

**Town of Goffstown, New Hampshire**

**SEWER USE ORDINANCE**

**September 18, 2018**



The Rules and Regulations herein set forth regulate the use of public and private sewers, private wastewater disposal, the installation and connection of building sewers, and the discharge of wastewater into the public sewer system(s), and providing penalties for violations thereof, are established by the Goffstown Sewer Commission of the Town of Goffstown, New Hampshire, as necessary or desirable for the efficient operation of said Goffstown Municipal Sewer System and for accomplishing the purposes of RSA 149-I, as amended, and for the protection of the health and safety of the people of Goffstown and for accomplishing the purposes of RSA 147, as amended.

The Goffstown Sewer Commission, henceforth referred to as the "Commission" was established at the March 13, 1956 Annual Town Meeting. Article 24 of the Town Meeting established a Commission under the provisions of RSA 252 relative to sidewalks and sewers.

In any instance in which Federal and/or State and/or the City of Manchester's sewer use ordinance requirements or limitations are more stringent than the limitations set forth in these Rules and Regulations, said requirements and limitations on discharges shall be met by all users subject to, the more stringent of such requirements and/or limitations.

Pursuant to enabling authority in New Hampshire Revised Statutes Annotated 149-I:6, or revisions thereto, the following is an Ordinance regulating the use of public and private sewers, private wastewater disposal, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer system(s), and providing penalties for violations thereof, in the Town of Goffstown, New Hampshire, County of Hillsborough, State of New Hampshire.

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**SECTION 1 - GENERAL PROVISIONS**

## 1.1 Purpose and Policy

This Ordinance sets forth uniform requirements for users of the Goffstown Municipal Sewer System which transports wastewater to the Publicly Owned Treatment Works (POTW) in Manchester and enables the Town of Goffstown (Town) 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). The Town is also subject to the provisions of the Intermunicipal Agreement with the City of Manchester (City), dated April 2, 1985, (as amended). Recognizing that significant opportunities exist to reduce or prevent pollution at its source through cost effective practices, and that such practices can offer savings through reduced purchases of materials and resources, a decreased need for pollution control technologies, and lower liability costs, as well as assisting to protect the environment, the Town establishes the following objectives of this Ordinance:

To promote, consistent with the policy of the federal government:

- The prevention or reduction of pollutants at the source whenever feasible;
- Recycling in an environmentally-safe manner when pollution cannot be prevented;
- Treatment in an environmentally-safe manner of pollution that cannot be prevented or recycled; and
- Disposal or other release into the environment in an environmentally-safe manner only as a last resort.

To encourage the development of these efforts, the Town may:

- Set Town - wide pollution prevention goals;
  - Organize an assessment program task force;
  - Review data and inspect sites;
  - Develop pollution prevention options;
  - Conduct a feasibility analysis of selected options; and
  - Promote implementation of pollution prevention techniques.
- A. To prevent the introduction of pollutants into the POTW that will interfere with its operation;
- B. To prevent the introduction of pollutants into the POTW that will pass through the POTW, inadequately treated, into receiving waters, or otherwise be incompatible with the POTW;

- C. To protect both POTW personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
- D. To assist the City of Manchester in promoting reuse of sludge from the POTW; and
- E. To enable the City to comply with its National Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, and any other federal or State law to which the POTW is subject.

This Ordinance shall apply to all users of the POTW. The Ordinance authorizes the issuance of wastewater discharge permits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; and requires user reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

### **1.2 Administration**

Except as otherwise provided herein, the Commission shall administer, implement, and enforce the provisions of this Ordinance. Any powers granted to or duties imposed upon the Commission may be delegated to other Town personnel.

### **1.3 Powers of Assessment and Collection**

The assessment and collection of the expense of constructing and maintaining the sewer system shall be governed by the provisions of RSA 149-I, inclusive, and any other applicable general laws. The Commission shall have all the powers granted to Board of Selectmen thereunder with reference to establishing and assessing sewer charges and/or rentals. The Goffstown Commission shall have all the powers of the Selectmen hereunder as provided in RSA 149-I.

### **1.4 Abbreviations**

The following abbreviations, when used in this Ordinance, shall have the following designated meanings:

ASTM	-	American Society for Testing Materials
BOD	-	Biochemical Oxygen Demand
BMP	-	Best Management Practice
BMR	-	Baseline Monitoring Report

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CFR	-	Code of Federal Regulations
COD	-	Chemical Oxygen Demand
CIU	-	Categorical Industrial User
CMOM	-	Capacity Management Operation Maintenance
COD	-	Chemical Oxygen Demand
CWA	-	Clean Water Act
EPA	-	United States Environmental Protection Agency
gpd	-	Gallons per day
IDP	-	Industrial Discharge Permit
mg/l	-	Milligrams per liter
I/I	-	Infiltration and Inflow
IU	-	Industrial User
NHDES	-	New Hampshire Department of Environmental Services
NPDES	-	National Pollutant Discharge Elimination System
POTW	-	Publicly Owned Treatment Works
RCRA	-	Resource Conservation and Recovery Act
RSA	-	New Hampshire Revised Statute Annotated
SIC	-	Standard Industrial Classification
SIU	-	Significant Industrial User
SNC	-	Significant Noncompliance
SUO	-	Sewer Use Ordinance
TBD	-	To be determined
TDS	-	Total Dissolved Solids
TSS	-	Total Suspended Solids
USC	-	United States Code
µg/L	-	micrograms per liter
WWTF	-	Wastewater Treatment Facility

### 1.5 Definitions

- A. Unless a provision explicitly states otherwise, the following terms and phrases, as used in this Ordinance, shall have the meanings hereinafter designated.
1. Accessibility Fee. A fee paid at the time of application for a sewer permit.
  2. 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.*
  3. Amalgam Management. Conformance with NH Rule Env-Wq 306 for the management of mercury containing amalgam from dental offices into wastewater.
  4. Approval Authority. The Regional Administrator of the

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EPA or his duly appointed agent.

5. Authorized Representative of the User.

a. If the user is a corporation:

i. The president, secretary, treasurer, or a vice-president 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

ii. The manager of one or more manufacturing, production, or operation facilities employing more than two hundred fifty (250) persons or having gross annual sales or expenditures exceeding twenty-five (25) million dollars (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

b. If the user is a partnership or sole proprietorship: a general partner or proprietor, respectively.

c. If the user is a federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility.

d. The individuals described in paragraphs (a) through (c), above, may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the Goffstown Sewer Commission.

6. Biochemical Oxygen Demand or BOD. The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory (as outlined in 40 CFR Part 136) procedures for five (5) days at 20° centigrade,

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usually expressed as a concentration (e.g., mg/l).

7. Building Drain. 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.
8. Building Sewer. The extension from the building drain to the public sewer or other place of disposal, also called house connection.
9. Bypass. The intentional diversion of waste streams from any portion of a wastewater treatment facility.
10. Categorical Pretreatment Standard or Categorical Standard. 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.
11. Combined Sewer. A sewer intended to receive both wastewater and storm or surface water.
12. Commercial Use. Premises used for financial gain, such as business or industrial use, but excluding residential uses and related accessory uses.
13. Commission. The Goffstown Sewer Commission.
14. Commissioner. The Commissioner of the New Hampshire Department of Environmental Services, or the Commissioner's duly appointed agent.
15. Compatible Pollutant. Biochemical oxygen demand, Chemical Oxygen Demand, Total Organic Carbon suspended solids, pH, and fecal coliform bacteria.
16. Control Authority. The term Control Authority as used in this Ordinance, refers to the City of Manchester, Environmental Protection Division.
17. Dental Practice. A business established for the purpose of practicing dentistry, as defined by RSA 317-A:20.
18. Domestic Wastewater or Sewage. Normal water-carried

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household and toilet wastes or waste from sanitary conveniences of residences, commercial buildings, and industrial plants, excluding ground, surface, or storm water, noncontact cooling waters containing algaecides/fungicides and contains no industrial waste. (See also: Industrial Wastes.)

19. Drain Layer. A contractor or plumber approved by the Commission and authorized to install a building sewer.
20. Dwelling Unit. Shall mean single family home, apartment unit, residential condominium unit.
21. Easement. An acquired legal right for the specific use of land owned by others.
22. Enterprise Fund. A system of finance similar to a business system where the cost of operation is paid solely by user fees. The Commission's Financial Management System.
24. Environmental Protection Agency or EPA. The United States Environmental Protection Agency or, where appropriate, the EPA Regional Water Management Division Director, or other duly authorized official of said agency.
25. Equivalent Use. The system of user charges where no water meters are in use and charges are based on a fixed rate.
26. Existing Source. Any source of discharge, the construction or operation of which commenced prior to the publication by EPA of proposed categorical pretreatment standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.
27. Floatable Oil. Oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable oil if it is properly pretreated and the wastewater does not interfere with the collection system.
28. Floor Drain. The part of the drainage system located inside a building that conveys waste into the building line.

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29. Force Main. A line without access from individual properties, providing a connection from a pump station to a pump station, trunk, or sanitary sewer main.
  30. Garbage. The animal and vegetable waste resulting from the handling, preparation, cooking, and serving of foods.
  31. Grab Sample. A sample that is taken from a waste stream without regard to the flow in the waste stream and over a period of time not to exceed fifteen (15) minutes.
  32. Grease. 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.
  33. Grease Interceptor. A plumbing device designed to intercept grease and solids before entrance into the POTW.
  34. Hauler. 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.
  35. Human Excrement and other Putrescible Material. The liquid or solid matter discharged from the intestinal canal of a human, or other liquid or solid waste materials that are likely to undergo bacterial decomposition; (provided, however, that these terms shall not include refuse as defined in RSA 145-M).
  36. Incompatible Pollutant. Any pollutant that is not a compatible pollutant.
  37. Industrial Discharge Permit or IDP. The written permit between the Goffstown and an industrial user that outlines the conditions under which discharge to the POTW will be accepted.
  38. Industrial User. A person who discharges industrial wastes to the POTW.
  39. Industrial Wastes or Non-Domestic Wastewater. 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.
40. Indirect Discharge or Discharge. The introduction of pollutants into the POTW from any non-domestic source regulated under Section 307(b), (c), or (d) of the Act.
41. Infiltration/Inflow (I/I). Seepage from the ground or flow from surface sources, respectively, that occur in the system.
42. Instantaneous Discharge Limit. The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composite sample collected, independent of the industrial flow rate and the duration of the sampling event.
43. Interference. 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 Goffstown'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-a.
44. Licensed Drain Layer. A person possessing a current drain layer's license issued by the Commission.
45. Local Limits. Numerical limitations on the discharge of pollutants established by the Commission, as distinct from State or federal limitations for non-domestic wastewater discharged to the POTW.
46. May. Means permissive (see "Shall").

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47. Medical/Infectious Waste Medical/infectious waste" as defined by RSA 125-N:2, VIII.
48. National Pollutant Discharge Elimination System Permit or NPDES Permit. A permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).
49. Natural Outlet. Any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake, or other body or surface water or groundwater.
50. NHDES. shall mean the New Hampshire Department of Environmental Services, the State regulatory agency responsible for implementing and enforcing regulations to protect the environment in the State of New Hampshire.39.
51. Normal Domestic Wastewater. Wastewater generated by residential users containing not more than 240 mg/l BOD and not more than 240 mg/l suspended solids. Wastewater generated from residences with garbage grinders shall contain no more than 400 mg/L /BOD and not more than 400 mg/L TSS. Grinder pumps are outlined in section F of Appendix B and allowed within the system.
52. New Source.
- a. Any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced subsequent to the publication of proposed pretreatment standards under Section 307(c) of the Act that will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:
    - i. The building, structure, facility, or installation is constructed at a site at which no other source is located; or
    - ii. The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
    - iii. The production or wastewater-generating

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processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, will be considered.

- b. Construction of a new source as defined under this paragraph has commenced if the owner or operator has:
  - i. Begun, or caused to begin, as part of a continuous on-site construction program
    - ia.* any placement, assembly, or installation of facilities or equipment; or
    - ib.* significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities that is necessary for the placement, assembly, or installation of new source facilities or equipment; or
  - ii. Entered into a binding contractual obligation for the purchase of facilities or equipment that are intended to be used in its operation within a reasonable time. Options to purchase or contracts that can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.
- c. Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (a) (ii) or (a) (iii) above but otherwise alters, replaces, or adds to existing process or production equipment.

53. Non-Contact Cooling Water. Water used for cooling that

does not directly contact any raw material, intermediate product, waste product, or finished product. Cooling water may contain small amounts of algaecides or fungicides for growth control purposes.

54. Operation and Maintenance. Those functions that result in the expenditure during the useful life of the wastewater facilities for materials, labor, utilities and other ancillary items which are necessary for managing and maintaining the facilities to achieve the capacity and performance for which the facilities were designed and constructed. The term O & M includes replacement as defined herein.
55. Pass Through. A discharge that exits the POTW into waters of the United States in quantities or concentrations that, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the Goffstown's NPDES permit, including an increase in the magnitude or duration of a violation.
56. Person. Any individual, partnership, co partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all federal, State, and local governmental entities.
57. pH. 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.
58. Pharmaceutical waste 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.
59. Pollutant. 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,

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TSS, turbidity, color, BOD, COD, toxicity, or odor).

60. Pollution Prevention. 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.
61. Pretreatment. 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.
62. Pretreatment Requirements. Any substantive or procedural requirement related to pretreatment imposed on a user, other than a pretreatment standard.
63. Pretreatment Standards or Standards. Pretreatment standards shall mean prohibited discharge standards, categorical pretreatment standards, and local limits.
64. Private Wastewater Disposal System. The structure, equipment and processes required to treat wastewater generated on the owner's property. The system may be comprised of a septic tank and leaching field, or any other method approved by the NHDES.
65. Prohibited Discharge Standards or Prohibited Discharges. Absolute prohibitions against the discharge of certain substances as identified in Section 2.6 of this Ordinance.
66. Properly Shredded Garbage. Wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be transported freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch in any dimension.

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67. Public Sewer. 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.
  68. Publicly Owned Treatment Works or POTW. A "treatment works," as defined by Section 212 of the Act (33 U.S.C. §1292) that is owned by the Town of Goffstown or the City of Manchester. 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 Goffstown who are, by contractor agreement with Goffstown, users of Goffstown's POTW.
  69. Radiological Waste. Radioactive waste as regulated by RSA 125-F.
  70. Recreational Vehicle or "RV". A mobile vehicle or trailer used for temporary living e.g. a camper or wholly self-contained transport and living unit.
  71. Replacement. Expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary to maintain the capacity & performance for which the facility was designed and constructed.
  72. Sanitary Sewer. A sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial facilities, and institutions, together with minor quantities of ground, storm, and surface waters that are not admitted intentionally.
  73. Screening Level. 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.

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74. Semi-Public Use. Premises of private, non-profit organizations such as schools, hospitals, and religious institutions.
75. Septage or Septic Tank Waste. Any liquid, solid, or sludge pumped from chemical toilets, vaults, septic tanks, or cesspools or other holding tanks, that have received only domestic wastewater.
76. Septage Tank Truck. Any watertight vehicle that is used for the collection and hauling of septage as described above and that complies with the rules of the New Hampshire Department of Environmental Services.
77. Sewage. Human excrement and gray water (household showers, dishwashing operations, etc.).
78. Sewer. A pipe or conduit that carries wastewater, storm water, groundwater, subsurface water, or unpolluted water from any source.
79. Sewer Service Area. The area within one hundred fifty (150) feet of a public sewer.
80. Shall. Means mandatory (see "May").
81. Significant Indirect Discharger. 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 of the wastewater treatment plant;
  - d. Discharges medical/infectious waste, pharmaceutical waste, or radiological waste; or
  - e. Is designated as such by the municipality as having a reasonable potential for adversely affecting the POTW's operation or performance or for violating any pretreatment standard or requirement.

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82. Significant Industrial User.

- a. A user subject to categorical pretreatment standards under 40 CFR 403.8 and 40 CFR Chapter I, Subchapter N; or
- b. A user that:
  - i. Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, non-contact cooling, and boiler blowdown wastewater);
  - ii. Contributes a process waste stream that comprises five (5) percent or more of the average dry weather hydraulic or organic capacity of the Town of Goffstown's allocation from the City of Manchester or
  - iii. Is designated as such by the Commission on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.
- c. Upon determining that a user meeting the criteria in Subsection b.i. or b.ii. has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the Commission may at any time, on its own initiative or in response to a petition received from a user, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such user should not be considered a significant industrial user.

83. Significant Noncompliance or SNC. An industrial user is in significant noncompliance if its violation meets one or more of the following criteria:

- a. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six (6) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits.

