through grease traps.
8. Plans for traps shall be drawn to scale and be shown on the utility plan. The Public Works Director or agent shall review and approve the plan before construction. All review costs shall be borne by the owner.
9. All interior plumbing work shall conform to the Uniform Plumbing Code. No grease trap shall have a capacity less than 20 gallons per minute (gpm) or more than 55 gpm. The size of the trap depends on the number of fixtures connected to it. Reference Table B for calculating trap size.
10. Exterior in-ground grease trap/interceptors shall be installed on a separate building sewer line serving kitchen flows and shall be connected to those fixtures or drains which would allow fats, oils, and grease to be discharged. This shall include:
 - a. Pot sinks;
 - b. Pre-rinse sinks;
 - c. Any sink which fats, oils, or grease are likely to be introduced;
 - d. Soup kettles or similar devises;
 - e. Work stations;
 - f. Floor drains or sinks into which kettles may be drained;
 - g. Automatic hood wash units;
 - h. Dishwashers without pre-rinse sinks;
 - i. Any other fixtures or drains that are likely to allow fats, oils, and grease to be discharged.
11. An exterior grease interceptor/trap shall be a minimum of 1000 gallons and be adequate in size to provide for a minimum hydraulic retention time of twenty-four (24) hours.

12. The grease trap/interceptor shall be watertight and constructed of concrete or other durable material. It shall be located so as to be accessible for convenient inspection and maintenance. No permanent or temporary structures or containers shall be placed directly over the grease trap/interceptor. Grease trap/interceptors installed in areas subject to traffic shall be designed to accommodate traffic loading.
 13. The outlet discharge line from the grease trap/interceptor shall be directly connected to a sanitary sewer.
 14. Automatic Grease Recovery Unit (AGRU) shall be installed immediately downstream of each fixture or multiple fixtures. It shall be constructed of corrosion-resistant material such as stainless steel or plastic. Solids shall be intercepted and separated from the effluent flow using an internal or external strainer mechanism. This mechanism shall be an integral part of the unit. The unit shall operate using a skimming device, automatic draw-off, or other mechanical means to automatically remove separated fats and oils. All AGRU's shall be designed and installed in accordance with the manufacturer's specifications.
 15. Renderable fats, oils and grease shall only be disposed of in separate storage containers for recycling by a renderer. Disposal shall be in accordance with the Town of Lincoln's Wild Animal Ordinance (Paragraph III). No renderable fats, oils, and grease shall be discharged into grease trap/interceptors or AGRU's, sanitary sewers, dumpsters or storm sewers.
- B. Industrial users shall provide wastewater treatment as necessary to comply with this ordinance and shall achieve compliance with all limits, prohibitions, and requirements set out in Article V of this ordinance within the time limitations specified by EPA, NHDES, or the Town of Lincoln, whichever is more stringent. Detailed plans describing such facilities and operating procedures shall be submitted to the Public Works Director for review and shall be acceptable to the Public Works Director and NHDES before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the user from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the Town of Lincoln under the provisions of this ordinance.
- C. Whenever deemed necessary to protect the POTW and determine the industrial user's compliance with the requirements of this ordinance, the Public Works Director may require users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and such other conditions as may be necessary.

- D. The Public Works Director may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. An Industrial Discharge Permit may be issued solely for flow equalization.
- E. When required by the Public Works Director, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be readily accessible and safely located and shall be constructed in accordance with plans approved by the Public Works Director. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.
- F. Industrial users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter and alarm.
- G. All pretreatment, flow control and access facilities required to achieve and maintain compliance with this ordinance shall be installed, operated, and maintained in such a manner as to ensure the satisfactory, effective and continuous operation of said facilities. All costs and expenses related to said facilities shall be the responsibility of the industrial user.
- H. The Public Works Director may require a user of sewer services to provide information needed to determine compliance with this ordinance. The cost of providing such information shall be the responsibility of the user. These requirements may include:
 - 1. Wastewater discharge peak rates and volume over a specified time period.
 - 2. Chemical analyses of wastewaters.
 - 3. Information on raw materials, processes, and products affecting wastewater volume and quality.
 - 4. Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control.
 - 5. A plot plan of sewers on the user's property showing sewer and pretreatment facility location.
 - 6. Details of wastewater pretreatment facilities.
 - 7. Details of systems to prevent and control the loss of material through spills to the public sewer.
- I. The Town of Lincoln may inspect industrial users for compliance with

industrial pretreatment standards and requirements and, as necessary, sample and analyze the wastewater discharges of contributing industrial users and conduct surveillance and inspection activities to identify, independently of the information supplied by such industrial users, occasional and continuing non-compliance with industrial pretreatment standards. Each industrial user shall allow unrestricted access by the Town of Lincoln, NHDES, and EPA personnel for the purposes of investigating and sampling discharges. The cost incurred by the Town of Lincoln of sampling and analyzing wastewater and conducting surveillance and inspection activities shall be the responsibility of the industrial user.

