

SEWER USE RULES & REGULATIONS

FOR

**South Berwick Sewer District
South Berwick, Maine**

**Adopted: May 4, 1992
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SEWER USE
RULES AND REGULATIONS

INTRODUCTION

THESE RULES & REGULATIONS GOVERN THE USAGE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE WASTEWATER DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM (S); AND PROVIDE PENALTIES FOR VIOLATIONS THEREOF IN THE TOWN OF SOUTH BERWICK, COUNTY OF YORK, STATE OF MAINE. THESE RULES & REGULATIONS SHALL BE ADMINISTERED BY THE BOARD OF TRUSTEES OR THEIR DESIGNATED REPRESENTATIVE.

Be it ordained and enacted by the Board of Trustees of the South Berwick Sewer District South Berwick, Maine that the following rules & regulations are hereby adopted.

ARTICLE I – Definitions

Unless the content specifically indicates otherwise, the meaning of terms used in these rules & regulations shall be as follows:

1. “Biochemical Oxygen Demand (BOD)” shall mean the quantity of oxygen utilized in the biochemical oxidation organic matter under standard laboratory procedure in five (5) days at 20°C, expressed in milligrams/liter.
2. “Building” shall mean a structure built, erected and framed of component structural parts designed for the housing, shelter, enclosure, or support of persons, animals, or property of any kind.
3. “Building Drain” shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer. The building drain extends eight (8) feet outside the inner face of the building wall and includes mechanical equipment if appropriate.
4. “Building Sewer” shall mean the extension from the building drain to the public sewer or other place of disposal, also called house connection.
5. “Combined Sewer” shall mean a sewer intended to receive both wastewater and storm or surface water.
6. “Easement” shall mean an acquired legal right for the specific use of land owned by others.
7. “Floatable oil” is oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in the 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.
8. “Garbage” shall mean the animal and vegetable waste resulting from the handling, preparation, cooking, and serving of food.

9. "Industrial Wastes" shall mean the wastewater from industrial processes, trade or business as distinct from domestic or sanitary wastes.
10. "Natural Outlet" shall mean any outlet, including storm sewer and combined sewer overflows, into a watercourse, pond, ditch, lake or other body of surface or groundwater.
11. "Person" shall mean any individual, firm, company, association, society, corporation, municipal or quasi-municipal agency, state agency, federal agency or other legal entity.
12. "pH" shall mean the logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of hydrogen-ions in grams, per liter of solution. Neutral water for example has pH value of 7 and a hydrogen-ion concentration 10^{-7} .
13. "Pollutant" shall mean to include but is not limited to: dredged spoil; solid waste; junk; sewage sludge; munitions; chemicals by-products; heat wrecked or discarded equipment; rock; sand; dirt; and industrial, municipal, domestic, commercial, or agricultural wastes of any kind.
14. "Properly Shredded Garbage" shall mean the wastes from the handling, preparation, cooking, and serving of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.
15. "Public Sewer" shall mean a common sewer owned, operated, and maintained by public authority or governmental agency.
16. "Sanitary Sewer" shall mean a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions together with minor quantities of ground, storm, and surface waters that are not admitted intentionally.
17. "Sewer" shall mean a pipe or conduit that carries wastewater or drainage water.
18. "Shall" is mandatory. "May" is permissive.
19. "Slug" shall mean any discharge of water, or wastewater 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 flows during normal operation and adversely affects the collection system and/or performance of the wastewater treatment works.
20. "Storm Drain" (sometimes termed "Storm Sewer") shall mean a drain or sewer for conveying water, groundwater, or subsurface water from any source.
21. "Superintendent" shall mean the Superintendent of wastewater facilities, and/or of wastewater treatment works, and/or of Water Pollution Control of the South Berwick Sewer District, or his authorized deputy, agent or representative. The "Superintendent" is designated by the Board of Trustees to have operative control over these rules & regulations.
22. "Suspended Solids" shall mean total suspended matter that either floats on the surface of or is in suspension in, water, wastewater or other liquids, and that is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association and referred to as nonfilterable residue.

23. "Unpolluted Water" is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities.
24. "Unsanitary manner" shall mean in violation of State laws, local plumbing and zoning codes, creation of a nuisance, or creation of public health concern in relation to wastewater as herein defined.
25. "Wastewater" shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface and stormwaters as may be present.
26. "Wastewater treatment works" shall mean an arrangement of devices and structures for treating wastewater, industrial waste, and sludge. Sometimes used as synonymous with "waste treatment plant" or "wastewater treatment plant" or "water pollution control plant" or "wastewater pollution control facility."