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- b. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six(6) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined by multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
  - c. Any other violation of a Pretreatment Standard or Requirement as defined by (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that Commission 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;
  - c. Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the Commission exercise of its emergency authority to halt or prevent such a discharge;
  - d. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;
  - e. Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;
  - f. Failure to accurately report noncompliance; or
  - g. Any other violation(s), which may include a violation of Best Management Practices, which the Commission determines will adversely affect the operation or implementation of the local pretreatment program.

84. Slug Load or Slug. Means:

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- 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 in Section 2.6 of this Ordinance; or
  - c. Any discharge that may adversely affect the collection system and/or performance of the POTW.
85. Source Reduction. Any practice that:
- a. Reduces the amount of any hazardous substance, pollutant, or contaminant entering any waste stream or otherwise released into the environment (including fugitive emissions) prior to recycling, treatment, or disposal; and
  - b. Reduces the hazards to public health and the environment associated with the release of such substances, pollutants, or contaminants.
- The term includes equipment or technology modifications; process or procedure modifications; reformulation or redesign of products; substitution of raw materials; and improvements in housekeeping, maintenance, training, or inventory control. The term "source reduction" does not include any practice that alters the physical, chemical, or biological characteristics or the volume of a hazardous substance, pollutant, or contaminant through a process or activity that itself is not integral to and necessary for the production of a product or the providing of a service.
86. Special Assessment. The charge for extending sewer to a new area of Town.
87. Standard Industrial Classification (SIC) Code. A classification pursuant to the *Standard Industrial Classification Manual* issued by the United States Office of Management and Budget.
88. State. The State of New Hampshire.

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89. Storm Drain or Storm Sewer. A drain or sewer for conveying storm water, groundwater, subsurface water, or unpolluted water from any source.
  90. Storm Water. Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.
  91. Superintendent. The person designated by the Commission to supervise the operation of the POTW, and who is charged with certain duties and responsibilities by this Ordinance, or a duly authorized representative.
  92. Suspended Solids or TSS. The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and that is removable by laboratory filtering.
  93. Town. The Town of Goffstown, New Hampshire.
  94. Treatment Plant, Treatment Works, or Treatment Facility. Any device or system used in the storage, treatment, equalization, recycling or reclamation of wastewater and/or wastewater sludges as defined herein.
  95. Unpolluted Water. Water of quality equal to or better than the State Water Quality Standards (Part Env-Ws 430 through Env-Ws 440) or water that would not cause a violation of receiving water quality standards and would not be benefitted by discharge to the POTW.
  96. Useful Life. The estimated period during which the components of the facility will be operated.
  97. User Charge. A fee levied on the users of a facility for the cost of operation, maintenance, replacement, capital expenditures and debt service.
  98. User or Industrial User. A source of pollutants introduced into the POTW from any non-domestic source regulated under Section 307 (b), (c), or (d) of the Act.
  99. Wastewater. Liquid and water-carried industrial wastes and/or sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which contribute to the POTW.

100. Watercourse. A natural or artificial channel for the passage of water either continuously or intermittently.

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**SECTION 2 - GENERAL SEWER USE REQUIREMENTS****2.1 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 or in any area under the jurisdiction of said Town, any human or animal excrement, garbage, or objectionable waste.
- B. It shall be unlawful to discharge to any natural outlet within the Town, or in any area under the jurisdiction of said Town, 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. Sewers for Intended Uses Only. No person shall discharge into any public sewer of the Town, 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. Applicable Permits Required. No person shall discharge into any public sewer of the Town, 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. Use of Sanitary Sewers. 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, subsurface drainage, or unpolluted water.
- F. Use of Storm Sewers. 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 Commission. An 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. Use Designation. If the intended or designated use of any particular sewer or drain and allowable discharge thereto is

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unclear, the Commission will consider the pertinent facts and make a determination. Said determination will be final and binding.

- H. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater in any area where a public sewer is available, as described in paragraph (I) below.
- I. The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within Goffstown and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the POTW, is hereby required at the owner(s)' expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Ordinance, within ninety (90) days subsequent to the date of official notice to do so, provided that said gravity public sewer is within one hundred 150 feet of the building. This requirement for connection may be waived when permitted by the Commission if the household is already connected to a properly functioning, State-approved septic system approved after 1985.
- J. Flow Allocation Request Procedure
1. A request for wastewater capacity flow allocation must be submitted, in writing, to the Commission. Upon approval or conditional approval by the Commission, the Conceptual request will be reserved for ninety (90) days.
  2. Within the 90 day period, final plans and a NHDES Sewer Connection Permit must be submitted. An application must also be on file with the Planning Board before an extension is considered. Flow allocations will be granted for not more than one year. No more than two (2) extensions will be approved unless, in the opinion of the Commission, there are extenuating circumstances that would warrant approval of additional extensions.
- K. Review of Plans and Specifications
1. A charge shall be assessed to each applicant for the cost of reviewing plans and specifications (project documents) by Town. Said charge shall be established

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by the Commission and shall be due and payable to the Commission by the applicant upon submittal of conceptual, progress, and final plans to the Commission for review.

2. The Commission reserves the right to hire an independent consultant engineering firm to review proposed plans and specs. All costs to be borne by the applicant.
- L. No statement contained in the preceding paragraphs of this Section shall be construed to interfere with any additional requirements that may be imposed by the Commission or the Town Health Officer pursuant to RSA 147:8.
- M. No person(s) shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment that is part of the POTW.

## **2.2 Private Individual Subsurface Disposal**

- A. Where a public sanitary sewer is not available under the provisions of paragraph (I) above, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this Section and with the provisions of the RSA 485-A:29-44 and rules promulgated thereto. 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. At no time shall any quantity of industrial waste be discharged to a private wastewater disposal facility.
- B. Before commencement of construction of a private wastewater disposal system the owner(s) shall first obtain design approval from the NHDES and a written permit signed by the designated municipal official. The procedure for obtaining approval from the NHDES shall be done in accordance with the most recent regulations published by NHDES at the time of application and shall include, but not be limited to application, field inspection (i.e. before covering) and the issuance of an operational approval.
- C. The application for a Town permit shall be made on a form furnished by the Town, which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the designated municipal officer. A permit and inspection fee, as specified in by the Town, shall be paid to the Town at the time the application is filed.

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- D. A permit for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the designated municipal official. The designated municipal official shall be allowed to inspect the work at any stage of construction, and, in any event, the applicant for the permit shall notify the designated municipal official when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within one (1) business day of the receipt of notice by the designated municipal official.
- E. The type, capacities, location, layout and installation (including inspection) of a private wastewater disposal system shall comply with all requirements of the NHDES. No permit shall be issued for any new private wastewater disposal system employing subsurface soil absorption facilities where a lot area is less than is required by subdivision lot size requirements of the NHDES. No Septic tank or cesspool shall be permitted to discharge to any natural outlet.
- F. At such time as a public sewer becomes available to a property served by a private wastewater disposal system, as provided in Section 2.1 (I), a direct connection shall be made to the public sewer within ninety (90) days in compliance with this ordinance, and any septic tanks, cesspools, and similar private wastewater disposal facilities shall be cleaned of sludge and either dismantled, or with the approval of the Commission, abandoned by puncturing the bottom of the septic tank to allow percolation and to prevent ponding and be filled with clean bank-run gravel.
- G. The Commission may grant a waiver of Section 2.1 (I), above to those properties with adequate alternative sewage disposal systems which comply with applicable State and local regulations, and approved for construction by the NHDES, providing the design and construction of said system was within the last fifteen (15) years of the date of the construction of the public sewer for which the property would be required to connect to as required in Section above. Upon the need for repair and/or replacement of the disposal system the property must then connect to the public sewer system.  
REF RSA 147:8

### **2.3 Drain Layers**

- A. No person, firm or corporation engaged in laying building or house sewer services or laterals to the public sewer system

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shall engage in or work at such business until they have obtained a Drain Layer License as herein provided. The Commission shall act as a Licensing Board, and shall examine and pass on all applicants who seek a Drain Layer License. The License, once granted, may be revoked upon notice, for inept work or infraction of the rules and regulations set forth.

- B. Each Drain Layer shall pay a yearly fee as prescribed by the Commission.

#### **2.4 Building Sewers and Connections**

- A. No person(s) shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining written permission from the Commission.
- B. There shall be two (2) classes of building sewer permits: (a) for residential and commercial service producing only domestic wastewater, and (b) for service to establishments producing industrial wastes. For residential and commercial services, the owner(s) or his agent shall make application on a special form furnished by the Town at least thirty (30) days prior to said service connection. For an establishment discharging industrial wastes, the application shall be made at least sixty (60) days prior to said service connection.
- C. In either case the permit application shall be supplemented by any plans, specifications, or other information (including pollution prevention studies) considered pertinent in the judgment of the Sewer Commission. A permit and inspection fee set by the Commission for residential, commercial and industrial building sewer permits shall be paid to the Commission at the time the application is filed. The Sewer Accessibility Fee, as defined in Appendix C of this Ordinance, is due and payable in full at the time the permit application is filed.
- D. Four (4) copies of the site plan are required prior to approval of this permit.
- E. The work shall be inspected by the Commission's designated agent, who will be the interpreter of these regulations, and who must be notified at least two (2) business days before start of work. If deemed necessary, in the opinion of the Commission, the Commission may require an independent agency to provide this inspection. All costs associated with this

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inspection shall be borne by the owner. All new work will be tested in accordance with NHDES requirements with certificates of testing forwarded to the Commission.

- F. "AS BUILT" (record) drawings shall be provided in electronic digital drawing format for all underground installations prior to the issuance of a Certificate of Occupancy by the Building Department.
- G. Prior to receiving a building permit, it is necessary to obtain approval for a sewer connection permit, if applicable, from the Commission. The property owner shall be responsible for maintaining the entire sewer service from the point of entry on town sewer interceptor/lateral to the end of the sewer service line on the owner's property. For any change of use to the sewer service, the property owner must reapply for a new sewer tie-in permit.
- H. All industrial discharge permits requests shall be prepared by a licensed engineer, licensed to practice in the State of New Hampshire, prior to submission to the Commission.
- I. Whereas a sewer permit is issued by the Commission to an individual or a corporation, the Commission finds that if the project for which the permit was issued is transferred to another person and/or corporation the initially issued permit becomes null and void and that the new owner(s) shall appear before the Commission to request a new sewer permit within sixty (60) days; otherwise, the flow allowance shall be suspended.
- J. The applicant must comply with all rules and regulations included in the Inter-municipal Agreement. (Copy on file in Town Clerk's office)
- K. Review of Plans and Specifications
  - 1. A charge shall be assessed to each applicant for the cost of reviewing plans and specifications (project documents) by the Town. Said charge shall be established by the Commission and shall be due and payable to the Commission by the applicant upon submittal of conceptual, progress, and final plans to the Commission for review.
  - 2. The Commission reserves the right to hire an independent consultant engineering firm to review proposed plans and specs. All costs to be borne by the applicant.

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- L. A separate and independent building sewer shall be provided for every building, except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway. In such cases, the front building sewer may be extended to the rear building and the whole considered as one building sewer, but the Town does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection.
- M. No building sewer service shall be constructed on abutting lots and will access the sewer line through lot frontage (new and existing).
- N. Existing building sewers may be used in connection with new buildings only when they are found, on examination and test by the Commission to meet all requirements of this Ordinance.
- O. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Goffstown and NHDES rules Env-Wq 700. In the absence of code 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 (WEF) Manual of Practice No. FD-5 shall apply.
- P. During construction of a new sanitary sewer, the Town 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 of the improved property to be connected; and such owner shall indemnify and save harmless the Town, 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 shall thereafter be obligated to pay all costs and expenses of operation, repair and maintenance, and of reconstruction, if needed of the building sewer and service connection.
- Q. Whenever possible, the building sewer shall be brought to the

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- 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, sewage conveyed by such building drain shall be lifted by an approved means and discharged to the building sewer at the owner's expense.
- R. No person(s) shall make connection of roof downspouts, interior or exterior foundation drains, area-way drains, or other sources of surface run-off or groundwater to a building sewer or building drain that in turn is connected directly or indirectly to a public sanitary sewer.
- S. No person shall obstruct the free flow of air through any drain or soil pipe.
- T. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town, or the procedures set forth in appropriate specifications of the ASTM and the WEF Manual of Practice No. FD-5. All such connections shall be made gas-tight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the Commission before installation.
- U. The applicant for the building sewer permit shall notify the Commission 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 and testing shall be made under the supervision of the Commission or his representative. This requirement shall also apply to repairs or alterations to building connections, drains or pipes thereto.
- V. Suitable provisions shall be made at the point of connection for testing, which responsibility shall rest with the holder of the sewer connection permit.
- W. No building sewer shall be covered until it has been inspected and approved by the Commission. If any part of building sewer is covered before being inspected and approved, it shall be uncovered for inspection at the cost and expense of the owner of the improved property to be connected to the public sewer.
- X. The Commission 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

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drains connected to or discharging into public sewers and drains of the Town or intended to so discharge. All persons concerned shall assist the Commission in securing the data needed for such records.

- Y. 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 Goffstown at the expense of the owner.
- Z. Proposed new discharges from residential or commercial sources involving loadings exceeding 5,000 gallons/day, any new industrial discharge, or any alteration in either flow or waste characteristics of existing industrial wastes that are being discharged into the POTW must be approved by NHDES.
- AA. 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 Commission from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
- BB. The Commission may establish an accessibility fee program to offset the cost of capital improvements to the municipal sewer system. Under this program, an applicant planning to make a new or additional sewer connection to the municipal system will be required to pay to the Commission an accessibility fee in accordance with the published Commission policy at the time of connection. The accessibility fee program is included as APPENDIX C to this Ordinance.

## **2.5 Infiltration and Inflow Mitigation**

- A. Any person or entity proposing to change, alter, repair, add on to, or improve their property in any way that will or could impact the Town's sanitary sewer system, or any person or entity proposing to add additional wastewater flow to an existing sewer connection, or any applicant for a new sewer connection at a location in the sewer system where the pipe is hydraulically limited in flow capacity due to existing infiltration and inflow may be required, at the discretion of the Sewer Commission, to mitigate infiltration/inflow sources that add extraneous water to the Town sewer system thereby reducing the hydraulic capacity of the pipes.

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- B. The Town is continually upgrading sewer systems, separating combined sewers and rehabilitating sewer collection infrastructure to continually reduce I/I throughout the Town owned system. These projects are prioritized for the largest amount of I/I reduction at the most reasonable cost. The Town will create a pool of gallons of I/I removed and a cost for each gallon of I/I removed within that pool. All new projects will be added at the beginning of the fiscal year and the cost per gallon of I/I removal will be adjusted to reflect the expenses vs. gallons of I/I/ removed to date. These I/I gallon credits will be available for sale to developers at the Town's cost, plus a 15 % administrative fee, if the developer does not want to perform the I/I removal on their own. Should the pool of excess I/I credits become exhausted, then the developer shall meet the I/I removal requirement as outlined in 2.5 B.
- C. The Commission, for good cause shown by an applicant upon petition, has the right to waive or abate this requirement in whole or in part where it is deemed to be in the best interest of the Town to do so.

## **2.6 Prohibited Discharge Standards**

- A. Pollutants, storm water substances, or wastewater prohibited by this Section shall not be processed or stored in such a manner that they could be accidentally discharged to the POTW.
- B. 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.
- C. 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, waste streams with a closed-cup flashpoint of less than 140<sup>0</sup>F (60<sup>0</sup>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) ° F (0-65 ° 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 Commission in accordance with Section 13 of this Ordinance; and
9. Any medical/infectious wastes, pharmaceutical waste, or radiological waste except as specifically authorized in a discharge permit;

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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 DES 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 Manchester'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, ground water, 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 Commission in a wastewater 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.

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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 Section 1.5(A) 84 of 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).
    - A. Wastewater containing more than 100 milligrams per liter of petroleum oil, non-biodegradable cutting oils, or product of mineral oil origin.
    - B. Wastewater containing metals, toxic compounds, or other pollutants and constituents in concentrations exceeding those allowed under the U.S. EPA Categorical Standards (40 CFR, Part 403), as applicable, and the limitations imposed on the Town by the City of Manchester.
    - C. Wastewater with mercury containing amalgam.
  - D. If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which said waters contain the substances or possess the characteristics enumerated in Section 2.6 of this Section, and/or which in the judgment of the Commission may have a deleterious effect upon the wastewater facilities, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Commission may subject to limitations of this Article:
    1. Reject the wastes;

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2. Require pretreatment to an acceptable condition for discharge to the public sewers;
  3. Require control over the quantities and rates of discharge; and/or
  4. Require payment to cover added cost of handling and treating the wastes.
- E. If the Commission permits the pretreatment or equalization of waste flows, the design and installation of the pretreatment facilities shall be subject to the review and approval of the Commission and the NHDES, and subject to the requirements of all applicable codes, ordinances 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 waste meeting the requirements of this ordinance. Plans and specifications for a proposed pretreatment facility shall be the result of the design of a professional engineer.
- F. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Commission, they are necessary for the proper handling of liquid wastes containing floatable oil or grease in excessive amounts, as specified in any Section of this Ordinance, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Commission, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates, and means of disposal which are subject to review by the Sewer Commission. Any removal and hauling of the collected materials not performed by owner(s) personnel must be performed by currently licensed waste disposal firms.
- G. All industrial waste shall be pretreated in accordance with federal and state regulations and this ordinance to the extent required by applicable National Categorical Pretreatment Standards, state pretreatment standards or standards established by the Commission, whichever is more stringent. Where pretreatment or flow equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner(s) at his expense.

