



**OYSTER BAY SEWER DISTRICT  
TOWN OF OYSTER BAY  
NASSAU COUNTY, NEW YORK**

## **RULES AND REGULATIONS**

**EFFECTIVE DATE JANUARY 26, 2016**

**OYSTER BAY SEWER DISTRICT**

**RULES AND REGULATIONS  
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**NOTICE is hereby given that the following are the Rules and Regulations duly adopted by resolution of the Board of Sewer Commissioners of the OYSTER BAY SEWER DISTRICT at the meeting of the same Commissioners held on 26 January 2016. Said Rules and Regulations became effective 26 January 2016.**

**OYSTER BAY SEWER DISTRICT  
RULES AND REGULATIONS**

The following are the Rules and Regulations established pursuant to law by the Board of Sewer Commissioners of the Oyster Bay Sewer District, Nassau County, New York. Any use of the sewer system and services of the Oyster Bay Sewer District (hereinafter called the "District") shall be in accordance with the prevailing Rules and Regulations of the District, which Rules and Regulations as hereinafter adopted, published, modified or amended shall be deemed a part of every application, contract, agreement or license made or entered into with the District by any party, applicant for or user of said sewer system and services.

1. DEFINITIONS

(a) "Applicant" shall mean the party applying for permission to connect to the sewer system.

(b) "B.O.D." (Denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty (20) degrees centigrade expressed in milligrams per liter (mg/L). B.O.D. measures both, the carbonaceous and nitrogenous oxygen demand.

(c) "Building Sewer" shall mean the sewer line for sanitary sewage extending from the building or property being serviced to the sewer system.

(d) "C.B.O.D." (Denoting Carbonaceous Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the carbonaceous portion of the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty (20) degrees centigrade expressed in milligrams per liter (mg/L) and excludes the nitrogenous oxygen demand.

(e) "C.O.D." (Denoting Chemical Oxygen Demand) shall mean a measure of the oxygen required to oxidize all compounds, both organic and inorganic, in water. The chemical oxygen demand of wastewater is typically higher than the biochemical oxygen demand in the same wastewater as there are generally more compounds present that are susceptible to chemical oxidation than biological oxidation.

(f) "Commissioners" shall mean the duly elected officials acting as the governing body of the District.

(g) "County" shall mean the County of Nassau.

(h) "D.E.C." shall mean the New York State Department of Environmental Conservation.

- (i) "District" shall mean the Oyster Bay Sewer District.
- (j) "Easement" shall mean an acquired legal right for the specific use of land owned by others.
- (k) "E.P.A." shall mean the United States Environmental Protection Agency.
- (l) "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage and sale of produce.
- (m) "Industrial Waste" shall mean any liquid, gaseous, solid, or other waste substances or a combination thereof, resulting from industrial manufacturing processes, trade, or business, or from the development or recovery of any natural resources, as distinct from sanitary sewage.
- (n) "Inspector" means the authorized representative of the District designated to inspect all work, repairs and installations performed under these Rules and Regulations.
- (o) "Permit" means written permission issued and delivered by the authority of the Commissioners.
- (p) "Person" shall mean any individual, firm company association, society, corporation or group.
- (q) "pH" shall mean the logarithm of the reciprocal of the hydrogen-ion concentration expressed in moles per liter and indicating the degree of acidity or alkalinity of a solution.
- (r) "Plumber" shall mean an individual licensed as such by the Town of Oyster Bay and approved by the Commissioners.
- (s) "PPM" shall mean Parts Per Million by weight in water and sewage analysis.
- (t) "Private Dwelling" shall mean any detached building, trailer, or mobile home used solely for residential purposes and containing less than five (5) apartments or dwelling units.
- (u) "Private sewer" shall mean any sewer privately owned and used by one or more properties.
- (v) "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.
- (w) "Public Sewer" shall mean a sewer in which all owners of abutting properties and others within a district or area have equal rights, and is controlled by the District.

(x) "Sanitary Sewage/Wastewater" shall mean the liquid wastes from sanitary conveniences such as toilets, water closets, urinals, bathtubs, shower baths, wash basins, laundry tubs, kitchen sinks and similar plumbing fixtures installed in a building, residence or institution. It shall not include any other fixtures installed in a building and shall not include any other liquid or solid matter whatsoever.