ARTICLE II – Abbreviations

For the purpose of these rules & regulations the following abbreviations shall have the meaning ascribed to them under this article. References to standards of the following organizations shall refer to the latest edition of same.

1. ASTM shall mean American Society for Testing and Materials.
2. Degrees C shall mean degrees Celsius.
3. Degrees F shall mean degrees Fahrenheit.
4. DEP shall mean State of Maine Department of Environmental Protection.
5. EPA shall mean United States Environmental Protection Agency.
6. ICR shall mean Industrial Cost Recovery.
7. kg shall mean Kilograms.
8. l shall mean liter.
9. M shall mean meters.
10. mg/l shall mean milligrams per liter.
11. ppm shall mean parts per million.
12. WPCF shall mean Water Pollution Control Federation.
13. SBSD shall mean South Berwick Sewer District.
14. SBWD shall mean South Berwick Water District
15. TSB shall mean Town of South Berwick.

ARTICLE III – Use of Public Sewers Required

1. It shall be unlawful for any person to place, deposit or permit to be placed or deposited in any unsanitary manner on public or private property within the SBSB or any area under the jurisdiction of SBSB any human or animal, industrial, or commercial wastewater.
2. It shall be unlawful to discharge to any natural outlet within SBSB, or in any area under the jurisdiction of said SBSB, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of these rules & regulations and the requirements of the State of Maine.
3. Except as herein-after 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 within the SBSB or in any area under its jurisdiction.
4. The owner(s) of all buildings, or other properties used for human occupancy, employment, and industrial processes which create wastewater situated within the SBSB abutting on any street, ally, or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the SBSB, 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 these rules & regulations, within 30 days after date of official notice to do so, provided that said public sewer is within 200 feet of the structure to be served, unless undue hardship would result, in which case the property owner should request in writing a deferral of this requirement and the owner shall be required to demonstrate the nature and degree of hardship. MRSA Title 30-A, Chapter 209, Section 2151 of the Maine Revised Statutes Annotated gives municipalities the authority to require hook-ups.

ARTICLE IV – Private Wastewater Disposal

1. Where a public sanitary sewer is not available under the provisions of Article III, Section 4, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this article and the State of Maine Plumbing Code, Part II Subsurface Wastewater Disposal Regulations as administered by the Town Code Enforcement Officer.
2. Before commencement of construction of a private wastewater disposal system, the owner(s) shall first obtain a written permit signed by the TSB licensed plumbing inspector. The application for such permit shall be made on a form furnished by the division of Health Engineering, Maine Department of Human Services, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the plumbing inspector. A permit and inspection fee shall be paid to the plumbing inspector at the time the application is filed.
3. A permit for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the plumbing inspector. The plumbing inspector shall be allowed to inspect the work at any state of construction and in any event, the applicant for the permit shall notify the plumbing inspector when the work is ready for final inspection and before any underground portions are covered.
4. The type, capacities, location, and layout of a private wastewater disposal system shall comply with the State of Maine's Plumbing Code, Part II – Subsurface Wastewater Disposal

Regulations and the minimum Lot Size Law (Maine Revised Statutes Annotated, Tides 12 Chapter 423-A. No private wastewater disposal system shall be permitted to discharge to any natural outlet.

5. When a public sewer becomes available to a property served by a private wastewater disposal system, as provided in Articles IV, Section 4, a direct connection from the building sewer to the public sewer shall be made at such time as the private system is determined to not be in compliance with said Plumbing Code. Septic tanks, cesspools and similar private wastewater disposal facilities shall no longer be used, and shall be cleaned of sludge, and filled with suitable material, or completely removed. MRSA Title 30-A, Chapter 209, 2151 of the Maine Revised Statutes Annotated gives the municipalities the authority to require hook-ups.
6. The owner(s) shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the SBSB.
7. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the TSB Health Officer, Building Inspector, or Code Enforcement Officer.