- J. Each industrial user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this ordinance. Facilities to prevent accidental discharges shall be provided and maintained at the industrial user's expense
- K. All industrial users shall immediately notify the Town of Lincoln of any slug or process waste discharged by such user to the POTW.
- L. Within five days of the unallowed discharge, the industrial user shall provide the Public Works Director with a written report fully describing the unallowed discharge, the pollutants involved, the cause of the unusual discharge and the measures taken to avoid recurrence of the unallowed discharge.
- M. All measurements, tests, and analysis of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the techniques prescribed in 40 CFR Part 136, unless otherwise specified in an applicable categorical pretreatment standard and shall be determined at the control manhole or federal categorical process discharge. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the POTW and to determine the existence of hazards to life, limb and property. The particular analysis involved will determine whether a 24-hour composite of all outfall of a premise is appropriate or whether a grab sample or samples should be taken.
 - 1. Industrial users shall keep records of monitoring and sampling data, including quality assurance/quality control records for a period of at least 5 years from the date of the measuring, sampling, or report, which period shall be extended through the duration of any enforcement action; and
 - 2. Industrial users shall submit records upon written request to local or state officials.

- N. No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the Town of Lincoln and any industrial user whereby an industrial waste of unusual strength or character may be accepted by the Town of Lincoln for treatment, subject to payment therefore, by the industrial user.
- O. Septage Disposal:
1. No person shall discharge hauled septage at the POTW who does not hold a septage hauler permit issued pursuant to RSA 485-A:4, XVI-a. A copy of such a permit shall be filed by the permit holder with the Town of Lincoln. Upon renewal or revocation of such permit, the hauler shall be responsible for notification of such renewal or revocation to the Town of Lincoln.
 2. The Public Works Director may limit the quantities of septage that can be received or refuse to receive septage to ensure proper operation of the treatment facility pursuant to RSA 486:13.
 3. Hauled septage will be accepted into the POTW at a designated receiving structure within the treatment plant area and at such times as established by the Public Works Director, provided such wastes do not contain toxic pollutants or materials, and provided such discharge does not violate any other special requirements established by the Town of Lincoln. The discharge of industrial wastes is prohibited without prior written approval by the Town of Lincoln and NHDES.
 4. The Public Works Director may issue a temporary permit to allow discharge of septage at a point of discharge other than the wastewater treatment facility in a situation where such temporary discharge point is necessary to protect the health and welfare of the Town of Lincoln. The Public Works Director shall issue such a permit upon such terms and conditions as the Public Works Director deems to be in the best interests of the Town of Lincoln. The temporary permit shall not be valid for a period exceeding six months. The Public Works Director shall have the right to revoke or suspend the temporary permit in the event that the terms and conditions are not met.
 5. Fees for dumping septage will be established as part of the User Charge System.
 6. The wastewater treatment plant operator, acting on behalf of the Town of Lincoln, shall have authority to limit the disposal of such wastes if such disposal would interfere with the treatment plant operation. Procedures for the disposal of such wastes shall be in conformance with the operating policy of the Town of Lincoln and the wastewater treatment plant operator.
- P. It shall be illegal to meet the requirements of this ordinance by diluting wastes

in lieu of proper pretreatment.

- Q. An amalgam separator shall be installed and properly maintained and operated for any dental practice that must comply with New Hampshire Code of Administrative Rules Env-Wq 306.