(y) "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.

(z) "Sewer Treatment Plant or Water Pollution Control Plant" shall mean any arrangement of devices and structures used for treating sewage or wastewater.

(aa) "Sewer" shall mean a pipe or conduit for carrying sewage and shall include interceptor, trunk, and street lateral pipes.

(ab) "Sewer System" shall mean all facilities owned by the District for the collection, conveyance, treatment and disposal of sewage.

(ac) "Slug" shall mean any discharge of water or 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 flows during normal operation.

(ad) "S.P.D.E.S." shall mean State Pollutant Discharge Elimination System, the system established for issuance of permits authorizing discharges to the waters of the state.

(ae) "Standard Methods" shall mean the examination and analytical procedures set forth in the latest edition, at the time of analysis, of "Standard Methods for the Examination of Water and Wastewater", as prepared, approved, and published jointly by the American Public Health Association, The American Water Works Association, and the Water Pollution Control Federation.

(af) "Superintendent" shall mean the Superintendent of the Sewer District for the Oyster Bay Sewer District or its authorized agent or representative.

(ag) "Suspended Solids" shall mean solids that either float on the surface or are in suspension in water, sewage or other liquids and which are removable by laboratory filtration, expressed in milligrams per liter (mg/l).

(ah) "Toxic Substance" shall mean any potentially harmful or hazardous substance as defined in Section 4.

(ai) "User" shall mean the party owning or occupying real property serviced by or connected to the sewer system.

2. APPLICATION FOR SERVICE

The applicant/user of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the Oyster Bay Sewer District and abutting on any street, alley, or right-of-way in which there is now located or may be in the future located a public or sanitary sewer of the District, is hereby required at his or her expense to install suitable toilet facilities therein, and to connect such facilities or directly with the proper public sewer in accordance with the provisions of this Ordinance, within ninety (90) days after date of official notice to do so, provided that said public sewer is within one hundred (100) feet (30.5 meters) of the property line, except in such cases as the District finds that it is physically impossible or would work an undue hardship upon the applicant/user of the property in question to establish such a connection. Under such circumstances, the District may allow, with Nassau County Department of Health concurrence, use of private on-site sewage disposal systems. The private on-site sewage disposal system shall be installed per Town of Oyster Bay and Nassau County codes and regulations. Where the building is other than a single-family residence, it may be required to connect such building to the public sewers at any reasonable distance.

(a) All applications to construct, install, alter, replace, modify or abandon a building sewer shall be made and submitted to the District in writing, upon such form as may be provided by the District. The application fee payable to the District and accompanying the application shall be the sum established by the District at the first business meeting of the current calendar year (or a subsequent business meeting) for each building sewer proposed to be constructed, installed, altered, replaced, modified or abandoned. Said application shall be deemed a permit for the work therein described only upon approval by the District or its authorized representatives.

(b) Prior to being authorized to connect to the sewer system, all applicants are required to obtain a certificate of sewer availability from the District.

(c) The District will grant sewer availability to any property owner that proposes to develop the subject property in accordance with the use & density allowed by the Town zoning map and ordinances as of April 2005, without any variances.

(d) For property owners that are seeking to rezone the property or by special exception to change the permitted use to another use or density, without any variances, the District will grant limited sewer capacity availability up to the allowable wastewater flow based on zoning as of April 2005 or up to 1,800 gallons per day per acre pro rated, which ever is greater.

(e) Allowable wastewater flow rates, based on the available capacity as of April 2005 for each zoning categories are:

Residential (R1-6)	2,100 gpd/acre
Residential (R1-10)	1,200 gpd/acre
Residential (RMF-6)	1,800 gpd/acre
Residential (RPH-20)	6,000 gpd/acre

Residential (RMF-16)	4,800 gpd/acre
General business	6,970 gpd/acre
Industrial	3,267 gpd/acre

(f) All applications shall indicate the current use of the property, the allowable wastewater flow and the proposed wastewater flow based on the District's design flow rates for the proposed use of the property so that a determination can be made by the District as to available plant capacity. If the District does not have a design standard for the proposed use, the applicant shall request a determination from the District prior to submitting its application. The District reserves the right to require as a condition of a certificate of sewer availability that the applicant be charged the cost of upgrading the collection system so as to accommodate the proposed additional flow.