- H. When required by the Commission, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control structure together with such necessary meters and other appurtenances in the building sewer to facilitate observations, sampling, and measurement of the wastes. Such structure, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the Commission. The structure 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.
- I. All industrial users discharging into a public sewer shall perform such monitoring as the Commission or duly authorized employees of the Town may reasonably require including installation, use and maintenance of monitoring equipment, keeping records and reporting the results of such monitoring to the Commission. Such records shall be kept on file for at least five (5) years and shall be made available upon request by the Commission to other agencies having jurisdiction over discharges to the receiving waters.
- J. The Commission may require a user of sewer services to provide information needed to determine compliance with this ordinance. These requirements may include:
1. Wastewater discharge peak rates and volume over a specified time period.
  2. Chemical analyses of wastewaters performed by state certified laboratories.
  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 losses of materials through spills to the municipal sewer.

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- K. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with EPA approved methods published in the Code of Federal Regulations, Title 40, Part 136 (40 CFR 136), or if none are available, then with methods specified in the latest edition of "Standard Methods" for the Examination of Water and Wastewater," published by the American Public Health Association and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. 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 sewage works and to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from twenty-four (24) hour composites of all outfalls whereas pH's are determined from periodic grab samples). Sampling methods, location, times, duration, and frequencies shall be subject to approval by the Town.
- L. No statement contained in this Section shall be construed as preventing any special agreement or arrangement between the Commission and any industrial user concern whereby an industrial waste of unusual strength or character may be accepted by the Commission for treatment, provided that such agreements do not contravene any requirements of existing Federal or State laws, and/or regulations promulgated thereunder, are compatible with any User Charge System in effect, and do not waive applicable National Categorical Pretreatment Standards.
- M. Septic tank waste (septage) will be accepted into the sewer system at a designated receiving structure within the City of Manchester's treatment plant area, at such times as are established by the treatment plant, and as directed by the operator or superintendent of the Manchester Treatment Facility, provided such wastes do not contain toxic pollutants or materials, and provided such discharge does not violate any of the provisions set forth in the City of Manchester's Sewer Use Ordinance. Permits to use such facilities shall be under the jurisdiction of the City of Manchester, Environmental Protection Division. The discharge

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of industrial wastes as "industrial septage" requires prior approval of the NHDES. Fees for dumping septage will be established by the City of Manchester. Procedures for the disposal of such wastes shall be in conformance with the operating policy of the city's sewage treatment plant supervisor and disposal shall be accomplished under his supervision unless specifically permitted otherwise.

- N. If sampling performed by an industrial user indicates a violation, the user shall notify the Town and the City within twenty-four (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 Town within thirty (30) days after becoming aware of the violation, except the industrial user is not required to resample if:
1. The Town performs sampling at the Industrial User at a frequency of at least once per month, or
  2. The Town 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.
- O. Each industrial user shall provide protection from accidental discharge or 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.
- P. Bypass is prohibited except where the bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. The industrial user shall notify the Commission immediately in the event of any bypass.
- Q. A notice shall be permanently posted plainly visible to an industrial user's personnel responsible for managing wastewater discharges, which shall instruct all employees whom to call in the event of a spill, slug discharge, pretreatment upset or bypass. Employers shall insure that all employees who may cause or suffer such a discharge to occur know of the required notification of the Commission.

## **2.7 Federal Categorical Pretreatment Standards**

- A. The categorical pretreatment standards are found at 40 CFR Chapter I, Subchapter N, Parts 405-471.

- B. The City of Manchester, Environmental Protection Division shall be the Control Authority for industrial users subject to categorical pretreatment standards. As the Control Authority, industrial users are responsible to the City for compliance with categorical pretreatment standards and the requirements of 40 CFR Part 403. Categorical industrial users shall provide the Town with copies of any reports to, or correspondence with City relative to compliance with the categorical pretreatment standards.
- C. 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.
- D. 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.

## 2.8 Local Discharge Restrictions

- A. All persons discharging industrial process wastes into public or private sewers connected to the Goffstown's POTW shall comply with applicable federal requirements and State standards for pretreatment of wastes as they may be amended from time to time in addition to the requirements of this Ordinance.
- B. Local numerical discharge limitations established by the Town as set forth herein, or may be added in the future (referred to as "local limits"), all State pretreatment standards and federal categorical pretreatment standards shall apply, whichever is most stringent.

<u>Compound</u>	<u>Limit (mg/L)</u>
Copper	4.55
Cyanide (T)	2.86
Lead	0.94
Mercury	0.023
Silver	0.90
Zinc	10.42

- C. The Commission shall calculate and administer daily concentration limits (i.e., 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.
- D. 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 Superintendent) representative of the discharge over the duration of a 24-hour day or industrial operating schedule of less than 24 hours.
- E. All concentration limits for metals represent "total" metal unless indicated otherwise. The Commission may impose mass limitations in addition to, or in accordance with Section 2.11, in place of the concentration-based limitations.
- F. Screening Levels. The following pollutants shall not be discharged to the POTW exceeding concentrations listed below without approval of the Commission:

<u>Compound</u>	<u>mg/L</u>
Benzene	0.13
BOD	350
Carbon disulfide	0.06
Chlorine	1,500
Chloroform	0.41
1,2 Dichloroethylene	0.28
Sulfide	1.0
Sulfate	1,500
Sulfite	280
Suspended solids	350
Tetrachloroethylene	0.53
Trichloroethane	1.55
1,1,1 Trichloroethene	0.71
<u>Oil and Grease</u>	
Petroleum or mineral origin	100
Animal and vegetable origin	350

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- G. 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.
- H. If any of the screening levels are exceeded, repeat analysis must 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 Commission, to conduct an appropriate engineering evaluation to determine the potential impact of the discharge of this pollutant to the Town's POTW or alternatively, to develop a pollution prevention plan specifically addressing the pollutant that exceeds the screening level. This study or plan must be conducted under the supervision and approval of the Town. 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.
- I. Special Agreements. No statement contained in this Section shall be construed as preventing any special agreement or arrangement between the Goffstown and any industrial user whereby an industrial waste of unusual strength or character may be accepted by the Town for treatment provided that said agreements do not contravene any requirements of existing federal or State laws, and/or regulations promulgated thereunder, are compatible with any user charge system in effect, and do not waive applicable federal categorical pretreatment standards. Special agreement requests shall require submittal of a pollution prevention plan that specifically addresses the discharge for which a special agreement is requested. For pollutants with numerical local limits, the Goffstown has allocated a percentage of its allowable industrial loadings for such special agreements. Requests for special agreements that exceed this allocation will not be approved.

## **2.9 Goffstown's Right of Revision**

- A. The discharge standards and requirements set forth in Sections 2.6-2.8 are established for the purpose of preventing discharges to the POTW that would harm the sewers, wastewater treatment process, or equipment; would have an adverse effect on the receiving stream; or would otherwise endanger lives, limb, public property, or constitute a

nuisance.

- B. To meet these objectives, the Commission may, from time to time, review and set more stringent standards or requirements than those established in Sections 2.6-2.8 if, in the Commission's opinion, such more stringent standards or requirements are necessary. At a minimum, this review will be performed at least once every five years. In forming this opinion, the Commission may give consideration to such factors as the quantity of 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 facility, degree of treatability at the wastewater treatment facility, pollution prevention activities, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer shall not be exceeded without the approval of the Commission.
- C. The Commission shall allow affected industrial users reasonable time to comply with any changes to the local limits. The conditions and schedule for compliance shall accompany the written notification of amended local limits.

### **2.10 Dilution**

- A. No user shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable pretreatment standard or requirement. The Commission may impose mass limitations on users who are using dilution to meet applicable pretreatment standards or requirements, or in other cases when the imposition of mass limitations is appropriate.

### **2.11 Mass-Based Limitations**

- A. Users implementing process changes may request that compliance be determined based on mass limitations in lieu of concentration limitations. Such mass-based limitations will be calculated from the permitted concentration-based limitations and flows, and shall be equivalent to or less than the mass discharge in effect at the time of the request. The intent of a mass-based limit is to encourage and allow pollution prevention and/or water conservation measures that might cause a facility to increase pollutant concentrations in its discharge even though the total mass of the pollutant

discharged does not increase, and may in fact decrease. Decisions on granting requests for mass-based compliance limitations will be based on user-specific information and current operating conditions of the POTW, and will be at the discretion of the Commission. Implementation of mass-based limitations may not contravene any requirements of federal or State laws and/or regulations implemented thereunder, and may not waive applicable categorical pretreatment standards.

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**SECTION 3 - PRETREATMENT OF WASTEWATER****3.1 Pretreatment Facilities**

- A. 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 this Ordinance within the time limitations specified by EPA, the State, the City of Manchester or the Commission, whichever is more stringent. All facilities required to achieve and maintain compliance shall be provided, operated, and maintained at the user's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the Commission for review, and shall be acceptable to the Commission and the 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 under the provisions of this Ordinance.

**3.2 Additional Pretreatment Measures**

- A. Whenever deemed necessary to protect the POTW and determine the user's compliance with the requirements of this Ordinance, the Commission 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 waste streams from industrial waste streams, and such other conditions as may be necessary.
- B. The Commission 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.
- C. Fats, or and grease (FOG), oil, and sand interceptors shall be provided at the owner's expense when, in the judgement of the Commission, these devices are necessary for the preliminary treatment of wastewater containing excessive amounts of FOG, or sand; except that such interceptors shall not be required for residential users. All interception units shall be of a type and capacity approved by the Commission 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 user at

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their expense. The owner shall be responsible for the proper removal and disposal by appropriate means of the captured materials and shall maintain records of the dates and means of disposal, which shall be subject to periodic review by the Commission. Any removal and hauling of the collected materials shall be performed by currently licensed waste disposal firms.

- D. Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter and alarm.
- E. Where pretreatment or flow equalizing facilities are provided or required for any waters or wastes, these devices shall be maintained continuously to ensure satisfactory and effective operation by the owner at his expense.
- F. A dental practice which applies, alters, maintains or removes mercury-containing dental amalgam shall install, operate and maintain an amalgam separator(s) in accordance with NHDES Env-Wq 306.

### **3.3 Accidental Discharge/Slug Control Plans**

- A. At least once every two (2) years, the Commission shall evaluate whether each significant indirect discharger needs an accidental discharge/slug control plan. The Commission may require any user to develop, submit for approval, and implement such a plan. Alternatively, the Commission may develop such a plan for any user. An accidental discharge/slug control plan shall address, at a minimum, the following:
  - B. Description of discharge practices, including non-routine batch discharges;
  - C. Description of stored chemicals;
  - D. Procedures for immediately notifying the Commission of any accidental or slug discharge, as required by Section 5.3 (10) of this Ordinance; and
  - E. Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing

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toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

### **3.4 Pollution Prevention Plans**

- A. In accordance with the provisions of this Ordinance, the Commission may require any person discharging wastes into the POTW to develop and implement, at that person's own expense, a pollution prevention plan. The Commission may require users to submit as part of the pollution prevention plan information that demonstrates adherence to the following elements:
- B. Management Support. For changes to be effective, the visible support of top management is required. Management's support should be explicitly stated and include designation of a pollution prevention coordinator, goals, and time frames for reductions in volume and toxicity of waste streams, and procedures for employee training and involvement.
- C. Process Characterization. A detailed process waste diagram shall be developed that identifies and characterizes the input of raw materials, the outflow of products, and the generation of wastes.
- D. Waste Assessment. Estimates shall be developed for the amount of wastes generated by each process. This may include establishing and maintaining waste accounting systems to track sources, the rates and dates of generation, and the presence of hazardous constituents.
- E. Analysis of Waste Management Economics. Waste management economic returns shall be determined based on the consideration of:
1. Reduced raw material purchases;
  2. Avoidance of waste treatment, monitoring and disposal costs;
  3. Reductions in operations and maintenance expenses;
  4. Elimination of permitting fees and compliance costs; and
  5. Reduced liabilities for employee/public exposure to hazardous chemicals and cleanup of waste disposal sites.
- F. Development of Pollution Prevention Alternatives. Current and past pollution prevention activities should be assessed,

including estimates of the reduction in the amount and toxicity of waste achieved by the identified actions. Opportunities for pollution prevention must then be assessed for identified processes where raw materials become or generate wastes. Technical information on pollution prevention should be solicited and exchanged, both from inside the organization and out.

- G. Evaluation and Implementation. Technically and economically feasible pollution prevention opportunities shall be identified and an implementation timetable with interim and final milestones shall be developed. The recommendations that are implemented shall be periodically reviewed for effectiveness.
- H. The review and approval of such pollution prevention plans by the Commission shall in no way relieve the user from the responsibilities of modifying facilities as necessary to produce a discharge acceptable to the Commission in accordance with the provisions of this Ordinance and all applicable relevant and appropriate regulations.

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**SECTION 4 - INDUSTRIAL DISCHARGE PERMIT APPLICATION****4.1 Wastewater Characterization**

- A. When requested by the Commission, a user must submit information on the nature and characteristics of its wastewater within sixty (60) days of the request. The Commission is authorized to prepare a form for this purpose and may periodically require users to update this information.

**4.2 Industrial Discharge Permit Requirement**

- A. No significant indirect discharger shall discharge wastewater into the POTW without first obtaining an Industrial Discharge Permit from the Commission except that a significant indirect discharger that has filed a timely and complete application may continue to discharge for the time period specified therein.
- B. The Commission may require other users to obtain Industrial Discharge Permits, or submit an application for an Industrial Discharge Permit, as necessary to execute the purposes of this Ordinance.
- C. 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 Section 11 of 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.

**4.3 Discharge Permit Request Requirement**

- A. All industrial users must receive NHDES approval for any new industrial discharge, or any significant alteration in either flow or waste characteristics, in accordance with the NPDES permit.
- B. All Significant indirect discharger must receive NHDES approval for any new industrial discharge, or any alteration in either flow or waste. Such approvals shall be obtained in accordance with NHDES Env-Wq 305 and this Ordinance.

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**4.4 Industrial Discharge Permitting: Existing Connections**

- A. Any user required to obtain an Industrial Discharge Permit who was discharging wastewater into the POTW prior to the effective date of this Ordinance, and is not currently covered by a valid Industrial Discharge Permit, and who wishes to continue such discharges in the future, shall, within sixty (60) days after said date, apply to the Commission for an Industrial Discharge Permit in accordance with Section 4.2 of this Ordinance, and shall not cause or allow discharges to the POTW to continue after one hundred twenty (120) days of the effective date of this Ordinance except in accordance with an Industrial Discharge Permit issued by the Commission

**4.5 Industrial Discharge Permitting: New Connections**

- A. NHDES sewage connection permit. 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 the NHDES in accordance with NHDES Env-Wq 700, and the Town Council:
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 gpd;
  2. 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.
- B. Any user required to obtain an Industrial Discharge Permit who proposes to begin or recommence discharging into the POTW shall obtain an Industrial Discharge Permit prior to the beginning or recommencing of such discharge. An application

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for this Industrial Discharge Permit, in accordance with Section 4.2 of this Ordinance, shall be filed at least ninety (90) days prior to the date upon which any discharge will begin or recommence.

#### **4.6 Industrial Discharge Permitting: Categorical Standards**

- A. 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 noted under Section 4.7.