Article VII: INDUSTRIAL DISCHARGE PERMITS

- A. All persons discharging industrial process wastes into public or private sewers connected to the POTW, shall comply with applicable requirements of federal and state industrial pretreatment regulations (as amended), in addition to the requirements of this ordinance.
- B. No significant indirect discharger shall discharge wastewater into the POTW without first obtaining an Industrial Discharge Permit from the Public Works Director, except that a significant indirect discharger that has filed a timely and complete application pursuant to this Article may continue to discharge for the time period specified therein.
- C. Any significant indirect discharger proposing a new discharge or a change in volume or character of its existing discharge shall submit a completed Industrial Discharge Permit application to the Town of Lincoln at least 90 days prior to the commencement of such discharge.
- D. The Public Works Director may require other users to obtain Industrial Discharge Permits, or to submit an application for an Industrial Discharge Permit, as necessary to execute the purposes of this ordinance.
- E. Any violation of the terms and conditions of an Industrial Discharge Permit shall be deemed a violation of this ordinance and shall subject the industrial discharge permittee to the enforcement actions set out in this ordinance. Obtaining an Industrial Discharge Permit does not relieve a permittee of its obligation to comply with all federal and state pretreatment standards or requirements or with any other requirements of federal, state, and local law.
- F. All significant indirect dischargers must receive NHDES approval for any new industrial discharge, or any alteration in either flow or waste characteristics, in accordance with the Town of Lincoln's NPDES permit. Upon receipt of a complete Industrial Discharge Permit application by the Town of Lincoln in accordance with this Article, an Industrial Wastewater Indirect Discharge Request will be submitted by the Town of Lincoln to NHDES on behalf of the user. All applicable NHDES review fees shall be provided by the user.
- G. Within 120 days subsequent to the effective date of a categorical pretreatment standard, an industrial user subject to such standards shall submit an

application for an Industrial Discharge Permit amendment. The application shall contain the information as specified in this Article and as required by the Public Works Director.

H. All industrial users required to obtain an Industrial Discharge Permit, and other users subject to these rules as required by the Public Works Director, shall submit an application for an Industrial Discharge Permit. Information for the application shall include:

1. The name and street and mailing address of the facility.
2. The name, position, and daytime telephone number of a responsible individual at the industrial user, such as a plant manager, plant engineer, president, or vice president of the company, who has certified the permit application.
3. A list of all environmental permits held by or for the facility.
4. A brief description of the nature, average rate of production, and the Standard Industrial Classification of the operations carried out at such facility.
5. An identification of the categorical pretreatment standards applicable to each regulated process.
6. The measured averaged daily, maximum daily, minimum daily and total flow, in gallons per day, to the public sewer from regulated process streams and from other streams.
7. A list of pollutants expected to be present in the discharge and the anticipated quantity of each, based on a) analyses of the wastestream(s) to be discharged, in which case test results shall be submitted with the discharge permit request; or b) knowledge of the process which produces the wastewater.
8. Information on the toxicity and treatability of the pollutants proposed to be discharged, as available from manufacturer's testing, safety, and data publications.
9. A map showing the location within the municipality of the facility with respect to the POTW.
10. A listing of all chemicals used at the facility that will be or could be discharged, such as production chemicals, degreasers, and cleaning solvents.
11. A description and location diagram of all sampling locations at the facility.
12. A brief narrative describing those measures taken or planned to reduce water usage and implement pollution prevention techniques, if any.
13. A schematic of the proposed treatment process.

14. If applicable, plans, specifications, and operation and maintenance procedures for new or modified treatment facilities. Documents shall be stamped by a chemical, civil, sanitary, or environmental engineer registered in New Hampshire.
15. A schematic diagram showing the production process, including the origin of each wastestream.
16. A schedule of actions to be taken to comply with discharge limitations.
17. Any other information which may be needed to meet the baseline monitoring requirements applicable to industrial users subject to categorical pretreatment standards.
18. Signature of an authorized representative of the industrial user containing 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 for knowing violations.”

19. Additional information as determined by the Town of Lincoln.

Incomplete or inaccurate applications will not be processed and will be returned to the user for revision.

- I. The Industrial Discharge Permit will outline the general and specific conditions under which the industrial waste is accepted for treatment at the wastewater treatment plant. At a minimum, the Industrial Discharge Permits shall contain:

1. Discharger name, street address, mailing address, and daytime telephone number.
2. Dates of issuance and expiration.
3. The general and specific prohibitions from the sewer use ordinance which apply to the discharge.
4. A list of pollutants, allowable parameters, and discharge limits.
5. Identification of applicable EPA categorical standards.
6. A list of pollutants to be monitored and the monitoring requirements applicable thereto.