ARTICLE V – Building Sewers and Connections

1. No unauthorized persons(s) shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent.
2. Any person proposing a new discharge into the system or a substantial change in the volume or character of pollutants that are being discharged into the system shall notify the SBSB at least forty-five (45) days in the case of industrial facilities or 10 days in the case of residential facilities prior to the proposed change or connection, and shall comply with Maine Revised Statutes Annotated, Title 38, Chapter 3, Subchapter 1, Section 361.
3. There shall be two (2) classes of building sewer permits: (a) for residential and commercial establishments, and (b) for establishments producing industrial wastes. In either case, the owner(s) or authorized agent shall make application on a special form furnished by the SBSB. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent. A connection fee and inspection fee for a sewer permit shall be paid to the SBSB at the time the application is filed.
4. All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner(s). The owner(s) shall indemnify the SBSB from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
5. A separate and independent building sewer shall be provided for every building requiring a sewer connection; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building. The Board of Trustees may waive this requirement or allow such other connection arrangements as they deem appropriate.

6. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of these rules & regulations.
7. 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 TSB's building and plumbing code and rules and regulations of the SBSD. In the absence of code provisions or in amplifications thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No.9 shall apply.
8. 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. It shall be the building owner's responsibility to maintain backflow prevention.
9. No person(s) shall make connection of roof downspouts, exterior foundations drains, floor drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer unless such connection is approved by the Superintendent for purposes of disposal of polluted surface drainage.
10. 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 SBSD or the procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No.9. 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 Superintendent before installation.
11. The applicant for the building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the SBSD.
12. 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 Superintendent.
13. When excavation for a building sewer connection is required in a public street, the permit application shall include obtaining (thru the SBSD) a street opening permit from the TSB and the State of Maine Department of Transportation as appropriate. Cost of said street opening permit shall be borne by the applicant.

ARTICLE VI – Use of Public Sewers

1. No person(s) shall discharge or cause to be discharged any unpolluted waters such as stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to the sanitary sewer system.
2. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers under the Jurisdiction of the TSB. Discharge of unpolluted industrial cooling water or process waters shall comply with Maine Revised Statutes Annotated, Title 38, Chapter 3, Section 413.
3. No person(s) shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:
 - a. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas which will create a fire or explosive hazard in the wastewater facilities.
 - b. Any waters or pollutants containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by intersection with other wastes, to injure or interfere with any waste treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the wastewater treatment plant.
 - c. Any waters or pollutants having a pH lower than 6.0 or higher than 8.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater works: unless the works are specifically designed to accommodate such discharges.
 - d. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, bones, cinders, sand, mud, straw, shavings, metal glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, manure, hair and fleshings, entrails, and paper dishes, cups, milk containers, and similar substances either whole or ground by garbage grinders.
 - e. Any water or pollutants including oxygen demanding pollutants (BOD) which released in quantities of flow or concentrations or both constitute a “slug as defined herein.
 - f. Any heated waters or pollutants in amounts which will inhibit or interfere with biological activity in the wastewater treatment works but in no case heated waters or pollutants in such quantities that the temperature of the wastewater treatment works influent exceeds 104 degrees F (40 degrees C); unless said discharge is specifically approved by the Board of Trustees.
4. The following described substances, materials, waters, or pollutants shall be limited in discharges to municipal systems to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The Superintendent may set limitations lower than the limitations established in the regulations below if in his opinion such more severe limitations are necessary to meet the above objectives. In forming his opinion as to the acceptability, the Superintendent will give

consideration to such factors as the quantity of subject wastes in relation to flows and velocities in the sewers, the wastewater treatment process employed, capacity of the wastewater treatment process employed, capacity of the wastewater treatment plant, degree of treatability of the waste by the wastewater treatment plant, and other pertinent factors. The limitations or restrictions of waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the Superintendent are as follows:

- a. Wastewater having a temperature higher than one hundred four (104) degrees F (40 degrees C).
 - b. Wastewater containing petroleum oil, non-biodegradable cutting oils, or product of mineral oil origin.
 - c. Wastewater containing floatable oils, fat, or grease.
 - d. Any garbage that has not been properly shredded. See Article 1, Section 14. 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.
 - e. Any water or pollutants containing constituents in such quantities or concentrations that any such material received in the composite wastewater at the wastewater treatment works exceed limits established by the SBSB for such materials or which will cause the treatment works to exceed limits established under its State and Federal operating licenses.
 - f. Any waters or pollutants containing odor-producing substances exceeding limits which may be established by the SBSB.
 - g. Any radioactive wastes or isotopes of such half-life or concentrations as may exceed limits established by the SBSB in compliance with applicable State or Federal regulations.
 - h. Quantities of flow, concentrations, or both which constitute a "slug" as defined herein.
 - i. Water or pollutants containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
 - j. Any water or pollutants which, by interaction with other water or pollutants in the public sewer system, release obnoxious greases from suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.
5. If any waters or pollutants are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 4 of this Article, and which in the judgment of the Superintendent 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 SBSB may do one or more of the following:

- a. Reject the waters or pollutants;
- b. Require pretreatment to an acceptable condition for discharge to the public sewers;
- c. Require control over the quantities and rates of discharge;
- d. Require payment to cover the added costs of handling and treating the wastes.