#### **4.7 Industrial Discharge Permit Application Contents**

- A. All users required to obtain an Industrial Discharge Permit, and other users subject to these rules, as required by the Commission, shall submit a permit application. The Commission shall require all users to submit as part of an application the following information where applicable, as a minimum:
- B. The name, street address, and mailing address of the indirect discharger;
- C. The name, position, and daytime telephone number of a responsible individual at the indirect discharger, such as a plant manager, plant engineer, president, or vice president of the company, who has certified the permit application in accordance with Env-Wq 305.14(b);
- D. The "SIC" code and The North American Industry Classification System ("NAICS") code of the indirect discharger, if available;
- E. Whether the indirect discharger is subject to national categorical standards, and if so, which standards;
- F. The estimated average, minimum, maximum and total daily flow for domestic discharges and each process discharge and the time and duration of those discharges;
- G. A schematic of the proposed treatment process;
- H. If applicable, plans, specifications, and operation and maintenance procedures for new or modified treatment facilities at the indirect discharger, stamped by a chemical, civil, sanitary, or environmental engineer registered in New Hampshire;

- I. A schematic diagram showing the production process, including the origin of each waste stream;
- J. A list of pollutants expected to be present in the discharge and the anticipated quantity of each, based on:
  - 1. Analyses of the waste stream(s) to be discharged, in which case test results shall be submitted with the discharge permit request; or
  - 2. Knowledge of the process which produces the wastewater;
- K. Information on the toxicity and treatability of the pollutants proposed to be discharged, as available from manufacturer's testing, safety, and data publications;
- L. A map showing the location within the municipality of the indirect discharger with respect to the POTW;
- M. A listing of all chemicals used at the indirect discharger that will be or could be discharged, such as production chemicals, degreasers, and cleaning solvents;
- N. A description and location diagram of all sampling locations at the indirect discharger;
- O. A brief narrative describing those measures taken or planned to reduce water usage and implement pollution prevention techniques, if any, such as:
  - 1. Flow restrictors;
  - 2. Countercurrent rinses;
  - 3. Recycling of non-contact cooling water;
  - 4. Chemical substitutions; and
  - 5. Pollutant source reduction; and
- P. A list of all environmental permits held by or for the indirect discharger.
- Q. Incomplete or inaccurate applications will not be processed and will be returned to the user for revision.
- R. The Superintendent will evaluate the data provided by the user and may require additional information. Upon approval

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of the application by the Superintendent, if required, an Industrial Wastewater Indirect Discharge Request will be submitted by the Town to NHDES on behalf of the user. All applicable NHDES review fees shall be provided by the user. Within thirty (30) days of receipt of a complete Industrial Discharge Permit application [or ninety (90) days in the case of an application for a new or modified discharge requiring review and approval by NHDES, the Director will determine whether or not to issue an Industrial Discharge Permit. The Director may deny any application for an Industrial Discharge Permit, with just cause. An Industrial Discharge Permit approval shall be based on and apply only to the subject application and all associated plans and supporting information as submitted.

#### **4.8 Signatories and Certification**

- A. All Industrial Discharge Permit applications and user reports shall be signed by an authorized representative of the user and shall contain 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."

#### **4.9 Hauled Wastewater Permits**

- A. Septic tank waste may be introduced into the POTW only at locations designated by the Commission, and at such times as are established by the Commission. Transport and discharge of such waste shall comply with Section 13 of this Ordinance.
- B. The Commission and the City of Manchester shall require generators of hauled industrial waste to obtain Industrial Discharge Permits. The Commission and the City of Manchester may require haulers of industrial waste to obtain Industrial Discharge Permits. The Commission may also prohibit the disposal of hauled industrial waste. All other requirements of this Ordinance apply to the discharge of hauled industrial

waste.

- C. Industrial waste haulers may discharge loads only at locations designated by the Commission. No load may be discharged without prior consent of the Commission. The Commission may collect samples of each hauled load to ensure compliance with applicable standards. The Commission may require the industrial waste hauler to provide a waste analysis of any load prior to discharge.
- D. Industrial waste haulers shall provide a waste-tracking form for every load. This form shall include, at a minimum, the name and address of the industrial waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The form shall identify the type of industry, known or suspected waste constituents, and a certification that the wastes are not hazardous wastes.

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**SECTION 5 - INDUSTRIAL DISCHARGE PERMIT ISSUANCE PROCESS****5.1 Industrial Discharge Permit Decisions**

- A. The Commission will evaluate the data provided by the industrial user and may require additional information. Within thirty (30) days of receipt of a complete Industrial Discharge Permit application [or ninety (90) days in the case of an application for a new or increased discharge requiring review and approval by NHDES, the Commission will determine whether or not to issue an Industrial Discharge Permit. The Commission may deny any application for an Industrial Discharge Permit, with just cause.

**5.2 Industrial Discharge Permit Duration**

- A. An Industrial Discharge Permit shall be issued for a specified time period, not to exceed five (5) years [or three (3) years in the case of a significant indirect discharger from the effective date of the permit. An Industrial Discharge Permit may be issued for a period less than these intervals at the discretion of the Commission. Each Industrial Discharge Permit will indicate a specific date upon which it will expire.
- B. Industrial Discharge Permits shall be terminated upon cessation of operations or transfer of business ownership, unless notification of such transfer is provided in accordance with Section 5.6 of this Ordinance. All Industrial Discharge Permits issued to a particular user are void upon the issuance of a new Industrial Discharge Permit to that user.
- C. An Industrial Discharge Permit is void if the discharge approved does not begin within one year from date of approval.

**5.3 Industrial Discharge Permit Contents`**

- A. An Industrial Discharge Permit shall include such conditions as are deemed reasonably necessary by the Commission to prevent pass through or interference, protect the quality of the water body receiving the treatment facility's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.
- B. Industrial Discharge Permits for significant industrial dischargers shall contain:

1. Indirect 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 pollutant to be monitored and the monitoring requirements applicable thereto;
7. Sampling frequency, techniques, and locations;
8. Reporting requirements;
9. Inspection requirements;
10. Notification requirements, including for:
  - a. Slug loading;
  - b. Spills, bypasses, and upsets;
  - c. Changes in volume or characteristics of the discharge for which a permit revision is not required; and
  - d. Permit violations.
11. Record keeping requirements;
12. Applicable definitions and special conditions from the sewer use ordinance;
13. Applicable civil and criminal penalties for violations;
14. Notification requirements prior to any new or increased discharge;
15. A requirement to submit a complete new application at a specified frequency, which shall be not less than once

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- every five years; and a statement that indicates Industrial Discharge Permit duration, which in no event shall exceed five (5) years;
16. A statement that the Industrial Discharge Permit is nontransferable without prior notification to the Commission in accordance with Section 5.6 of this Ordinance, and provisions for providing the new owner or operator with a copy of the existing Industrial Discharge Permit;
  17. For users with reporting requirements, such reports at a minimum shall require:
    - a. Periodic monitoring results indicating the nature and concentration of pollutants in the discharge from the regulated processes governed by and maximum daily flow for these process units;
    - b. A statement as to whether the applicable pretreatment standards and requirements are being met on a consistent basis and, if not, than what additional operation and maintenance practices and/or pretreatment systems are necessary; and
    - c. Submittal of any monitoring results performed in addition to the requirements of the Industrial Discharge Permit using procedures prescribed in the permit.
  18. A description of identified pollution prevention opportunities at the facility;
  19. Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards
  20. 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.

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- B. Industrial Discharge Permits may contain, but need not be limited to, the following conditions:
1. Limitations on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
  2. Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the POTW;
  3. Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or non-routine discharges;
  4. Development and implementation of pollution prevention plans to reduce the amount of pollutants discharged to the POTW;
  5. The unit charge or schedule of user charges and fees for the management of the wastewater discharged to the POTW;
  6. Requirements for installation and maintenance of inspection and sampling facilities and equipment; and
  7. Other conditions as deemed appropriate by the Commission to ensure compliance with this Ordinance, and State and federal laws, rules, and regulations.

#### **5.4 Industrial Discharge Permit Appeals**

- A. Any person, including the user, may petition the Commission to reconsider the terms of an Industrial Discharge Permit within thirty (30) days of its issuance.
- B. Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.
- C. In its petition, the appellant user must indicate the Industrial Discharge Permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to place in the Industrial Discharge Permit.
- D. The effectiveness of the Industrial Discharge Permit shall

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not be stayed pending the appeal.

- E. If the Commission fails to act within thirty (30) days, a request for reconsideration shall be deemed to be denied.

### **5.5 Industrial Discharge Permit Modification**

- A. The Commission may modify an Industrial Discharge Permit for good cause, including, but not limited to, the following reasons:

1. To incorporate any new or revised federal, State, City of Manchester 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, Goffstown 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; or
8. To reflect a transfer of the facility ownership or operation to a new owner or operator.

### **5.6 Industrial Discharge Permit Transfer**

- A. Industrial Discharge Permits may be transferred to a new owner or operator only if the permittee provides at least sixty (60) days advance notice to the Commission, and the Commission approves the Industrial Discharge Permit transfer. The notice to the Commission shall include a written

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certification by the new owner or operator that:

1. States that the new owner and/or operator has no immediate intent to change the facility's operations and processes that generate wastewater to be discharged to the POTW;
  2. Identifies the specific date on which the transfer is to occur; and
  3. Acknowledges full responsibility for complying with the existing Industrial Discharge Permit.
- B. Failure to provide advance notice of a transfer shall render the Industrial Discharge Permit void as of the date of facility transfer.

#### **5.7 Industrial Discharge Permit Reissuance**

- A. A 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 Section 4.3 of this Ordinance, 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:
1. 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
  2. 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.

#### **5.8 Regulation of Waste Received from Other Jurisdictions**

- A. If another municipality, or user located within another municipality, contributes wastewater to the POTW, the Town of Goffstown shall enter into an inter-municipal agreement with the contributing municipality.
- B. Prior to entering into an agreement required by paragraph (A), above, the Commission shall request the following information from the contributing municipality:

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1. A description of the quality and volume of wastewater discharged to the POTW by the contributing municipality;
  2. An inventory of all users located within the contributing municipality that are discharging to the POTW; and
  3. Such other information as the Commission may deem necessary.
- C. An intermunicipal agreement, as required by paragraph (A), above, shall contain the following conditions:
1. A requirement for the contributing municipality to adopt a sewer use ordinance that is at least as stringent as this Ordinance, and local limits that ensure that the pollutant loadings allocated to the contributing municipality are not exceeded. The requirement shall specify that such Ordinance and local limits shall be revised as necessary to reflect changes made to the Goffstown's Ordinance or revisions to the loadings allocated to the contributing municipality;
  2. A requirement for the contributing municipality to submit a revised user inventory on at least an annual basis;
  3. A provision specifying which pretreatment implementation activities, including Industrial Discharge Permit issuance, inspection and sampling, and enforcement, will be conducted by the contributing municipality; which of these activities will be conducted by the Commission; and which of these activities will be conducted jointly by the contributing municipality and the Commission;
  4. A requirement for the contributing municipality to provide the Commission with access to all information that the contributing municipality obtains as part of its pretreatment activities;
  5. Limitations on the nature, quality, and volume of the contributing municipality's wastewater at the point where it discharges to the POTW;
  6. Requirements for monitoring the contributing municipality's discharge;
  7. A provision ensuring the Commission 's access to the

facilities of users located within the contributing municipality's jurisdictional boundaries for the purpose of inspection, sampling, and any other duties deemed necessary by the Commission; and

8. A provision specifying remedies available for breach of the terms contained within the agreement.
- D. Intermunicipal agreements shall be subject to approval by the NH Attorney General, NHDES and the City of Manchester.

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**SECTION 6 - REPORTING REQUIREMENTS****6.1 Periodic Compliance Reports**

- A. All significant indirect dischargers shall, at a frequency determined by the Commission but in no case less than twice per year (in June and December), submit a report indicating the nature and concentration of pollutants in the discharge that are limited by pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. All periodic compliance reports shall be signed and certified in accordance with Section 4.8 of this Ordinance. In cases where the Pretreatment Standard requires compliance with a Best Management Practice (BMP) or pollution prevention alternative, the User must submit documentation required by the Executive Director or the Pretreatment Standard necessary to determine the compliance status of the Use.
- B. All wastewater samples must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a user to maintain its monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.
- C. If a user subject to the reporting requirement in this section monitors any pollutant more frequently than required by the Commission, using the procedures prescribed in Section 6.7 of this Ordinance, the results of this monitoring shall be included in the report.

**6.2 Reports of Changed Conditions**

- A. Each industrial user shall notify the Superintendent of any planned changes to the user's operations or system that might alter the nature, quality, or volume of its wastewater at least forty-five (45) days before the change.
- B. The Commission may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submittal of an Industrial Discharge Permit application.
- C. Upon approval of the request by the Town, a Discharge Request will be submitted by the Town to NHDES on behalf of the user. All applicable NHDES review fees shall be provided by the user.

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- D. Upon approval of the Discharge Request by NHDES, the Commission may issue an Industrial Discharge Permit or modify an existing Industrial Discharge Permit in response to changed conditions or anticipated changed conditions.
- E. A NHDES "Sewer Connection Permit" request is required for:
1. Any proposed sewerage, whether public or private;
  2. Any proposed wastewater connection or other discharge in excess of 5,000 gallons per day; and
  3. Any proposed wastewater connection or other discharge to a wastewater treatment facility operating in excess of 80% design flow capacity.

### **6.3 Reports of Slug/Potentially Adverse Discharges**

- A. In the case of any discharge, including, but not limited to, accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch discharge, or a slug load, that may cause adverse impacts to the POTW, the user shall immediately telephone and notify the Commission of the incident. This notification shall include identifying the location of the discharge, type of waste, concentration and volume, if known, and corrective actions conducted by the user.
- B. Within five (5) days following such discharge, the user shall, unless waived by the Commission, submit a detailed written report describing the cause(s) of the discharge and the measures to be conducted by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability that may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability that may be imposed pursuant to this Ordinance.
- C. A notice shall be permanently posted on the user's employee bulletin board or other prominent place advising employees whom to call in the event of a discharge described in paragraph (A), above. Employers shall ensure that all employees who may cause such a discharge to occur or who may be present when a discharge occurs are advised of the emergency notification procedure.

#### **6.4 Reports from Unpermitted Users**

- A. All users not required to obtain an Industrial Discharge Permit shall provide appropriate reports to the Commission as the Commission may require.

#### **6.5 Notice of Violation/Repeat Sampling and Reporting**

- A. If the results of sampling performed by a user indicate a violation, the user shall notify the Commission within twenty-four (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 Commission within thirty (30) days subsequent to becoming aware of the violation. The user is not required to resample if the Commission monitors at the user's facility at least once a month, or if the Commission samples between the user's initial sampling and when the user receives the results of this sampling.

#### **6.6 Analytical Requirements**

- A. All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136, unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, sampling and analyses shall be performed in accordance with procedures approved by the Commission and NELAC labs certified in NH.

#### **6.7 Sample Collection**

- A. Except as indicated in Paragraph (B), below, the user shall collect wastewater samples using flow proportional composite collection techniques. In the event flow proportional sampling is infeasible, the Commission may authorize the use of time proportional sampling or a minimum of four (4) grab samples where the user demonstrates that this will provide a representative sample of the effluent being discharged. In addition, grab samples may be required to demonstrate compliance with instantaneous discharge limitations (e.g., screening levels established to protect worker health and safety). A single grab sample may also be used in place of a composite sample with approval of the Commission when:

1. The effluent is not discharged on a continuous basis (i.e., batch discharges of short duration), and only when the batch exhibits homogeneous characteristics (i.e., completely mixed) and the pollutant can be safely assumed to be uniformly dispersed;
  2. Sampling a facility where a statistical relationship can be established between previous grab samples and composite data; and
  3. The waste conditions are relatively constant (i.e., are completely mixed and homogeneous) over the period of the discharge.
- B. Samples for temperature, pH, phenols, sulfides, and volatile organic compounds shall be obtained using grab collection techniques.

#### **6.8 Timing**

- A. Written reports will be deemed to have been submitted on the date postmarked. For reports that are not mailed, the date of receipt of the report by the person designated in the Industrial Discharge Permit shall govern.

#### **6.9 Record Keeping**

- A. Users subject to the reporting requirements of this Ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this Ordinance and any additional records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements. Records shall include the date, exact location, method, and time of sampling, and the name of the person(s) obtaining the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least five (5) years. This period shall be automatically extended for the duration of any litigation concerning the user or the POTW, or where the user has been specifically notified of a longer retention period by the Commission. Before destroying the records, the industrial user shall request and receive permission from Goffstown.

**6.10 Pollution Prevention Reports**

- A. Permitted industrial users discharging pollutants on the "local limits" or "pollution prevention action" lists of Section 2.6 of this Ordinance, at concentrations greater than background levels, shall report annually on pollution prevention activities undertaken to reduce or minimize the generation of wastes containing these pollutants. The Town may publicize these efforts in the annual notification provided for in Section 9.4.

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**SECTION 7 - POWERS AND AUTHORITIES OF INSPECTORS****7.1 Compliance Monitoring**

- A. The Town shall investigate instances of noncompliance with the industrial pretreatment standards and requirements.
- B. The Town shall, as necessary, sample and analyze the wastewater discharges of contributing users and conduct surveillance and inspection activities to identify, independently of information supplied by such users, occasional and continuing noncompliance with industrial pretreatment standards. Each industrial user will be billed directly for costs incurred for analysis of its wastewater.