(g) Commencement of work pursuant to said permit shall be preceded by three (3) days' notice to that effect to the District. In the case of new construction or where applicable circumstances prevail, no work shall be commenced until a finished roof is on the building and the cellar plumbing and cellar floor have been completed and inspected by the municipal authorities having jurisdiction of the premises or by the District's inspector.

(h) The applicant shall obtain all necessary permits to open any streets, roads or highways for building sewer connections and shall be responsible for all damage to person or property occasioned by such opening.

(i) All building sewers, whether located in private rights-of-way or in streets, shall be constructed at the expense of the applicant/user of the premises who shall indemnify and save the Oyster Bay Sewer District harmless from any loss, damage or expense and claims or suits arising out of, or in connection with, the installation and connection of the building sewer, and shall be and remain his property, and shall be maintained by him in good condition and repair under penalty of discontinuance of service by the District.

(j) The repair and maintenance of all building sewers shall be the responsibility of the user. When a blockage occurs, it is the responsibility of the property owner to hire a licensed plumber or sewer cleaner to perform inspection, maintenance, and/or repairs.

(k) The user shall notify the District prior to repairing any building sewer

(l) All existing or new building sewers connected to plumbing fixtures liable to backflow from the sewer system are installed at the building owner's risk. The District will not assume any responsibility for back-ups or flooding of fixtures, basements or structures as a result of the installation of these fixtures. Any plumbing fixture located at an elevation lower than the top of the public sewer manhole immediately downstream of the private sewer connection serving the fixture shall be considered to be liable to backflow. The property owner is responsible and shall bear the cost of any backwater valve installation, operation and maintenance.

### 3. SPECIFICATIONS COVERING THE CONSTRUCTION OF BUILDING SEWERS

(a) Sewer connections must be constructed according to the specifications herein set forth. Special attention is directed to the fact that all negotiations required to permit the construction of building sewers from the applicant's property to the Sewer System must be arranged by the applicant at the applicant's expense.

(b) Building sewers for establishments such as public buildings, churches, apartment buildings, and commercial and industrial establishments shall be installed on the basis of detailed installation plans and specifications furnished by the Applicant or User and approved by the District.

(c) All work performed hereunder shall meet the local and New York State Board of Health Rules and Regulations and prevailing plumbing codes of the municipalities in which the work is performed.

(d) Building sewers shall be installed only by licensed plumbers who have filed a performance bond required by the District in the penal sum of \$10,000 and have provided the District an insurance certificate with the necessary insurances and limits as determined by the District, that names the District as an additional insured. Applications must state the name or names of firms that are to be engaged to do any work carried out under the permit. At a minimum, the performance bond shall remain in effect until after the one-year final inspection has been performed and any identified issues completed to the District's satisfaction.

(e) A separate 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 building sewer from the front building may be extended to the rear building and the whole considered as one building sewer with a separate permit for each building. In the case of one or two-story multiple dwellings, when a building is constructed so as to allow more than two units to be constructed on the same floor, a separate building drain and building sewer shall be provided for each unit. Exceptions to this paragraph may be made by the Superintendent at his discretion in writing only.

(f) 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 requirement of this Ordinance. All costs of performing such tests (excavation, backfilling, compaction, etc.) shall be borne by the person making the application for use of such service.

(g) The connection of the building sewer into the public sanitary sewer shall be made at the "Y" branch, if such branch is available at suitable location. If the public sanitary sewer is twelve (12) inches in diameter or less, and no properly located "Y" branch is available, the owner shall, at his expense, install a "Y" branch in the public sanitary sewer at the location specified by the Superintendent. Where the public sanitary sewer is greater than 12 inches in diameter, and no properly located "Y" branch is available, a saddle, meeting the approval of the Superintendent, shall be utilized to connect the building sewer to the sanitary sewer system



with entry in the down-stream direction at an angle of about forty-five degrees (45°). The invert of the building sewer at the high point of connection shall be at a higher elevation than the invert of the public sanitary sewer. The connection made shall be secure and watertight by encasement in concrete. Alternative special fittings may be used for the connection only when approved by the Superintendent. Where the public sewer is located at an unusual depth, then the connection to the public sewer shall be made as required by the Superintendent. No connection shall be made until all special requirements are installed and operable.