7. Sampling frequency, techniques, and locations.
8. Inspection, reporting, record keeping and notification requirements. Notification requirements will include: slug loading; spills, bypasses and upsets; changes in volume or characteristics of the discharge for which a permit revision is not required; and permit violations. All reports shall be signed by an authorized representative of the industrial user containing 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 for knowing violations.”
9. Notification requirements prior to any new or increased discharge.
10. Applicable definitions, special conditions and industrial discharge request approval conditions.
11. Applicable civil and criminal penalties for violations.
12. A requirement to submit a complete new application at a specified frequency, which shall not be less than once every five years.
13. A requirement to provide a copy of the permit to NHDES, if NHDES so requests.
14. A statement that the Industrial Discharge Permit is nontransferable without prior notification to the Town of Lincoln.
15. A statement that compliance with the Industrial Discharge Permit does not relieve the permittee of responsibility for compliance with all applicable federal and state pretreatment standards, including those that become effective during the term of the Industrial Discharge Permit.
16. A statement that the industrial user shall fully comply with the Town of Lincoln Sewer Use Ordinance.
17. A statement that the industrial user shall not dilute its effluent as a substitute for proper pretreatment.
18. A statement that the Industrial Discharge Permit is based on and shall apply only to the subject discharge request and the associated plans and supporting information as submitted in the completed Industrial Discharge Permit application.

19. For significant indirect dischargers, a statement that the Town of Lincoln will, at a minimum, annually inspect the discharger's facility or sample the facility's wastewater discharge for compliance with the Industrial Discharge Permit.
 20. For significant indirect dischargers, a statement that the state has legal authority to take direct action against the indirect discharger to enforce the provisions of New Hampshire Code of Administrative Rules Env-Wq 305.01 in accordance with RSA 485-A:5, IV, reprinted Appendix C.
- J. Industrial users will be assessed an annual fee by the Town of Lincoln to defray the administrative costs of the Industrial Discharge Permit program.
- K. The Town of Lincoln shall comply with the public participation requirements of 40 CFR Part 25 in the enforcement of industrial pretreatment standards and requirements.
- L. Any person, including the industrial user, may petition the Public Works Director to reconsider the terms of an Industrial Discharge Permit within thirty (30) days of its issuance.
- M. The Public Works Director may modify an Industrial Discharge Permit for good cause, including but not limited to:
1. To incorporate any new or revised federal, state, or local pretreatment standards or requirements.
 2. To address significant alterations or additions to the user's operation, processes, or wastewater volume or character since the time of Industrial Discharge Permit issuance.
 3. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge.
 4. Information indicating that the permitted discharge poses a threat to the POTW, Town of Lincoln personnel, or the water quality in the receiving waters.
 5. Violation of any terms or conditions of the Industrial Discharge Permit.
 6. Misrepresentations or failure to fully disclose all relevant facts in the Industrial Discharge Permit application or in any required reporting.
 7. To correct typographical or other errors in the Industrial Discharge Permit.
 8. To reflect a transfer of the facility ownership or operation to a new owner or operator.
- N. An industrial user with an expiring Industrial Discharge Permit shall apply for reissuance of the Industrial Discharge Permit by submitting a complete permit

application, in accordance with this Article, a minimum of sixty (60) days prior to the expiration of the user's existing Industrial Discharge Permit. Under no circumstances shall the permittee continue to discharge without an effective permit. An expired permit will continue to be effective and enforceable until the permit is reissued if a) the industrial user has submitted a complete permit application at least sixty (60) days prior to the expiration date of the user's existing permit; and b) the failure to reissue the permit, prior to expiration of the previous permit, is not due to any act or failure to act on the part of the industrial user.

Article VIII: DAMAGE TO FACILITIES

- A. No person or persons shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment, that is a part of the POTW. Any person violating this provision shall be guilty of a misdemeanor.