**7.2 Right of Entry: Inspection and Sampling**

- A. Any duly authorized employee of the Town, EPA or a City of Manchester employee accompanied by a Town employee bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, inspection and copying of records and testing pertinent to discharge to the wastewater facilities, in accordance with the provisions of this ordinance.
- B. Any duly authorized employee of the Town, EPA and/or a City of Manchester employee are authorized to obtain information concerning industrial processes which have a bearing on the kind and source of discharge to the public sewer. The industrial user may request that the information in question not be made available to the public if it can establish that revelation to the public might result in an advantage to competitors. The information in question shall be made available upon written request to governmental agencies for uses related to this ordinance, the NPDES permit, or the pretreatment program. The burden of proof that information should be held confidential rests with the industrial user. However, information about wastewater discharged by the industrial user (flow, constituents, concentrations and characteristics) shall be available to the public without restriction.
- C. While performing the necessary work on private properties referred to Section 1 of this Article, the duly authorized employees of the Town, EPA and/or the City of Manchester shall observe all safety rules applicable to the premises established by the company, and the company shall be held

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harmless for injury or death to the Town employees, and the Town shall indemnify the company against loss or damage to its property by Town or City employees and against liability claims and demands for personal injury or property damage asserted against the company and 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.

- C. Duly authorized employees of the Town or a City of Manchester employee accompanied by a Town employee bearing proper credentials and identification shall be permitted to enter all private properties through which the Town holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the wastewater facilities 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.
- D. All industrial users discharging to the Town's POTW shall allow unrestricted access by the Town, State and EPA personnel ("Inspector(s)") for the purpose of determining whether the user is complying with all requirements of this Ordinance, and any Industrial Discharge Permit or order issued hereunder. Users shall allow the Inspector(s) ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.
- E. If a user has security measures in force that require proper identification and clearance before entry into its premises, the user shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the Inspector(s) will be permitted to enter without delay for the purposes of performing specific responsibilities.
- F. The Inspector(s) shall have the right to set up on the user's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the user's operations.
- G. The Inspector(s) may require the user to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the user at its own expense. All devices used to measure wastewater flow and

quality shall be calibrated at least annually to ensure accuracy.

- H. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the user at the written or verbal request of the Inspector(s) and shall not be replaced. The costs of clearing such access shall be borne by the user.
- I. Unreasonable delays in allowing the Inspector(s) access to the user's premises shall be a violation of this Ordinance.
- J. The Inspector(s) is authorized to obtain information concerning industrial processes that have a bearing on the kind or source of discharge to the public sewer. The industrial user may request that the information in question not be disclosed to the public in accordance with Section 8 of this Ordinance. The information in question shall be made available upon written request to governmental agencies for uses related to this Ordinance, the NPDES permit, or the pretreatment program. The burden of proof that information should be held confidential rests with the user. However, information regarding wastewater discharge by the user (flow, constituents, concentrations, and characteristics) shall be available to the public without restriction.

### **7.3 Search Warrants**

- A. If the Commission has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this Ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the Town designed to verify compliance with this Ordinance or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then the Commission may seek issuance of a search warrant from the Hillsborough District Court.

**SECTION 8 - CONFIDENTIAL INFORMATION/PUBLIC PARTICIPATION****8.1 Confidential Information**

- A. Information and data on a user obtained from reports, surveys, Industrial Discharge Permit Applications, Industrial Discharge Permits, and monitoring programs, and from the Commission 's inspection and sampling activities, shall be available to the public without restriction, unless the user specifically requests, and is able to demonstrate to the satisfaction of the Commission , that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable Federal and State law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the user furnishing a report that such information should be held confidential, the portions of a report that might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person providing the report. Wastewater constituents and characteristics and other "effluent data" as defined by 40 CFR 2.302 will not be recognized as confidential information and will be available to the public without restriction.

**8.2 Public Participation**

- A. The Town shall comply with the public participation requirements of 40 CFR Part 25 in the enforcement of industrial pretreatment standards and requirements.

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**SECTION 9 - ADMINISTRATIVE ENFORCEMENT REMEDIES**

- A. Any property with an existing building structure or house located within 150 feet of a public sewer must connect to said sewer, pursuant to the provisions of Section 2.4 of this Ordinance, unless a waiver of connection has been granted by the Sewer Commission. A specific period of time will be designated by the Commission within which said connection must be made. Failure to make such connection will be deemed as non-compliance with this Ordinance and will result in formal legal action being taken against said property owner.
- B. Any person found to be violating any provision of this ordinance shall be served by the Town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correcting thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. The Town may, after informal notice to the person discharging wastewater to the public sewer, immediately halt or prevent any such discharge reasonably appearing to present an imminent endangerment to the health and welfare of the public, or any discharge presenting, or which may present, an endangerment to the environment, or which threatens to interfere with the operation of the public sewer or wastewater treatment facilities. Actions which may be taken by the Town in response to violations of this Ordinance include exparte temporary judicial injunctive relief, entry on private property to halt such discharge, blockage of a public or private sewer to halt such discharge, or demand of specific action by the person.
- C. Any person violating any of the provisions of this Ordinance shall become liable to the Town for any expense, loss, or damage occasioned by the Town by reason of such violation.

**9.1 Notification of Violation**

- A. Whenever the Director finds that any person, firm, corporation, municipal subdivision, institution, or user has violated or is violating this chapter, or a wastewater permit or order issued hereunder, the Director or his agent may serve upon said offender written notice of the violation. Within a time period specified in the violation notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted to the Director. The offender shall

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permanently cease all violations and take such action as is recommended or necessary to insure that there will be no recurrence of such violation. All such work in connection therewith shall be performed by the offender without delay and without expense to the Town. Compliance with this section in no way relieves the offender of liability for any violations occurring before or after receipt of the notice of violation.

- B. When the Commission determines that a user 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, the Commission may serve a verbal or written Notice of Violation to the user. Within the time period specified in the violation notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the user to the Commission. Submittal of this plan in no way relieves the user of liability for any violations occurring before or subsequent to receipt of the Notice of Violation. Nothing in this section shall limit the authority of the Commission to take any action, including emergency actions or any other enforcement action, without initially issuing a Notice of Violation.

## **9.2 Compliance Schedule Development**

- A. The Commission may require any user that 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, to develop a compliance schedule. A compliance schedule pursuant to this section shall comply with the following conditions:
- B. 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 including, but not limited to, retaining an engineer, completing preliminary and final design plans, executing orders for major components, commencing and completing construction, and beginning and conducting routine operation;
- C. No increment referred to above shall exceed nine (9) months;
- D. The user shall submit a progress report to the Superintendent

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no later than fourteen (14) days following each date in the schedule and the final date of compliance which identifies, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the action being taken by the user to return to the established schedule; and

- E. In no event shall more than nine (9) months elapse between such progress reports to the Commission.

### **9.3 Pollution Prevention Plan Development**

- A. The Commission may require any user that 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, to develop a pollution prevention plan. The pollution prevention plan must specifically address violation(s) for which this action was undertaken. The pollution prevention plan shall be developed using good engineering judgment and shall be submitted to the Commission no later than sixty (60) days after the user was notified of this requirement.

### **9.4 Publication of Users in Significant Noncompliance**

- A. The Commission shall publish annually, in the largest daily newspaper circulated in Goffstown where the POTW is located, a list of the users that, during the previous twelve (12) months, were in significant noncompliance with applicable pretreatment standards and requirements.

### **9.5 Show Cause Orders**

- A. The Commission may order a user that 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, to appear before the Commission and show cause why the proposed enforcement action should not be taken. Notice shall be served on the user specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the user show cause why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days prior to the hearing. Such notice may be served on any authorized representative of the user. A show cause hearing

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shall not be a bar against, or prerequisite for, executing any other action against the user.

#### **9.6 Cease and Desist Orders**

- A. When the Commission determines that a user 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, or that the user's past violations are likely to recur, the Commission may issue an order to the user directing it to cease and desist all such violations and directing the user to:
1. Immediately comply with all requirements; and
  2. Implement such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge.
- B. Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the user.

#### **9.7 Consent Orders**

- A. The Commission is hereby empowered to enter into Consent Orders, assurances of voluntary compliance, or other similar documents establishing an agreement with any user responsible for noncompliance. Such orders shall include specific action to be taken by the user to correct the noncompliance within a time period also specified by the order. Orders may also contain such other requirements as might be reasonably necessary and appropriate to address the noncompliance, including the installation of pretreatment systems, additional self-monitoring, and management practices. Such orders shall have the same force and effect as administrative orders issued pursuant to Section 9 of this Ordinance and shall be judicially enforceable.

#### **9.8 Industrial Discharge Permit Termination**

- A. Any industrial user who violates the following conditions of this Ordinance or a wastewater discharge permit or order, or any applicable State or federal law, is subject to permit termination:

1. Violation of permit conditions;
  2. Failure to accurately report the wastewater constituents and characteristics of its discharge;
  3. Failure to report significant changes in operations or wastewater constituents and characteristics; or
  4. Refusal of reasonable access to the user's premises for the purpose of inspection, monitoring, or sampling.
- B. Such user will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Section 9.5 of this Ordinance why the proposed action should not be taken. Exercise of this option by the Commission shall not be a bar to, or a prerequisite for, taking any other action against the user.

### **9.9 Termination of Discharge**

- A. In addition to the provisions in Section 9.8 of this Ordinance, any user who violates the following conditions is subject to discharge termination:
1. Violation of Industrial Discharge Permit conditions;
  2. Failure to accurately report the wastewater constituents and characteristics of its discharge;
  3. Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;
  4. Refusal of reasonable access to the user's premises for the purpose of inspection, monitoring, or sampling; or
  5. Violation of the pretreatment standards in Section 2 of this Ordinance.
- B. Such user will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Section 9.5 of this Ordinance why the proposed action should not be taken. Exercise of this option by the Commission shall not be a bar to, or a prerequisite for, taking any other action against the user.

**9.10 Emergency Suspensions**

- A. The Commission may immediately suspend a user's discharge, subsequent to informal notice to the user, whenever such suspension is necessary to terminate an actual or threatened discharge that reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of POTW personnel or the public. The Commission may also immediately suspend a user's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or that presents, or may present, an endangerment to the environment.
- B. Any user notified of a suspension of its discharge shall immediately terminate or eliminate its wastewater discharge. In the event of a user's failure to immediately comply with the suspension order, the Commission may implement such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The Commission may allow the user to recommence its discharge when the user has demonstrated to the satisfaction of the Commission that the period of endangerment has passed, unless the termination proceedings in Section 9.9 of this Ordinance are initiated against the user.
- C. A user that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures implemented to prevent any future occurrence, to the Commission prior to the date of any show cause or termination hearing under Section 9.9 of this Ordinance.
- D. Nothing in this section shall be interpreted as requiring a hearing prior to any emergency suspension under this section.

**9.11 Recovery of Expenses**

- A. Any person or industrial user violating any of the provisions of this Ordinance shall be liable to Goffstown for any expense, loss, or damage occasioned Goffstown by reason of such violation. If the Commission or Goffstown Council shall have caused the disconnection of a drain from a public sewer, Goffstown may collect the expenses associated with completing the disconnection from any person or user responsible for, or willfully concerned in, or who profited by such violation.

Goffstown may thereafter refuse to permit the restoration of the former connection or of any new connection to the property concerned in the violation until the claim of the Goffstown for the cost of completing such disconnection shall have been paid in full plus interest and the reasonable cost of any legal expenses incurred by Goffstown in connection therewith.

- A. The assessment and collection of the expense of constructing and maintaining the sewer system shall be governed by the provisions of RSA 149-I, inclusive, and any other applicable general laws. The Commission shall have all the powers granted to Boards of Selectmen thereunder with reference to establishing and assessing sewer charges and/or rentals. The Commission shall have all the powers of the Selectmen hereunder as provided in RSA 149-I.

#### **9.12 Harm to Goffstown Property**

- A. No person shall maliciously, willfully, or negligently damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment that is part of the public sewerage system. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct pursuant to the local Ordinances, and shall also be subject to penalties under State and federal statutes.

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**SECTION 10 - JUDICIAL ENFORCEMENT REMEDIES****10.1 Injunctive Relief**

- A. When the Town determines that a user 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, the Town may petition the Court through the Town's Attorney for the issuance of a temporary or permanent injunction, as appropriate, that restrains or compels the specific performance of the Industrial Discharge Permit, order, or other requirement imposed by this Ordinance on activities of the user. The Town may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the user to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, implementing any other action against a user.

**10.2 Civil Penalties**

- A. 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 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.
- B. The Town Council may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the Goffstown. The Town Council shall petition the Court to impose, assess, and recover such sums.
- C. In determining the amount of civil liability, the Court shall consider all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the user's violation, corrective actions by the user, the compliance history of the user, and any other factor as justice requires.

- D. Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, implementing any other action against a user.

### **10.3 Criminal Prosecution**

A. 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.

### **10.4 Nonexclusive Remedies**

A. The remedies provided for in this Ordinance are not exclusive. The Town may take any, all, or any combination of these actions against a non-compliant user. Enforcement of pretreatment violations will generally be in accordance with the town's enforcement response plan. However, the Town may pursue other action against any user without limitation, including *ex parte* temporary judicial relief to prevent a violation of this Ordinance. Further, the Town is empowered to pursue more than one enforcement action against any non-compliant user.

**SECTION 11 - SUPPLEMENTAL ENFORCEMENT ACTION****11.1 Performance Bonds**

- A. The Commission may decline to issue or reissue an Industrial Discharge Permit to any user who has failed to comply with any provision of this Ordinance, a previous Industrial Discharge Permit, or order issued hereunder, or any other pretreatment standard or requirement, unless such user first files a satisfactory bond, payable to the Town, in a sum not to exceed a value determined by the Commission to be necessary to achieve consistent compliance.

**11.2 Liability Insurance**

- A. The Commission may decline to issue or reissue an Industrial Discharge Permit to any user who has failed to comply with any provision of this Ordinance, a previous Industrial Discharge Permit, or order issued hereunder, or any other pretreatment standard or requirement, unless the user first submits proof that it has obtained financial assurances sufficient to restore or repair damage to the POTW caused by its discharge.

**11.3 Water Supply Severance**

- A. Whenever a user 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, water service to the user may be severed. Service will only recommence, at the user's expense, subsequent to satisfactory demonstration of its ability to comply.

**11.4 Public Nuisances**

- A. A violation of any provision of this Ordinance, an Industrial Discharge Permit, or order issued hereunder, or any other pretreatment standard or requirement is hereby declared a public nuisance and shall be corrected or abated as directed by the Commission. Any person(s) creating a public nuisance shall be subject to the provisions of the Town Code governing such nuisances, including reimbursing the Town for any costs incurred in removing, abating, or remedying said nuisance.

**11.5 Contractor Listing**

- A. Users that have not achieved compliance with applicable pretreatment standards and requirements are not eligible to receive a Town annual award for the sale of goods or services to the Town.

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**SECTION 12 - AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS****12.1 Upset**

- A. For the purposes of this section, "upset" means an exceptional incident in which there is unintentional and temporary noncompliance with pretreatment standards due to factors beyond the reasonable control of the user. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- B. An upset shall constitute an affirmative defense to an action brought for noncompliance with pretreatment standards if the requirements of paragraph (C), below, are met.
- C. A user who intends to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
1. An upset occurred and the user can identify the cause(s) of the upset;
  2. At the time being of the upset, the facility was operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures; and
  3. The user has submitted the following information to the Commission within twenty-four (24) hours of becoming aware of the upset (if this information is provided orally, a written submission must be provided within five (5) days):
    - a. A description of the discharge and cause of noncompliance;
    - b. The period of noncompliance, including exact dates and times or, if not corrected, the amount of time the noncompliance is expected to continue; and
    - c. Action being implemented and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

- D. In any enforcement proceeding, the user seeking to establish the occurrence of an upset shall have the burden of proof.
- E. Users will have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with pretreatment standards.
- F. Users shall control all discharges to the extent necessary to maintain compliance with pretreatment standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

### **12.2 Prohibited Discharge Standards**

- A. A user shall have an affirmative defense to an enforcement action brought against it for noncompliance with the general prohibitions in Section 2 of this Ordinance or the specific prohibitions in Sections 2.6-2.8 of this Ordinance if it can prove that it did not know, or have reason to know, that its discharge, alone or in conjunction with discharges from other sources, would cause pass through or interference and that either:
  - 1. A local limit exists for each pollutant discharged and the user was in compliance with each limit directly prior to, and during, the pass through or interference; or
  - 2. No local limit exists, but the discharge did not change substantially in nature or constituents from the user's prior discharge when the Town was regularly in compliance with its NPDES permit, and in the case of interference, was in compliance with applicable sludge use or disposal requirements.