(h) Relation to Water Works Structures: While no general statement can be made to cover all conditions, it is generally recognized that sewers shall be kept remote from public water supply wells or other water supply sources and structures.

(1) Water Supply Interconnections: There shall be no physical connection between a public or private potable water supply system and a sewer, or appurtenance thereto which would permit the passage of any sewage or polluted water into the potable supply.

(2) Relation to Water Mains:

(a) Horizontal Separation: Whenever possible, sewers should be laid at least 10 feet, horizontally, from the existing or proposed water main. Should local condition conditions prevent a lateral separation of 10 feet, a sewer may be laid closer than 10 feet to a water main provided:

(I) It is laid in a separate trench, or

(II) It is laid in the same trench with the water mains located at one side on a bench of undisturbed earth and

(III) In either case the elevation of the top (crown) of the sewer is at least 18 inches below the bottom invert of the water main

(b) Vertical Separation: Whenever sewers must cross under water mains, the sewer shall be laid at such an elevation that the top of the sewer is at least 18 inches below the bottom of the water main. When the elevation of the sewer cannot be varied to meet the above requirements, the water main shall be relocated to provide this separation or reconstructed with mechanical-joint pipe for a distance of 10 feet on each side of the sewer. One full length of water main should be centered over the sewer so that both joints will be as far from the sewer as possible.

(c) When it is impossible to obtain proper horizontal and vertical separations stipulated above, both the water main and sewer should be constructed of mechanical joint ductile-iron pipe, an alternative approved pressure pipe, or encased in concrete and shall be pressure-tested to assure water-tightness.

(i) Unless otherwise approved in writing by the Superintendent, approved sewer materials shall be those described in the latest Nassau County guidelines for building sewer construction. The Superintendent shall determine the acceptability of any sewer materials proposed for use in building sewers not described in the guidelines. Where deemed necessary by the Superintendent, he may restrict or prohibit the use of any sewer material because of environmental, service or other conditions. Such restrictions and/or prohibitions supersede the Nassau County guidelines. Building sewers shall be constructed in a first class workmanlike manner of approved sewer materials all to the satisfaction of the Superintendent.

(j) The size and slope of the building sewer shall be subject to the approval of the Superintendent but in no event shall the diameter be less than six (6) inches. The slope of such 6 inch pipe shall not be less than one-quarter (1/4) inch per foot and shall be continuously supported on a firm compact bedding of suitable subgrade material. Where sewer subgrade material is not satisfactory for building sewer support, the sewer shall be supported in a manner approved by the District. Suitability of sewer subgrade materials shall be determined by the Superintendent.

Whenever possible, the building drain shall be brought to the building at an elevation below the basement floor. No building drain shall be laid parallel to or within three (3) feet (0.91 meters) of any bearing wall, which may thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer and drain shall be laid at uniform grade and in straight alignment toward the street unless otherwise approved in writing by the Superintendent. Changes of more than 45 degrees in direction shall have cleanouts that meet the approval of the Superintendent.

In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the building sewer. The cost thereof shall be borne by the applicant/user.

(k) All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the Town of Oyster Bay Building Department. All excavating within ten (10) feet of a sewer lateral shall be done by hand labor. Pipe laying and backfill shall be performed in accordance with applicable ASTM Standards, as determined by the District engineer, and no backfill shall be placed until the work has been inspected and approved in writing by the District. Backfilling shall be performed in a workmanlike manner all in accordance with the District guidelines for building sewer construction. At the discretion of the Superintendent, the backfilled building sewer shall be tested for defects in alignment settlement and joint tightness in accordance with commonly accepted procedures. Failure of the building sewer to meet the requirements of the tests to the satisfaction of the Superintendent shall constitute a violation of this local law and grounds for revocation of the sewer permit if it is not properly reconstructed within a reasonable length of time as determined by the Superintendent.

(l) All excavation for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, utility facilities and other public property disturbed in the course of the work shall be restored

in a manner satisfactory to the District and to such other public authority having jurisdiction. The applicant will be held responsible for any settlement of the ground, which occurs within twelve (12) months as a result of laying such house sewer or connection.