Article IX: POWERS AND AUTHORITY OF INSPECTORS

- A. Employees, agents or representatives of the Board of Selectmen bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this ordinance. Employees, agents or representatives of the Board of Selectmen shall have the authority to inquire into any processes including metallurgical, chemical, oil refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.
- B. While performing the necessary work on private properties referred to in Section A above, employees, agents or representatives of the Board of Selectmen shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to employees, agents or representatives of the Board of Selectmen and the Town of Lincoln shall indemnify the company against loss or damage to its property by employees, agents or representatives of the Board of Selectmen and against liability claims and demands for personal injury or property damage asserted against the company growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required.
- C. Employees, agents, or representatives of the Board of Selectmen bearing proper credentials and identification shall be permitted to enter all private properties through which the Town of Lincoln holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the POTW

lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

Article X: POWERS OF ASSESSMENT AND COLLECTION

- A. The assessment and collection of the costs of constructing and maintaining the POTW shall be governed by all applicable federal and state laws. The Board of Selectmen shall have the powers granted to boards of mayors and aldermen there under with reference to establishing and assessing sewer charges and/or rentals. If the Town of Lincoln votes to establish a Board of Sewer Commissioners, they shall have all the powers of the Board of Selectmen here under as provided by the laws of the State of New Hampshire.
- B. Fees for connection to, and use of, the POTW shall be administered through a User Charge System established by the Town of Lincoln as an equitable means of assessing all classes of users for the costs of owning, operating, and maintaining the POTW. Said User Charge System shall be in accordance with applicable federal and state laws.

Article XI: PENALTIES

- A. Any person found to be violating any provision of this ordinance shall be served by the Board of Selectmen or Public Works Director with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. The Town of Lincoln may, after informal notice to the person discharging wastewater to the POTW, immediately halt or prevent any such discharge reasonably appearing to present an imminent endangerment to the health and welfare of person, or any discharge presenting, or which may present, an endangerment to the environment, or which threatens to interfere with the operation of the POTW. Actions, which may be taken by the Town of Lincoln include ex parte temporary judicial injunctive relief, entry on private property to halt such discharge, blockage of a public sewer to halt such discharge, or demand of specific action by the person.
- B. A user who has violated, or continues to violate, any provision of this ordinance, an Industrial Discharge Permit, or order issued hereunder, or any other pretreatment standard or requirement shall be liable to the Town of Lincoln for a maximum civil penalty of \$10,000 per violation, per day, plus actual damages incurred by the POTW. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation. Ref. RSA 149-I:6; RSA 485-A:22, II.
- C. Any person or industrial user who willfully or negligently violates any

provision of this ordinance or any orders or permits issued hereunder shall, upon conviction, be guilty of a misdemeanor, punishable by a fine not to exceed \$25,000 for each violation or imprisonment for not more than 6 months, or both. Every separate provision violated shall constitute a separate violation. Every day that a violation occurs shall be deemed a separate violation. Ref. RSA 485-A:22,I; RSA 625:9,IV”.

- D. Any person violating any of the provisions of this ordinance shall become liable to the Town of Lincoln for any expense, loss or damage occasioned the Town of Lincoln by reasons of such violation.

Article XII: VALIDITY

- A. All Regulations or parts of Regulations in conflict herewith are repealed.
- B. The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance, which can be given effect without such invalid part or parts.

Article XIII: LIMITS OF LIABILITY

- A. The approval of permit applications or the acceptance of any sewer construction by any of the Board of Selectmen or appointed employees, agents or representatives does not indicate, nor should it be construed as to mean acceptance of any liability by the Town of Lincoln or any of its employees or the Board of Selectmen for claims which may arise due to errors, oversights, inferior material, poor workmanship or damages incurred in connection with construction of building sewers or private sewage disposal systems as set forth in this ordinance.

Article XIV: REVIEW

- A. Sewer users who wish to dispute a matter concerning interpretation and execution of the provisions of this ordinance may request a hearing before the Board of Selectmen.
- B. No sewer mains will be placed under or beside any road or other property that is not owned by the Town of Lincoln or state unless a Repair Easement is signed and granted to the Town of Lincoln prior to any work being started. Before work is started, a deposit or a bond shall be given to the Town of Lincoln in their name. Bond or deposit is to be returned to Depositor or Bonder upon recommendation of the project. The Board of Selectmen shall determine the amounts of deposit or bond. All expansion will be supervised by the Board of Selectmen or agents and will be accepted only after verification from the Board of Selectmen as to proper size and placement of all lines. All work shall require a bond or deposit determined by the Board of


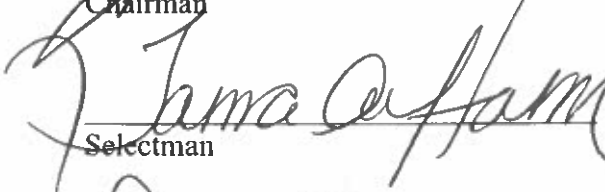
Selectmen. Sewer improvements within the right of way or on public property shall be dedicated and transferred by the developer or owner to the Town of Lincoln, with appropriate lien releases provided to the Town of Lincoln prior to transfer from all sewer improvement contractors. Acceptance shall be verified by the Board of Selectmen before the bond or deposit is returned.