### **12.3 Bypass**

- A. For the purposes of this section,
  - 1. "Bypass" means the intentional diversion of waste streams from any portion of a user's treatment facility.
  - 2. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities that causes them to become inoperable, or substantial

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and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

- B. A user may allow any bypass to occur that does not cause pretreatment standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of paragraphs (C) and (D) of this section.
1. If a user knows in advance of the need for a bypass, it shall submit prior notice to the Commission, at least ten (10) days before the date of the bypass, if possible.
  2. A user shall submit oral notice to the Commission of an unanticipated bypass that exceeds applicable pretreatment standards within twenty-four (24) hours from the time it becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the user becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the amount of time it is expected to continue; and steps implemented or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Commission may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.
- D. Bypass is prohibited, and the Commission may initiate enforcement action against a user for a bypass, unless:
1. Bypass was required to prevent loss of life, personal injury, or severe property damage;
  2. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgement to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance; and

3. The user submitted notices as required under paragraph (C) of this section.
- E. The Commission may approve an anticipated bypass, subsequent to considering its adverse effects, if the Commission determines that it will meet the three conditions listed in paragraph (D)(1) of this section.

**SECTION 13 - SEPTAGE DISPOSAL**

- A. Septic tank waste (septage) will be accepted into the sewer system at a designated receiving structure within the City of Manchester's treatment plant area, at such times as are established by the treatment plant, and as directed by the operator or superintendent of the Manchester Treatment Facility, provided such wastes do not contain toxic pollutants or materials, and provided such discharge does not violate any of the provisions set forth in the City of Manchester's Sewer Use Ordinance. Permits to use such facilities shall be under the jurisdiction of the City of Manchester, Environmental Protection Division. The discharge of industrial wastes as "industrial septage" requires prior approval of the NHDES. Fees for dumping septage will be established by the City of Manchester. Procedures for the disposal of such wastes shall be in conformance with the operating policy of the city's sewage treatment plant supervisor and disposal shall be accomplished under his supervision unless specifically permitted otherwise.

**SECTION 14 - VALIDITY**

- A. All Ordinances or parts of Ordinances in conflict herewith are hereby 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 that can be given effect without such invalid part or parts.

**SECTION 15 - INTERPRETATION OF REQUIREMENTS****15.1 Interpretation**

- A. The provisions of this Ordinance with respect to the meaning of technical terms and phrases, the classification of different types of sewers, the regulations with respect to making connections to sewers or drains, and other technical matters shall be interpreted and administered by the Commission acting in and for the Town of Goffstown, New Hampshire through the Town's Board of Selectmen.

**15.2 Appeals**

- A. Any party aggrieved by any decision, regulation or provision under this Ordinance, as amended, from time to time, shall have the right of appeal within thirty (30) calendar days of said decision to the Commission, who shall issue a decision within thirty (30) calendar days. If said appeal is denied by the Commission, then the aggrieved party shall have the right to appeal to the Hillsborough County Superior Court for equitable relief, provided that said appeal is entered within thirty (30) calendar days from the issuance of the decision of the Commission.

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**SECTION 16 - EFFECTIVE DATE**

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

Duly Enacted and Ordained this 18th day of SEPTEMBER, 2018 by the Commission of the Town in Hillsborough County, State of New Hampshire, at a duly noticed and duly held session of the Sewer Commission.

Goffstown, New Hampshire  
By:

Stephen R. Crea, Chairman, Commissioner

Robert M. [Signature], Commissioner

Timothy Redwood, Commissioner

**APPENDIX A**

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## APPENDIX B

### Sewer Construction Specifications

- A. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the front building sewer may be extended to the rear building and the whole considered as one building sewer, but the Town does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection aforementioned.
- B. New Hampshire Department of Environmental Services (NHDES) shall govern the work unless an exemption is granted by the Sewer Commission.
- C. Existing building sewers may be used in connection with new buildings only when they are found, on examination and test by the Sewer Commission, to meet all requirements ~~to~~ of this ordinance. Any and all costs associated with examination and testing shall be borne by the property owner.
- D. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used excavating, placing of the pipe, jointing, testing and backfilling of the trench, shall conform to the requirements of the Sewer Commission, building code, plumbing code and other applicable rules and regulations of the Town and NHDES Rules Env-Wq 700. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society for Testing Materials (ASTM) and Water Environment Federation (WEF) Manual of Practice No. FD-5, latest edition, shall apply.
- E. 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 an approved means and discharged to the building sewer at the owners expense.

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## F. Grinder Pump Systems

(a) Individual building sewers which cannot be discharged to the sewer by gravity flow due to elevation or excessive distance may, subject to approval by the Sewer Commission, be discharged into a tightly covered and vented pump chamber, basin, or station, from which the contents shall be lifted (pumped) by automatic, grinder type, pumping equipment or by any equally efficient method approved by the Sewer Commission and discharged into the gravity sewer system or to a Low-Pressure Sewer System which shall discharge to a gravity sewer system. Grinder pump systems and low-pressure sewers will be evaluated for approval on a case-by-case basis by the Sewer Commission.

(b) Grinder pump stations shall be of the wet pit/dry pit type and shall consist of a grinder pump suitably mounted in a basin having a minimum capacity of 60 gallons and constructed of fiberglass reinforced polyester (FRP) resin or corrugated high density polyethylene (CHDPE) with a smooth inner surface. Each basin shall be furnished with an EPDM grommet or PVC closet flange to accept a minimum 4.5" O.D. DWV pipe. Discharge piping shall be 304 stainless steel unless otherwise approved and terminate outside the pump chamber with 1-1/4 inch NPT fitting. All penetrations in the tank shall be factory installed and sealed.

(c) All outside installations shall be provided with a poured-in-place, concrete anti-floatation collar of sufficient size and weight to overcome groundwater buoyancy forces. Inlet and discharge piping shall be installed at a minimum depth of 4 feet to assure frost protection.

(d) The Grinder Pump System shall be provided with a NEMA 4X electrical quick disconnect, pump removal system, shut-off valve, anti-siphon valve, and full-ported check valve assembled within the basin, with remote NEMA 3R, UL-listed electrical alarm/disconnect panel with all necessary internal wiring and controls. Pumps shall have alarm light and bell with external silence push-button switch, push-to-run switch, and be capable of connection to an emergency power source. Duplex units shall have alarm lights which shall indicate which pump requires service. Pump systems must be capable of either inside or outside installation. For ease of serviceability, all pump systems shall be of like type and horsepower as manufactured by the Town.

(e) The grinder pumping equipment must include an integral grinder capable of handling any reasonable quantity of "foreign objects" such as plastic, wood, paper, glass, rubber and the like which find their way into a building sewer drain as a result of carelessness or accident on the part of the building occupants. The grinder pump must be capable of processing such foreign objects without jamming, stalling, overloading or undue noise. The Grinder shall process these materials to reduce them to particles which will freely pass through the pump and a 1-1/4 inch pipe system. The grinder shall be of a configuration to provide a positive flow of solids into the grinding zone with sufficient action to scour the tank free of deposits or sludge banks which could otherwise accumulate and dislodge and impair the operation of the pump.

(f) The grinder shall be direct driven by a single, one piece stainless steel motor shaft. The grinder impeller assembly shall be securely fastened to the pump motor shaft. The grinder will be of the rotating type with a stationary hardened and ground chrome steel shredding ring spaced in accurate close annual alignment with the driven impeller assembly, which shall carry two hardened type 400 series stainless steel cutter bars.

(g) Pumps for low-pressure sewer systems shall be semi-positive displacement, progressing cavity, type appropriately sized and rated for the required flow and total dynamic head based on the application and site requirements. The pump(s) shall be capable of operating at negative heads without overloading the motor(s). Motor shall be a minimum of 1 HP, 1725 RPM, 240 volt, 60 Hertz, 1 Phase with a high starting torque of 8.4 foot pounds with U.L. certification with protection against locked rotor and overload conditions.

(h) All maintenance functions for the Grinder Pump Station must be possible without entry of the grinder pump station under " **OSHA 1910.146 Permit Required Confined Spaces.**" Entry means the action by which a person passes through an opening into a permit-required confined space. Entry includes ensuing work activities in that space and is considered to have occurred as soon as any part of the entrant's body breaks the plane of an opening into the space. Therefore, each pump and motor unit shall be provided with double lifting hooks with nylon lift-out harness to facilitate pump removal. Outside or underground installations shall provide access through an integral extension of the wet well assembly and shall be

provided with a lockable fiberglass cover. All electrical and mechanical connections must be provided with easy disconnect accessibility.

(i) Low-pressure sewer systems shall have redundant check valves and anti-siphon valves. Multiple connections to a low-pressure sewer system may be permitted if designed by a qualified licensed Professional Engineer and approved by the Sewer Commission.

(j) No more than one single family home may be connected to a single pump unit.

#### RECOMMENDED GRINDER PUMP DESIGN TABLE

OCCUPANCY TYPE	FLOW	No. PUMP UNITS	STORAGE- GALLONS
Single Family	0 - 500 gpd	1	60
Duplex	500 -1200 gpd	1	120
Multi-family (3-6 units) (1)	1200-1500 gpd	2	120

(1) Applications with greater than 6 units shall be subject to review on a case-by-case basis.

(k) Low-Pressure sewers shall have pressure sewer cleanouts provided for every 400 to 600 feet of force main length and at junctions of one or more low-pressure lines.

#### 1. Low-Pressure Sewer and Force Mains

(1) All low-pressure sewers and force mains, including but not limited to building sewers, sewer extensions, and other public sewers shall be bedded in clean sand free of rocks and cobbles or other select material, acceptable to the Sewer Commission. Blocking under the pipe is not permitted. Bedding material shall be properly compacted and shaped to fit the barrel of the pipe. The maximum distance between cleanout manhole structures shall be 500 feet. Pipes shall be installed with not less than 4 four of cover over the top of the pipe to protect against freezing.

(2) Each pipe shall be laid true to line and grade and in such manner as to form a close concentric joint with the

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adjoining pipe. Joints shall be heat fused to minimize the use of mechanical couplings. All fittings, tees and reducers shall be fusible type where possible. The use of electro-fusion type fittings shall be allowed if approved by the Town. As the work progresses, the interior of the sewer shall be cleared of all silt, mud, debris and deleterious materials.

(3) Joining pipes shall be performed in accordance with the manufacturer's recommendations. A trace wire, 10 gauge multi stranded and coated, shall be laid along the pipe and extend to the surface of the curb box or cleanout structure. Ends of the wire shall be easily accessible to Sewer Department personnel.

(4) After installing the pipe on the bed, the bedding material shall be placed and compacted to the spring line (horizontal center line) of the pipe. Bedding material shall then be placed to a level of 6 inches above the crown of the pipe.

(5) **Blanket:** Blanket materials shall be placed from the top of the bedding material to a level 18 inches above the crown of the pipe and compacted. Green plastic marking tape six (6) inches in width with the marking " Caution BURIED SEWER BELOW" shall be laid at the top of the blanket or 18" above the crown of the pipe. Pressure sewer shall also include an 8 to 10 gauge trace wire.

(6) **Compaction:** Place and compact bedding and blanket material in continuous layers not exceeding six (6) inches loose depth. Materials shall be compacted to 90% maximum density (**Modified Proctor**) at optimum moisture content.

G. No person(s) shall make connection of roof downspouts, interior or exterior foundation drains, areaway drains, floor drains, or other sources of surface runoff or groundwater to a building sewer which in turn is connected directly or indirectly to a public sanitary sewer.

H. The Commission will reimburse fifty percent (50%) of the cost, up to a maximum of \$ 1,500, to the owner of building or house structures with existing illegal connections (such as roof drains, sump pumps, foundation drains, etc.) for said owner to disconnect such illegal connections from the sanitary sewer and connect or redirect the extraneous flow from such illegal connections to another discharge point such as a

stormwater drain, drainage swale or other acceptable discharge location as approved by the Sewer Commission.

- I. Any person proposing a new discharge into the system or an increase in the volume beyond limits previously permitted, or in the strength or character of pollutants that are discharged into the system shall notify the Commission at least sixty (60) days prior to the proposed change or connection. Proposed new discharges from residential or commercial sources involving loading exceeding fifty (50) population equivalents (5,000 GPD), any new industrial discharge, or any alteration in either flow or waste characteristics in industrial discharge must be approved by the NH Department of Environmental Services and the City of Manchester EPD.
  
- J. During construction of a new sanitary sewer, the Town may construct the service connections for existing buildings to the curb or the property line or the edge of a known or presumed right-of-way. Construction of the building sewer, including connection to the structures served, shall be the responsibility of the owner of the improved property to be connected; and such owner shall indemnify and save harmless the Town 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 shall thereafter be obligated to pay all costs and expenses of operation, repair and maintenance, and of reconstruction, if needed of the building sewer and service connection.

K. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Town, or the procedures set forth in appropriate specifications of the ASTM and the WPCF Manual of Practice No. FD-5. All such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the Commission before installation.

L. PHOTOGRAPHIC DOCUMENTATION OF PRECONSTRUCTION CONDITIONS

1. Prior to the start of construction, the Contractor shall have digital photographs taken to document pre-construction existing features, structures, conditions, etc. within the area within the existing fence including, but not necessarily limited to: ground surface conditions and features; existing water storage tank exterior and within 100 feet of the existing in each direction, and other features as deemed suitable by the Town. The digital photographs shall include all physical features on public or private property, which may be disturbed by the Contractor's construction operations associated with the project. The digital photographs shall also include features such as walks, curbs, valve boxes, utility structures, and pavements with close-ups as necessary to show cracks, patches, and existing conditions.
2. The Contractor shall give sufficient notice to the Town when pre-construction photographing has been scheduled so that the Town may be present. The Contractor or his project superintendent shall also be present when the digital photographs are taken to assist the photographer and/or Town with layout and to note any pre-construction conditions requiring additional photographic documentation.

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3. The digital photographs are to be saved on standard CD's or a flash drive. The Contractor is to provide a copy of the CD or flashdrive to the Town for viewing immediately upon completion of the photographing so that the Town can check the original photos. Upon completion of the Town's review, the Contractor shall provide one copy of the digital photographs on CD or flashdrive to the Town. All original CD's or flashdrives shall become the property of the Town after the Contractor, at his/her option, has had duplicate CD's or flashdrives made for his/her use.
  4. In areas near structures where demolition takes place, the Contractor shall submit a plan for performing and monitoring the demolition operation, including a pre-demolition survey of the condition of all nearby structures. The pre-demolition survey shall consist of inspection and photographs of foundations of structures and walls within **500 feet** of both sides of the area to be demolished. Three copies of an 8 1/2 by 11 inch bound report shall be prepared by the Contractor and furnished to the Town, detailing the findings of the pre-demolition survey, including all photographs, sketches, and notes.
  5. Particular attention for the pre-demolition survey shall be given to documenting the following:
    - Locations and sizes of cracks in floors, ceilings and exterior and interior walls, especially instances of cracked or missing plaster and mortar
    - Damaged masonry or roofing
    - Damaged windows and doorways
    - Walls which are not vertical or floors which are not horizontal: Foundation wall and retaining or other site walls
    - Damage to foundations, including interior and exterior basement walls
    - Tightness of fit of doors and windows in their respective jambs
    - Driveways swimming pools, wells and road beds

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6. The Contractor shall prepare a letter to be sent to each property owner within a 500 foot radius of the demolition area, requesting permission to conduct the pre-demolition survey. The letters shall be reviewed and approved by the Town prior to their being sent. Each property where permission is granted shall be inspected jointly by the Town and the Contractor.
- M. The applicant for the building sewer permit shall notify the Commission when the building sewer is ready for inspection and connection to the public sewer. Such notice shall be provided not less than three (3) business days in advance of the time any connection is to be made to any public sewer. The connection and testing shall be made under the supervision of the Inspection Officer authorized by the Commission. This requirement shall also apply to repairs or alterations to building connections, thereto.
- N. No building sewer shall be covered until it has been inspected and approved by the Sewer Commission. If any part of building sewer is covered before being inspected and approved, it shall be uncovered for inspection at the cost and expense of the owner of the improved property to be connected to the public sewer.
- O. Suitable provisions shall be made at the point of connection for testing, which responsibility shall rest with the holder of the sewer connection permit.
- P. The Commission shall maintain a record of all connections made to public sewers under this Ordinance and all repairs and alterations made to building connections connected to or discharging into public sewers of the Town or intended to so discharge. All persons concerned shall assist the Commission in securing the data needed for such records.
- Q. 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 at the expense of the owner.
- R. All systems must be adequately vented according to the current National Plumbing Code. No drain layer shall knowingly tie-in an inferior system and no plumber shall install any inadequately vented system.