(m) In the event a structure that is connected to District sewers is to be abandoned or demolished, or the certificate of occupancy is revoked or withdrawn, the connection to the public sewer shall, at the cost and expense of the owner, be disconnected at the original point of connection to the public sewer and the public sewer shall be plugged in a manner and with a plug that is satisfactory to the Superintendent. If the applicant/user fails to disconnect and plug, then the Superintendent may do so at the cost and expense of the applicant/user. The sewer shall be disconnected, plugged and inspected prior to the start of any other work on the site.

(n) Whenever it shall be found that a building sewer has been installed contrary to these rules, regulations and specifications or in any manner other than that approved by the District or its authorized representative, the service shall be discontinued and shall not again be used until the service installation is made according to these rules, regulations and specifications, and all expenses and damages shall be paid by the user or their successors.

(o) Grease, oil, hair and sand interceptors.

(1) Grease, oil, hair and sand interceptors shall be provided when, in the opinion of the District, they are necessary for the proper handling of wastewater containing excessive amounts of grease, flammable substances, sand, or other harmful substances. However, said interceptors may not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the District, and shall be so located as to be readily and easily accessible for cleaning and inspection. Said interceptors shall be inspected, cleaned and repaired regularly, as needed, by the owner, at his own expense.

(2) All new establishments such as restaurants, catering halls, food preparation facilities and institutions which have kitchen facilities and discharge quantities of fats, grease and oils are required to install an appropriately sized external grease trap as part of the building sewer. Existing establishments are also required to provide an external grease trap, when in the opinion of the Superintendent, said establishment is contributing grease, flammable substances, sand or other harmful substances to the sanitary collection system.

(3) Use of an interior grease interceptor will be allowed only when circumstances dictate that installation of an in ground exterior grease trap is impossible.

(4) Sanitary sewage shall not be discharged into the grease trap.

(5) Separate building sewers for the sanitary and kitchen wastewater are required with the grease trap located on the kitchen wastewater-building sewer. The kitchen-building

sewer may connect to the sanitary wastewater-building sewer downstream of the grease trap.

(6) Construction of an external grease trap shall meet the requirements of the Nassau County Department of Public Works.

(7) The effective liquid depth in an exterior grease trap shall be five (5) feet minimum.

(8) The grease trap shall have a minimum flow capacity of 100% of the kitchen wastewater. Flow figures will be based on verified flow from kitchen facilities or a minimum of fifty (50) gallons per day per seat. The minimum volume of the grease trap shall be 900 gallons.

(9) The authorized representative or user of a location with a grease trap shall submit to the District documentation that the contents of the grease trap(s) are periodically removed in order to maintain removal efficiency. The trap shall be pumped out before 75% of the external tank capacity has been used. Each establishment utilizing a grease trap is required to pay an initial application fee and annual monitoring fee, as established by the District at the first business meeting of the current calendar year (or a subsequent business meeting).

(p) Pursuant to 6 NYCRR Subpart 374-4, all dental facilities within the District where dental amalgam is applied, altered, maintained, removed or disposed; where dental waste is generated; or where elemental mercury has been used or is possessed by dentists licensed or otherwise authorized to practice dentistry under Article 133 of the New York State Education Law, are required to treat dental wastewater prior to discharging their wastewater. All existing dental facilities will have to place amalgam separator equipment into service by May 12, 2008. All new dental facilities must place amalgam separator equipment into service prior to commencing operations, capable of meeting the removals as required in Subpart 374-4. In addition, all amalgam wastes must be collected and stored in air tight, leak-proof and structurally sound containers. Each dental facility shall maintain records pursuant to Subpart 374-4 and provide copies to the District. Each establishment utilizing a dental amalgam separator or approved equivalent removal equipment is required to pay an annual monitoring fee, as established by the District at the first business meeting of the current calendar year (or a subsequent business meeting).

#### 4. PROHIBITED WASTES

The following wastes and substances shall not be discharged into any building sewer or the sewer system:

(a) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower or greater shall be subject to the review and approval of the Superintendent.