When considering the above alternatives, the SBSBD shall give consideration to the economic impact of each alternative on the discharger.

If the SBSBD permits the pretreatment or equalization of waste flows, the design and installation of the pretreatment or equalization plants and equipment shall be subject to the review and approval of the SBSBD, and subject to the requirements of all applicable codes, ordinances, laws, and the municipal discharge permit.

6. Grease, oil and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts as specified in Section 4(c), or any flammable wastes, sand, other harmful ingredients. All interceptors shall be of a type and capacity approved by the Superintendent, 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 Superintendent. Any removal and hauling of the collected materials not performed by owner(s) personnel must be performed by currently licensed waste disposal firms.
7. Where pretreatment or flow-equalizing facilities are provided or required for any waters or pollutants, they shall be maintained continuously in satisfactory and effective operation by the owner(s) at his expense.
8. When required by the Superintendent, the owner of any property serviced by a building sewer carrying industrial pollutants shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, 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 Superintendent. 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.
9. The Superintendent may require a user of sewer services to provide information needed to determine compliance with these rules & regulations. These requirements may include:
 - a. Wastewater discharge peak rate & volume over a specified time period.
 - b. Chemical analyses of wastewaters.
 - c. Information on raw materials, processes, and products affecting wastewater volume and quality.
 - d. Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important

to sewer use control.

- e. A plot plan of sewers on the user's property showing sewer and pretreatment facility location.
 - f. Detail of wastewater pretreatment facilities.
 - g. Details of systems to prevent and control the losses of materials through spills to the municipal sewer.
11. a. All measurements, tests, and analyses of the characteristics of waters and pollutants to which reference is made in these rules & regulations shall be determined in accordance with 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 structure as required in Article VI Section 8, or upon suitable samples taken at said structure. In the event that no special structure has been required, suitable samples shall be taken at 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 wastewater facilities 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 pHs are determined from periodic grab samples.
- b. All industries discharging into a public sewer shall perform such monitoring of their discharges as the Superintendent and/or other duly authorized employees of the TSB or State regulatory agencies may reasonably require, including installation, use, and maintenance of monitoring equipment, keeping records and reporting the results of such monitoring to the Superintendent. Such records shall be made available upon request by the Superintendent to other Agencies having jurisdiction over discharges to the receiving waters.
12. The SBSD will develop and the Superintendent will enforce pretreatment regulations for existing and new sources of pollution that are discharged or proposed to be discharged into the SBSD owned wastewater treatment facilities as set forth in Title 40, Chapter 1, Part 128 and Part 403 of the Final Rules of the EPA.
13. No statement contained in this article shall be construed as preventing any special agreement or an arrangement between the SBSD and any industrial concern whereby an industrial waste of usual strength or character may be accepted by the SBSD for treatment, subject to payment therefore, by the industrial concern: provided that such agreements do not contravene any requirements of existing Federal or State laws and/or regulations promulgated thereunder, and are compatible with any User Charge and Industrial Cost Recovery System which may be placed in effect.

ARTICLE VII – Protection from Damage

No person shall maliciously, willfully, or negligently break, damage destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the wastewater facilities. Any person(s) violating this provision may be subject to arrest under the charge of criminal mischief as set forth in Maine Revised Statutes Annotated, Title 17-A, Chapter 33, Section 806.