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- S. Poly Vinyl Chloride (P.V.C.) pipe is approved only for areas receiving domestic sewerage and is not approved for areas receiving predominately industrial waste.
- T. Approved sizes are six (6) to eighteen (18) inches.
- U. All P.V.C. pipe and fittings shall conform to the most recent requirements of ASTM specifications for type PSM Poly Vinyl Chloride (P.V.C.) Sewer Pipe and Fittings, designation D-3034 and ASTM specifications for sewer pipe joints using elastomeric seals, designation D-3212. Manufacturer's certificate of compliance shall be furnished to the engineer, prior to installation. Methods of shipping and storage on site shall be such as to avoid injury to the pipe. Damaged pipe shall be rejected and removed from the job.
- V. Minimum "pipe stiffness" (F/y) at 5% deflection shall be 46 psi for all sizes when tested in accordance with ASTM Method of Test D-2412, "External Loading Properties of Plastic Pipe by Parallel - Plate Loading" during manufacture.
- W. All P.V.C. pipe shall be Type SDR-35 (a measure of thickness and rigidity) and shall have elastomeric gasket joints. Solvent cement joints shall **not** be allowed.
- X. Each length of pipe in compliance with this specification shall be clearly marked at intervals of 5 feet or less with the manufacturer's name or trademark, nominal pipe size, the P.V.C. cell classification (i.e. 12454-B), the legend "Type PSM SDR-35 P.V.C. Sewer Pipe" and "ASTM D-3034."
- Y. Wye branches and bends shall have elastomeric gasket joints, and conform to ASTM D-3034 and D-3212. They shall be manufactured and furnished by the pipe supplier (or approved equal) and have bell and spigot joints compatible with that of the pipe.
- Z. Each fitting in compliance with this specification shall be clearly marked with the manufacturer's name or trademark, nominal size, the material designation "P.V.C.", "PSM", and "ASTM D-3034."
- AA. Joints shall be of the bell and spigot type with a gasket as previously specified. No solvent joints are permissible. Manufacturer's instructions shall be followed.
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- BB. A maximum of 7.5% deflection in the pipe diameter will be allowed. Deflection shall be measured as the reduction in the vertical diameter of the pipe.
- CC. P.V.C. pressure pipe shall conform to AWWA C-900 and shall have cast iron O.D. Pipe shall be DR-18 and shall be N.L. approved for 4, 6, 8, 10 and 12 inch sizes. For 1 1/2 to 3 inch sizes pipe shall conform to ASTM 02241 for SDR 26 Class 160 and SDR 21 Class 200. Rubber gaskets shall conform to ASTM D869 and F477 and shall have elastomeric gasket joints. **Solvent cement joints shall not be allowed.**
- DD. Fittings for C-900 pipe shall be manufactured in one piece of injected molded PVC compound meeting ASTM D1784. Fittings shall be class 150 and conform to requirements of DR18. Bells shall have gasket joints conforming to ASTM F477. For Class 160 and 200 pipe they shall have elastomeric gasket joints and conform to ASTM D2241. They shall be manufactured and furnished by the pipe supplier (or approved equal) and have bell and spigot joints compatible with that of the pipe.
- EE. Cement lined ductile iron pipe and fittings shall conform to ANSI Standards A21.50 and A21.51. Cement-mortar lining shall be double thickness and conform to ANSI A21.4. Manufacturer's certificate of compliance shall be furnished to the engineer prior to installation. Methods of shipping and storage on site shall be such as to avoid injury to the pipe. Damaged pipe shall be rejected and removed from the job site.
- FF. Cement lined ductile iron pipe and fittings shall be Class 50, unless otherwise noted on the plans. Each length of pipe shall be marked with the manufacturer's trade name and class.
- GG. Fittings shall conform to ANSI A21.10 and shall be of the same class and type as the pipe on which they are used.
- HH. Joints shall be rubber gasket, oil resistant, joints of the push-on type in conformance with ANSI AWWA C-111 (A21.11). Manufacturer's instructions shall be followed.
- II. The Contractor shall arrange for the delivery of the pipe sections at approved locations in the vicinity of that portion of the sewer line in which the pipe sections are to be laid. To this end, he shall do such work as is necessary for access and for delivery of the pipe. Pipes shall be stored in an approved, orderly manner so that there will be a minimum of re-handling from the storage area to the final position in

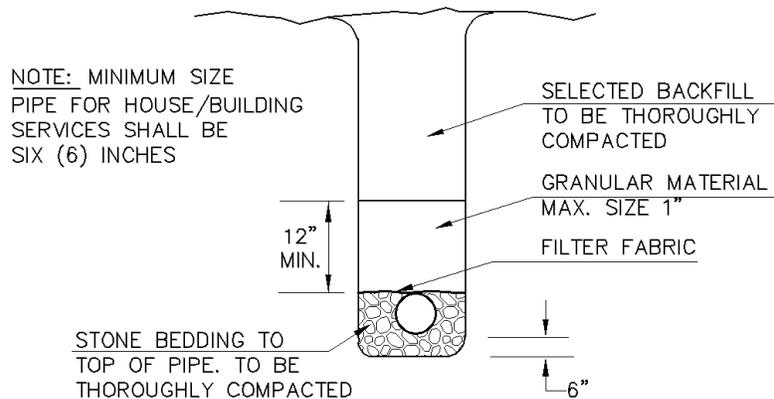
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the trench and so that there is a minimum of obstruction and inconvenience to any kind of traffic. Deliveries shall be scheduled so that the progress of the work is at no time delayed and also so that large quantities of pipe shall not be stored for excessive lengths of time in crowded locations or in locations where large storage areas might be considered objectionable. Storage of pipe will be restricted to approved or permitted areas.

- JJ. The spigot end of all pipes shall be stored on a block to prevent damage. The bell or groove end of each length of R.C. pipe shall be placed in storage on a block to prevent damage. care shall be taken that the lengths do not roll together.
- KK. Each pipe section shall be handled into its position in the trench in such a manner and by such means as the engineer approves as satisfactory and these operations will be restricted to those considered safe for the workmen and such as to cause no injury to the pipe or to any property.
- LL. The pipe shall not be dropped from trucks or into the trench.
- MM. The Contractor shall have on the job-site with each pipe laying crew all the proper tools to handle and cut the pipe. The use of hammer and chisel, or any other method which results in rough edges, chips and damaged pipe, shall be prohibited.
- NN. Damaged pipe coating and/or lining shall be restored before installation as approved or directed by the engineer, Commission or inspection officer.
- OO. The location of the pipe, manholes, and other appurtenances shall be established in accordance with the Town drawings. Bench marks shall be established along the route of the pipeline at convenient intervals for use in checking the pipe and manhole invert and other elevations throughout the project. The Town or may use a laser beam to assist in setting the pipe provided he can demonstrate satisfactory skill in its use. The use of string levels, hand levels, carpenter's levels or other relatively crude devices for transferring grade or setting pipe will not be permitted for eight (8) inch diameter pipe and up.

- PP. As soon as excavation has been completed to proper depth, as shown on the Standard Trench Section shown below, a layer of bedding material shall be placed to the elevation necessary to bring the pipe to proper line and grade and compacted. It shall be the Contractor's responsibility to control any water in the trench below the pipe invert.
- QQ. The minimum depth of cover over pipe shall be four (4) feet in cross-country areas and six (6) feet in paved areas.
- RR. Bedding Material shall consist of crushed stone and/or natural stone graded to the following specifications:

	100% passing	1" screen	(Equiv. to Standard Stone
90 -	100% passing	3/4" screen	Size #67, Section 703 of
20 -	55% passing	3/8" screen	NHDOT Standard
0 -	10% passing	#4 sieve	Specifications)
0 -	5% passing	#8 sieve	



TRENCH CROSS SECTION

- SS. Each pipe length shall be inspected for cracks, defects in coating or lining, and any other evidences of unsuitability.
- TT. Pipe shall be laid in the dry and at no time shall water in the trench be permitted to flow into the sewer.
- UU. The pipe shall then be laid on the trench bedding as shown on the Standard Trench Section shown above, and the spigot pushed home. Jointing shall be in accordance with the manufacturer's instructions and appropriate ASTM Standards, and the Town or shall have on hand for each pipe laying crew, the necessary tools, gauges, pipe cutters, etc., necessary to install the

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- pipe in a workmanlike manner. Pipe laying shall proceed upgrade with spigot ends pointing in the direction of flow, unless otherwise approved by the engineer.
- VV. Blocking under the pipe will not be permitted except where a concrete cradle is proposed, in which case pre-cast concrete blocks shall be used.
- WW. After the pipe has been set to grade, additional bedding material shall be placed in 6-inch layers up to the top of the pipe. Tamping bars shall be carefully employed to assure compaction of the bedding under the lower quadrants of the pipe.
- XX. A filter fabric shall be installed between the stone and sand blanket (MIRAFI 140N or equal). After this, the sand blanket shall be carefully placed in 6-inch layers to a depth of 12 inches over the crown of the pipe. Each layer shall be thoroughly compacted with mechanical equipment. Care shall be taken that the equipment does not damage the pipe.
- YY. At this point, the pipe shall be checked for line and grade and any debris, tools, etc., shall be removed. Install marker tape on the sand blanket.
- ZZ. If inspection of the pipe is satisfactory, the Contractor may then refill or backfill the remainder of the trench in accordance with the Standard Trench Section. Magnetic locating tape shall be used for all force mains.
- AAA. At any time that work is not in progress, the end of the pipe shall be suitably closed to prevent the entry of animals, earth, etc.
- BBB. At the end of each day's work or at intervals of no more than 300 feet of pipe, the inspector, with the Contractor, will inspect the pipe for alignment with laser equipment. Unsatisfactory work shall be dug up and re-installed to the satisfaction of the inspector.
- CCC. Materials for house services, wye branches, and chimneys shall be of the same material and quality as that for the main sewer.
- DDD. Installation of house services shall not be connected directly to manholes. The opening of the house service, wye branch, or chimney shall be plugged with a suitable watertight

cap or plug.

EEE. The minimum size for a house service line or commercial building shall be six (6) inches.

FFF. The minimum size for laterals shall be eight (8) inches.

GGG. The minimum slope for a six (6) inch sewer pipe shall be one-eighth (1/8) inch per foot.

HHH. Before backfilling, the Town or shall notify the inspector so that he may make the necessary measurements to locate the opening later. In addition, an approved ferrous rod or pipe shall be placed over the plugged opening at the property line, extending to within two (2) inches of the final ground surface.

III. On asbestos-cement, vitrified clay, reinforced concrete, and cement lined ductile iron sewers, saddle connections may be installed in lieu of wye branches using cast iron branch connections conforming to ASTM A-48, Class 50. These connections shall be fastened by a stainless steel strap, stainless steel nuts and bolts, and watertight gasket between the main pipe and the fitting, and shall have a rubber gasket providing a watertight seal with the service pipe. Holes shall be made only in a manner recommended by the pipe manufacturer and approved by the inspector. The hole in the main must be the full diameter of the inside of the fitting to prevent obstructing the flow. The entire connection must be watertight.

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## PROXIMITY TO WATER MAINS

- A.** NHDES Design Standards require at least ten (10) feet horizontal separation from any existing or proposed water mains except that a deviation from this separation to avoid utilities and subsurface structures is allowed.
1. Where gravity sewers must be located within ten (10) feet of a water main, the gravity sewer shall be constructed of pressure-rated ductile iron, high-density polyethylene (HDPE) or polyvinyl chloride (PVC) pipe meeting the NHDES requirements for force mains.
- B.** Whenever the water line crosses over or under a sewer line, the following method of protection must be employed:
1. The gravity sewer shall be constructed of pressure-rated ductile iron, high-density polyethylene (HDPE) or polyvinyl chloride (PVC) pipe meeting the NHDES requirements for force mains.
  2. Vertical separation of the sewer and water mains shall not be less than eighteen (18) inches to water service lines.

## PROXIMITY (HOUSE CONNECTIONS)

- A.** House sewer service lines shall be located at least ten (10) feet horizontally, from any existing or proposed water service lines.
- B.** All house service lines shall have cleanouts located not more than one hundred (100) feet apart. Cleanouts shall be installed at each change of direction of horizontal sewer lines, which is greater than 45 degrees. Cleanout for an underground sewer shall extend to grade level, cleanout plugs shall not be covered with cement, plaster or any other permanent finishing material. Cleanout opening shall not be used for the installation of new fixtures. Every cleanout shall be of the same size as house service lines.

## MANHOLES

- A.** The work covered by this section includes the furnishing of all plant, labor, equipment, appliances, and materials, and performing all operations in connection with the satisfactory

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- installation of manholes, and all incidental work, complete, in strict accordance with the specifications and applicable drawings and standard details.
- B. The Contactor shall provide the inspector with shop drawings of all precast material and a description of all methods of jointing proposed for use on this portion of the contract.
- C. It is the intention of these specifications and the desire of the Commission that the manhole, including all component parts, have adequate space, strength and leak-proof qualities considered necessary by the Commission for the intended service.
- D. In any approved manhole, the complete structure shall be of such material and quality as to withstand loads of eight (8) tons (H2O loading) without failure and prevent leakage in excess of one (1) gallon per day per vertical foot of manhole, continuously for the life of the structure. A period generally in excess of twenty-five (25) years is to be understood in both cases. It is further intended that any pointing of joints shall be accomplished after leakage tests have been satisfactorily completed.
- E. Manholes shall be constructed at the locations, to the elevations, and in accordance with notes and details shown on the drawings. Manholes shall be as shown on the standard details and shall conform to the following:
1. Barrels and cone sections shall be precast reinforced concrete, or cast-in-place reinforced concrete.
  2. Base sections shall be monolithic to a point six (6) inches above the crown of the incoming pipe, and shall be precast reinforced concrete or cast-in-place concrete.
  3. Horizontal joints between sections of pre-cast concrete barrels shall be of a type approved by the Sewer Commission, which type shall in general, depend for water-tightness upon either an elastomeric or mastic like sealant.
  4. Pipe to manhole joints shall be only as approved by the Commission and, in general, will depend for water-tightness upon either an approved non-shrinking mortar or elastomeric sealant.

5. Cone sections shall be eccentric - see standard detail.
  6. There shall be no manhole steps.
  7. All pre-cast sections and bases shall have the date of manufacture and the name or trademark of the manufacturer impressed or indelibly marked on the inside wall.
  8. Manhole shall have an external bituminous coating.
- F. Concrete for cast-in-place bases or complete manholes shall conform to the requirements for Class A concrete in Section 520 of the New Hampshire DOT Standard Specifications.
  - G. Reinforcing steel for cast-in-place concrete shall conform to the requirements of Section 544 in the New Hampshire Department of Public Works and Highways Standard Specifications for Billet steel bars or Welded Steel Wire Fabric.
  - H. Pre-cast concrete barrel sections, cones, and bases shall conform to ASTM C-478 except as may be otherwise shown on the Standard Details.
  - I. Manhole frame and cover shall provide a thirty (30) inch diameter clear opening. The cover shall have the letter "S" or the word "SEWER" in three (3) inch letters cast into the top surface. Covers shall have two lift holes, 180 degrees apart, on the perimeter.
  - J. The castings shall be of good quality, strong, tough, even-grained cast iron, smooth, free from scale, lumps, blisters, sand holes, and defects of every nature which would render them unfit for the service for which they are intended. Contact surfaces of covers and frame seats shall be machined at the foundry, before shipment to prevent rocking of covers in any orientation.
  - K. All castings shall be thoroughly cleaned and subject to a careful hammer inspection.
  - L. Castings shall be at least Class 30 conforming to the ASTM Standard Specification for Gray Iron Castings, Designation A48.

- M. Before being shipped from the foundry, castings shall be sandblasted and given two coats of coal-tar-pitch varnish, applied in a satisfactory manner so as to make a smooth coating, tough, tenacious, and not brittle or with any tendency to scale off.
- N. Pre-cast bases shall be placed on a six (6) inch layer of compacted bedding material as described below. The excavation shall be properly de-watered while placing bedding material and setting the base or pouring concrete. Water stops shall be used at the horizontal joint of cast-in-place manholes.
- O. Inlet and outlet stubs shall be connected and sealed in accordance with the manufacturers recommended procedure, and as shown on the Standard Details, or cast integrally with the cast base.
- P. Barrel sections and cones of the appropriate combination of heights shall then be placed, using manufacturers recommended procedure for sealing the horizontal joints, and as shown on the Standard Details or the remaining barrel of the manhole shall be cast above the base. A leakage test shall then be made. Following satisfactory completion of the leakage test, the frame and cover shall be placed on the top or some other means of preventing accidental entry by unauthorized persons, children, animals, etc., until the Town or is ready to make final adjustment to grade.

Bedding Material shall consist of crushed stone and/or natural stone graded to the following specifications:

	100% passing	1" screen	Equiv. to Standard Stone
90 -	100% passing	3/4" screen	Size #67 Section 703 of
20 -	55% passing	3/8" screen	NHDPWH
0 -	10% passing	#4 sieve	Standard Specifications
0 -	5% passing	#8 sieve	

- Q. This sections applies to brick masonry, for the shelf, invert, and grade adjustment.
- R. **Brick:** The brick shall be sound, hard, and uniformly burned brick, regular and uniform in shape and size, of compact texture, and satisfactory to the inspector. Brick shall comply with the ASTM Standard Specifications for Sewer Brick (made form clay or shale), Designation C32, for Grade SS, hard brick.