Article XV: ORDINANCE IN FORCE

- A. This ordinance shall be in full force and effect from and after its passage, approval, recording and publication as provided by law.

Amended by vote of the Board of Selectmen on August 14, 2023
Date

LINCOLN BOARD OF SELECTMEN:


Chairman

Selectman

Selectman

Received and recorded by the Lincoln Town Clerk on Aug 14, 2023
Date


Town Clerk

APPENDIX A
POTW LOCAL LIMITS
SEWER USE ORDINANCE
TOWN OF LINCOLN, NEW HAMPSHIRE

- A. The following numerical pollutant loading limitations are established to protect against POTW pass-through and interference. The limitations are maximum allowable industrial loadings at the POTW treatment plant headworks:
 - 1. Copper: To be determined.
 - 2. Lead: To be determined.
- B. The Public Works Director shall calculate and administer local limits when required as described below to ensure that the combined industrial pollutant discharge loadings do not cause or contribute to exceedances of these limitations.
- C. Daily concentrations are the concentration of a pollutant discharged, determined from the analysis of a flow-composited sample (or other sampling procedure approved by the Public Works Director) representative of the discharge over the duration of a 24-hour day or industrial operating schedule of less than 24 hours.
- D. All concentration limits for metals represent total metal unless indicated otherwise. The Public Works Director may impose mass limitations in addition to or in place of concentration-based limitations.
- E. Local limits are developed based on the identification of industrial users known to be discharging each pollutant (industrial contributory flow procedure). Unless specifically identified in an industrial discharge permit, an industrial user shall not discharge the locally limited pollutants at concentrations 20% greater than the background concentrations used for local limits development.
- F. Pollution prevention activities that result in a decreased discharge of these pollutants to the POTW, such that the headworks loading of a pollutant is less than 40% of the allowable loading, may result, at the discretion of the Public Works Director, in rescission of a local limit for that pollutant from this ordinance.

TABLE A

RECOMMENDED INTERCEPTOR SIZING FORMULA

(High Volume Restaurants, Hotels, Hospitals, Factories, or Schools
with Kitchens operating 16 hrs./day and or serving 500+ meals/ day)

Business Name _____

Street Address _____

Contact Person _____ Phone # _____

Comments _____

A. Determine maximum drainage flow from fixtures:

Type of Fixture	Flow Rate	Quantity	Amount
Floor drain/sink	10 gpm	0	0
Restaurant kitchen sink, Wok oven	15 gpm	0	0
Single compartment sink	20 gpm	0	0
Double compartment sink	25 gpm	0	0
2, single compartment sinks	25 gpm	0	0
2, double compartment sinks	35 gpm	0	0
Triple sink 1½ in. drain	35 gpm	0	0
Triple sink 2 in. drain	35 gpm	0	0
Up to 30 gal. Dishwasher	15 gpm	0	0
30 gal. to 50 gal. Dishwasher	25 gpm	0	0
50-100 gal. Dishwasher	40 gpm	0	0
Garbage disposal/grinder	35 gpm	0	0
B. TOTAL - Divided by no. of fixtures		0	0
		/	
		= gpm	
		(PER KITCHEN)	

0

C. Loading Factors

Restaurant Type	Fast food-paper delivery	=	0.50	
	Low volume	=	0.50	
	Medium volume	=	0.75	
	High volume	=	1.00	x

Place X
next to
Factor

D. B X C = sub total (D) 0

E. Total (D) x 60 min. = max. flow for 1 hour 0

F. (E) x 2 hours retention time = volume of trap in gallons 0

Completed By: _____

Date: _____

TABLE B

RECOMMENDED TRAP SIZING FORMULA

(Small Volume Restaurants - Fast Food, Take-out, min. dishwasher)
with Kitchens operating < 8 hrs./day and or serving < 100 meals/ day)

Business Name _____
Street Address _____
Contact Person _____ Phone # _____
Comments _____

A. Determine Size of Trap:

Total number of fixtures connected	Required rate of flow, gpm	Grease retention capacity, lbs.
1	20	40
2	25	50
3	35	70
4	50	100

Completed By: _____

Date: _____