ARTICLE VIII – Powers and Authority of Inspectors

1. The Superintendent and other duly authorized employees of the SDSB bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing pertinent to discharge to the community system in accordance with the provisions of these rules & regulations.
2. The Superintendent or other duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater facilities. The industry may request that such information be kept confidential provided that the industry must establish that the revelation to the public of the information in question might result in an advantage to competitors.
3. While performing the necessary work on private properties referred to in Article VIII Section 1 above, the Superintendent or duly authorized employees of the SBSB shall observe all safety rules applicable to the premises established by the company, and the company shall be held harmless for injury or death to the SBSB employees and the SBSB shall indemnify the company against loss or damage to his property by SBSB employees and against liability claims and demand 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 as required in Article VI Section 8.
4. The Superintendent and other duly authorized employees of the SBSB bearing proper credentials and identification shall be permitted to enter all private properties through which the SBSB holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE IX – Penalties

1. Any person found to be violating any provision of these rules & regulations except Article VII shall be served by the SDSD with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
2. Any person who shall continue any violation beyond the time limit provided for in Article IX, Section 1, shall be guilty of a civil violation, and a conviction thereof shall be fined in the amount not exceeding \$100 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense for which a separate fine may be imposed.
3. Any person violating any of the provisions of these rules & regulations, in addition to any fines under Article IX Section 2 above, shall become liable to the SBSB for any expense, loss, or damage occasioned the SBSB by reason of such offense.
4. Notwithstanding any of the foregoing provisions and in addition to the same, the SDSD may institute any and all other appropriate actions and proceedings either legal or equitable under SBSB Charter, municipal, state or federal, rules, regulations, ordinances or statutes to prevent, restrain, or abate violations of these rules & regulations or other applicable provisions of law.

ARTICLE X – Rates

1. The SBSB Board of Trustees shall establish a user charge and, as may become necessary, an industrial cost recovery system in accordance with appropriate Federal and State laws, rules, and regulations.
2. The SBSB Board of Trustees shall, in establishing the rates referred to in Article X Section 1 make specific reference to the sewer use rate structure in force at the time of any connection.
3. The rate schedule for sewerage service shall be printed and made readily available for the SBSB members.
4. Industrial Cost Recovery Structure. At the time of enactment of these rules & regulations there are no known sources of industrial wastewater entering the SBSB system. At such time as an industrial wastewater source enters the system, an equitable rate system shall be established for that source.
5. In addition to all other legal remedies, the SBSB shall have the right to all lien process, as provided by the SBSB Charter and State Statutes, for recovery of overdue monies owed the SBSB.

ARTICLE XI – Policy and Rules for Septic Disposal

1. Septic receiving hours are Monday to Friday 7:00 a.m. to 4:30 p.m. from mid-April through mid-December. Winter receiving hours are 7:00 a.m. to 4:00 p.m. mid-December through mid-April. Emergencies will be excepted.
2. All deliveries shall be via Route 4.
3. No use of engine brakes within 1000 feet of the plant.
4. Trucks shall maintain proper speed when entering and leaving plant property.
5. No treatment plant traffic shall park on Liberty Street or adjoining properties.
6. When trucks are waiting to dump, engines shall be shut off.
7. Upon complaint of violation of these regulations, SBSDD shall investigate by the following:
 - a. Obtaining type of violation
 - b. Obtaining name of hauler
 - c. Obtaining time of violation
 - d. Obtaining location of violation
8. The SBSDD reserves the right to suspend deliveries of any hauler at its discretion.
9. Failure to comply with the policy and rules of this Article will result in a hauler's privileges being suspended.

ARTICLE XII – Community Relations

1. The SBSDD will maintain a call line for the purpose of recording district member comments regarding treatment plant and district operations.
2. The SBSDD will maintain a web site providing the opportunity for district members to comment on district and treatment plant operations.
3. Incoming messages from the call line and web site will be transcribed and provided to trustees at monthly meetings. Action will be taken as determined appropriate by the Board of Trustees.

ARTICLE XIII – Validity

1. All rules & regulations or parts of rules & regulations in conflict with these Sewer Use Rules & Regulations are hereby repealed.
2. The invalidity of any section, clause, sentence, or provision of these rules & regulations shall not affect the validity of any other part of these rules & regulations which can be given effect without such invalid part or parts.

ARTICLE XIV – Rules & Regulations in Force

1. These rules & regulations shall be in full force and effect from and after its passage, approval, and publication as provided by law.
2. Passed and adopted by the SBSB Board of Trustees, South Berwick, State of Maine on the 4th day of ~~FEB~~, 2008, by the following vote:

Ayes: 5 namely GRAY, ROBERGE, FOUTAWE, DIOLLE, FORSYTH

Nays: 0 namely

Approved this 4th Day of February 2008

Signed  Chairman, Board of Trustees
Printed Albert Roberge

Attest

Signed _____ Clerk, Board of Trustees
Printed Mark Forsyth

Seal