Rejected brick shall be immediately removed for the work.

- S. **Mortar**: The mortar shall be composed of Portland Cement, hydrated lime, and sand, in the proportions of one (1) part cement to 1/2 part lime to 4 1/2 parts sand, (by volume). The proportion of cement to lime may vary from 1 1/4 for hard brick to 1 3/4 for softer brick, but in no case shall the volume of sand exceed three times the sum of the volume of cement and lime.
- T. **Cement** shall be Type II Portland Cement conforming to ASTM C-105, Standard Specifications for Portland Cement.
- U. **Hydrated lime** shall be Type "S" conforming to the ASTM Standard Specification and Hydrated Lime for Masonry Purposes, Designation C-207.
- V. **Sand** shall consist of inert natural sand conforming to the ASTM Standard Specifications for Concrete (Fine) Aggregates, Designation C-33 as follows:

**GRADING**

<u>SIEVE</u>	<u>PERCENT PASSING</u>
# 3/8	100%
4	95 - 100%
8	80 - 100%
16	50 - 85%
50	10 - 30%
100	2 - 10%
Fineness Module	2.3 - 3.1

- W. **Laying brick**: only clean bricks shall be used in brickwork for manholes. The brick shall be moistened by suitable means, as directed, until they are neither so dry as to absorb water from the mortar nor so wet as to be slippery when laid.
- X. Each brick shall be laid in a full bed and joint of mortar without requiring subsequent grouting, flushing, or filling, and shall be thoroughly bonded as directed.
- Y. **Curing**: brick masonry shall be protected from too rapid drying by the use of burlaps kept moist, or by other approved means, and shall be protected from the weather and frost, all as required.
- Z. **Manhole frames** shall be set with the top conforming accurately to the grade of the pavement or finished ground surface or as indicated on the drawings. Frames shall be set concentric

with the top of the masonry and in a full bed of mortar so that the space between the top of the manhole masonry and the bottom flange of the frame shall be completely filled and made watertight. A thick ring of mortar extending to the outer edge of the masonry shall be placed all around and on the top of the bottom flange.

- AA. The mortar shall be smoothly finished and have a slight slope to shed water away from the frame.
- BB. **Manhole covers** shall be left in place in the frames on completion of other work at the manholes. A minimum of eight (8) inches and a maximum of twelve (12) inches of brick and mortar shall be allowed for grade adjustment.
- CC. Concrete and/or rubberized grade rings will not be allowed per NHDES standards of sewerage design.

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## FINAL SEWER TESTS

### A. Work included:

1. Final sewer testing work includes the performance of testing and inspecting each and every length of sewer pipe and each item of appurtenant construction.
2. Perform testing at a time approved by the inspector, which may be during the construction operations, after completion of a substantial and convenient section of the work, or after the completion of pipe laying operations.
3. Provide all labor, pumps, pipe, connections, gauges, measuring devices and all other necessary apparatus to conduct tests.

### B. Performance.

1. All sewers, manholes, appurtenant work, in order to be eligible for approval by the inspector, shall be subjected to tests that will determine the degree of water-tightness, horizontal and vertical alignment, and deflection (P.V.C. sewers only).
2. Thoroughly clean and/or flush all sewer lines to be tested, in a manner and to the extent acceptable to the inspector, prior to initiating test procedures.
3. Perform all tests and inspections only under the direct supervision of the inspector.
4. Perform testing by test patterns determined or approved by the inspector.
5. Remedial Work
  - a. Perform all work necessary to correct deficiencies discovered as a result of testing and/or inspections.
  - b. Completely retest all portions of the original construction on which remedial work has been performed.
  - c. Perform all remedial work and re-testing in a manner and at a time approved by the inspector.

C. Leakage tests (gravity sewers):

1. Test all gravity sewer lines for leakage by conducting low pressure air tests after the installation of house service fittings and leads and after completely backfilling the sewer line trench.
2. Equipment:
  - a. Pneumatic plugs shall have a sealing length equal to or greater than the diameter of the pipe to be inspected.
  - b. Pneumatic plugs shall resist internal test pressures without requiring external bracing or blocking.
  - c. All air used shall pass through a single central panel.
  - d. Connect three (3) individual hoses:
    - (1) from the control panel to the pneumatic plugs for inflation.
    - (2) from the control panel to the sealed sewer line for introducing low pressure air.
    - (3) From the sealed sewer line to the control panel for continually monitoring the air pressure rise in the sealed line.
3. Testing pneumatic plugs:
  - a. Seal test all pneumatic plugs prior to using them in the actual test.
  - b. Lay one length of pipe on the ground and seal both ends with the pneumatic plugs to be tested.
  - c. Pressurize the sealed pipe to 5 psi.
  - d. The pneumatic plugs are acceptable if they remain in place without bracing.
4. Testing sewer pipeline:

- a. After the trench has been back-filled, the sewer pipe cleaned and the pneumatic plugs checked, place the plugs in the sewer line at each manhole and inflate them.
- b. Introduce low pressure air into the sealed sewer pipeline until the air pressure reaches 5 psi or four (4) psi greater than the ambient groundwater pressure, as applicable.
- c. Allow a minimum of two (2) minutes for the air pressure to stabilize to a minimum of 3.5 psi greater than the groundwater pressure.
- d. After the stabilization period, disconnect the air hose from the control panel to the air supply.
- e. The pipeline will be acceptable if the pressure decrease is not greater than 1/2 psi in the time stated in the following table:

<b>PIPE DIAMETER (INCHES)</b>	<b>TIME (MINUTES)</b>
4	2.0
6	3.0
8	4.0
10	5.0
12	5.5
14	6.5
15	7.0
16	7.5
18	8.5
20	9.5
21	10.0
24	11.5
27	12.5
30	14.0
36	17.0

5. Test results:

- a) If the installation fails the low pressure air test, determine the source of leakage.

- b) Repair or replace all defective materials and/or workmanship and repeat low pressure air test.

D. Manhole leakage tests:

1. A vacuum pressure test shall be carried out to the following criteria.
  - (a) Initial vacuum gage test pressure shall be ten (10) inches HG test hold time for a one (1) inch HG pressure drop to nine (9) inch HG shall be:
    - 1) At least two (2) minutes for ten (10) feet deep manholes.
    - 2) At least two and a half (2.5) minutes for a ten to fifteen (10-15) feet deep manholes.
    - 3) At least three (3) minutes for fifteen to twenty-five (15-25) feet deep manholes. If the pressure drop exceeds the above limits the unit shall be repaired and retested if a unit fails to meet a one (1) inch pressure drop in one (1) minutes, the unit shall be replaced unless otherwise approved by the inspector.

E. Deflection tests (P.V.C. sewers only)

1. Test all P.V.C. sewer lines for deflection by conducting deflection tests using a rigid "Go-No Go" device.
2. The lines will be tested a minimum of 30 days after the installation and backfill to insure sufficient settling and compaction of the back-fill has taken place.
3. Go-No Go device....
  - (a) Pull a line through the pipe which to pull the Go-No Go device using one of the following methods.
    - (1) Attach the pull line to the nozzle end of a hydro cleaner before the cleaning cycle starts. As the hose is pulled through the line, it will carry the pull line to the next manhole where it can be tied off.
    - (2) A parachute device can be blown through the

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line with a light weight string attached. The pull line can then be attached to the string and pulled manually through the line.

- (3) If water is available, a light weight string can be floated through the pipe. The pull line can then be attached to the string and pulled manually through the line.
  - (b) Attach a pull line to each end of the device to facilitate removal if an obstruction is encountered.
  - (c) Pull the gauge through the line by hand using a smooth an easy motion.
  - (d) If an obstruction is encountered, pull lightly to see if the gauge will clear the obstruction.
  - (e) If the gauge will not clear the obstruction, record the distance from the manhole and pull the gauge back out.
4. Repair or replace all defective materials and/or workmanship and repeat the deflection test on the repaired line.

F. Alignment tests (gravity sewers):

1. Perform tests for the correctness of horizontal and vertical alignment on each and every length of gravity sewer pipeline between manholes.
2. Laser equipment shall be used to conduct this work.

G. Inspection of appurtenant installations:

1. Completely inspect, at a time determined by the inspector, all manholes and inlets to ascertain their compliance with the drawing and specifications.
2. Provide access to each manhole and inlet and check the following characteristics:
  - (a) Shape and finish of invert channels
  - (b) Water tightness and finish of masonry structures

- 
- (c) Location, type, and attachment of stops
  - (d) Elevation and attachment of frames, covers, and openings
  - (e) Pattern and matching of covers
  - (f) Drop connection arrangements

#### H. Internal Television Inspection

1. After cleaning and before acceptance of new sewers, the pipe sections between manholes shall be visually inspected by means of closed circuit television. The inspection will be done one manhole section at a time and the results will be used to determine acceptance of the new sewers.
2. Television inspection results shall be submitted to the Town on a CD, DVD or other media approved by the Town and in a format that is compatible with the existing software used by the Town.
3. The television camera used for the inspection shall be one specifically designed and constructed for such inspection. Lighting for the camera shall be suitable to allow a clear picture of the entire periphery of the pipe. The camera shall be operative in 100% humidity conditions. The camera, television monitor and other components of the video system shall be capable of producing picture quality to the satisfaction of the Engineer, and if unsatisfactory, equipment shall be removed and no payment will be made for an unsatisfactory inspection.
4. The camera shall be moved through the line in either direction at a moderate rate, stopping when necessary to permit proper documentation of the sewer's condition. In no case will the television camera be pulled at a speed greater than thirty (30) feet per minute. Manual winches, power winches, television cable, and powered rewinds or other devices that do not obstruct the camera view or interfere with proper documentation of the sewer conditions shall be used to move the camera through the sewer line.
5. If, during the inspection operation, the television camera will not pass through the entire manhole section, the Contractor shall set up his equipment so that the inspection can be performed from the opposite manhole.

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If, again, the camera fails to pass through the entire manhole section, the inspection shall be considered incomplete and the sewer line segment will be considered failed and unacceptable.

6. When manually operated winches are used to pull the television camera through the line, telephones or other suitable means of communication shall be set up between the two manholes of the section being inspected to insure good communications between members of the crew.
7. The importance of accurate distance measurements is emphasized. Measurement for location of defects shall be above ground by means of a meter device. Marking on the cable, or the like, which would require interpolation for depth of manhole, will not be allowed. Accuracy of the distance meter shall be checked by use of a walking meter, roll-a-tape, or other suitable device and the accuracy shall be satisfactory to the Engineer.
8. Any sewer line segments in which the television camera fails to pass completely through from manhole to manhole or for which the television inspection reveals punctures, breaks, cracks, faulty joints, excessive deflections, or other unacceptable defects, as determined by the Engineer, shall be considered failed and unacceptable. All such failed sewer line segments shall be immediately replaced or repaired by the Contractor or at his/her own expense to the satisfaction of the Owner and the Engineer.

I. Re-testing approved sewer lines.

1. Prior to the final acceptance of any sewer lines, the inspector may require re-testing of up to ten (10) percent of all lines installed when more than thirty (30) days have lapsed from the time of initial testing or, if in the opinion of the inspector, sufficient reason exists to suspect settling has occurred.
2. If, during such re-testing, any lines are found to exceed the seven and half (7.5) percent maximum deflection, the inspector may require all lines to be re-tested.

**APPENDIX C**

**ACCESSIBILTY FEE**

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## ACCESSIBILITY FEE

**NOTE:** THE FOLLOWING FEES ARE A ONE TIME CHARGE FOR ACCESS TO THE GOFFSTOWN SEWER SYSTEM AND REFLECT SEWER USERS' JUST SHARE OF THE EXPENSE OF CONSTRUCTING AND MAINTAINING THE SAME, OR PAYING OFF ANY CAPITAL DEBT OR INTEREST INCURRED IN CONSTRUCTING AND MAINTAINING THE SAME. THESE FEES ARE SUBJECT TO CHANGE WITHOUT PRIOR NOTIFICATION AND ARE ASSESSED UNDER THE AUTHORITY OF RSA 149-I:7 AND THIS ORDINANCE

The Sewer Accessibility Fee, as defined herein, is due and payable in full at the time the permit application is filed.

1. **NEW/EXISTING DWELLING UNIT\*, COMMERCIAL AND/OR INDUSTRIAL BUILDINGS** requesting to connect anywhere on the present municipal sewer system other than extensions to the streets listed in #3 and #4 below  
Prevailing Rate/treatment unit\*\*
2. **EASEMENT** signed by original property owner for the construction of the interceptor line the first treatment unit is free all additional treatment units to be charged at Prevailing Rate/treatment unit\*\*. NOTE: Free treatment unit is non-transferable.
3. **NEW/EXISTING DWELLING UNIT\*** required to connect to the sewer extension located on Riverview Park Road, Trestle Lane, Arrowhead Drive.  
\$13,870.96/treatment unit\*\*
4. **Mountain Road Extension\*** existing dwelling units located on the following properties prior to 2007 and connecting to the municipal sewer system prior to the end of the year 2017 MAP 4 LOTS 87B, 87-5, 86, 87-5-23, 85, 89, 88 and MAP 29 LOTS 37 & 38:  
\$2,200.00/treatment unit\*\*  
Charge will be at the Prevailing Rate/treatment unit thereafter.
5. **ACCESSORY DWELLING UNIT LESS THAN 650 SQ. FT GROSS FLOOR AREA.**  
An accessory dwelling unit, incidental to the primary use of the property as a single-family residence, less than 650 square feet of gross floor area will be charged one-half treatment unit. (NOTE: if property is part of a lateral extension associated with a "Special Charge" then that one-half treatment unit would be based on the "Special Charge").

7. **\*DWELLING UNIT** - single family home, apartment unit, residential condominium unit.

**\*\*TREATMENT UNIT** is equivalent to 450 GPD (gallons per day) of flow:

i.e. single family home = one T.U. (Treatment Unit)

duplex = 2 T.U. (Treatment Units)

**NOTE:** For all commercial/industrial uses the treatment unit(s) are calculated by using the State of New Hampshire Department of Environmental Services "Subdivision & Individual Sewage Disposal System Design Rules", Chap Env-Wq 1000, latest revision.

**APPENDIX D**

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## **SEWER ACCESSIBILITY FEE DEFERRAL LIEN PROCEDURE**

The Goffstown Commission has found that it is necessary to charge an Accessibility Fee to some users of the Goffstown Sewer System. The Commission has also found that the immediate payment of the Accessibility Fee may be impractical or cause financial hardship to some of the sewer system's residential users. This is especially true in the case of elderly and disabled individuals with limited means, or fixed incomes. To alleviate undue financial hardship, while still ensuring that the Accessibility Fee is eventually paid, the Goffstown Commission has approved a program wherein the payment of the Accessibility Fee is deferred and secured by a voluntary lien upon the residential real property, served by municipal sewer, and owned by individuals who qualify under the guidelines set forth in this section.

### **TO QUALIFY FOR A SEWER ACCESSIBILITY FEE DEFERRAL LIEN ALL OWNERS OF A PROPERTY MUST:**

1. Own and live in residential homestead property served by the Goffstown Sewer System.
2. All owners be otherwise qualified and subject to the requirements for the "Tax Deferral for the Elderly and Disabled" as set forth in RSA 72:38a. Net assets of owner(s) may not be in excess in the amount determined by the Town for purposes of RSA 72:39b nor may their income be in excess of the amount determined by the Town for single or married persons for purposes of RSA 72:39b.
3. Demonstrate that full and immediate payment of the Sewer Accessibility Fee shall cause them undue financial hardship to the applicant.
4. Be willing to execute a voluntary lien for the full amount of the Sewer Accessibility Fee to be deferred.

### **ALL SEWER ACCESSIBILITY FEE DEFERRAL LIENS;**

1. Shall be approved or denied at the discretion of the Goffstown Commission according to the criteria set forth in this policy.
2. Shall be conditional on the approval of all mortgage holders, if the property is subject to a mortgage.

3. Shall be recorded by the Commission at the Hillsborough County Registry of Deeds at the applicant's expense.
4. Shall be subject to annual interest on the deferred amount at the current prevailing rate established by the Town for property taxes.

**IF A SEWER ACCESSIBILITY FEE DEFERRAL LIEN IS GRANTED, THE FULL SEWER ACCESSIBILITY FEE, PLUS ACCRUED INTEREST, SHALL BE PAID WHEN THE OWNER(S) OF THE RESIDENTIAL PROPERTY DIE OR UPON THE SALE OR TRANSFER OF THE RESIDENTIAL PROPERTY.**