- (b) Storm water, surface water, ground water, roof runoff, subsurface drainage, cesspool/scavenger waste, sludges, cooling water or industrial or commercial process water.
- (c) Any solids, liquids or gases which by themselves or by interaction with other substances may cause fire or explosion hazards, or in any other way be injurious to persons, property, sewer lines, or to the operation or processes of the sewage treatment works.
- (d) Any noxious or malodorous solids, liquids or gases, which either singly or by interaction with other substances, are capable of creating a public nuisance or hazard to life, or preventing entry into the treatment facilities for their maintenance or repair.
- (e) Any solids, greases, garbage, slurries or viscous material of such character or in such quantity that, in the opinion of the District, may cause an obstruction to the flow in pumps or pipe lines or otherwise interfere with the proper functioning of the sewage treatments facilities.
- (f) Any toxic substances, chemical elements or compounds in quantities sufficient to impair the operation or efficiency of the sewage treatment facilities, or that will pass through the sewage treatment plant or lines and cause the effluent thereof to exceed state or interstate water-quality requirements for the receiving stream.
- (g) Any liquids having a pH lower than 5.5 or higher than 9.5 or having corrosive property capable of causing damage or hazard to structures, equipment or personnel of the sewage treatment works or lines.
- (h) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State and Federal Regulations.
- (i) Any liquid or vapor having a temperature greater than 150 degrees Fahrenheit (65 degrees C) or lower than 32 degrees F (0 degrees C).
- (j) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) degrees F. (0 degrees C) and one hundred fifty (150) degrees F. (65 degrees C).
- (k) 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 sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, ungrounded garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
- (l) Any grit and sludge from pits of service stations or other commercial or industrial establishments.

(m) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive solid, liquid or gas, or diesel engine cleaning or stripping of any kind from materials, supplies or equipment.

(l) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State and Federal regulations.

(m) Any liquid or vapor having a temperature greater than 1 separator equipment into service prior to commencing operations, capable of meeting the removals as required in Subpart 374-4. In addition, all amalgam wastes must be collected and stored in air tight, leak-proof and structurally sound containers. Each dental facility shall maintain records pursuant to Subpart 374-4 and provide copies to the District. Each establishment utilizing a dental amalgam separator or approved equivalent removal equipment is required to pay an annual monitoring fee, as established by the District at the first 50 degrees Fahrenheit (65 degrees C) or lower than 32 degrees F (0 degrees C).

(n) Wastes derived from concentrated plating baths.

(o) Formaldehyde and carbide wastes.

(p) Wastes containing in excess of 10 ppm of hydrogen sulfide, sulfur dioxide, nitrous oxide or any halogens.

(q) Inflammable substances with flash point lower than 187 degrees F.

(r) Materials that exert or cause:

(1) Unusual concentrations of inert suspended solid (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).

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

(3) B.O.D., C.B.O.D., chemical oxygen demand (COD), nitrogen, chlorine, or solids requirements greater than listed below:

(a) 5-day, 20 degrees C - B.O.D.	300 mg/l max.
(b) 5-day, 20 degrees C - C.B.O.D.	250 mg/l max.
(c) COD	500 mg/l max.
(d) Total Nitrogen (as N)	30 mg/l max.
(e) Chlorine Demand (30 min room temperature)	15 mg/l max.
(f) Suspended Solids	300 mg/l max.
(g) Settleable Solids (Imhoff cone)	10 mg/l max.

(4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein. The Superintendent shall be notified immediately when any slug discharge occurs.

(s) All paints and paint wastes.

(t) Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Superintendent for such materials. The limits for industrial wastes at the point of entry into the public system are:

OBJECTIONAL SUBSTANCE LIMITATIONS FOR  
DISCHARGE TO SANITARY SEWERS

<u>PARAMETERS</u>	<u>EFFLUENT</u>
<u>CONCENTRATION LIMIT</u>	<u>MILLIGRAMS PER LITER</u>
Aluminum	2.0
Cadmium	0.2
Hex. Chromium	0.1
Total Chromium	2.0
Copper	0.4
Iron	4.0
Lead	0.1
Mercury	0.0007
Nickel	2.0
Zinc	0.6
Arsenic	0.1
Available Chlorine	0.5
Cyanide - Free	0.2
Cyanide - Complex	0.8
Selenium	0.1
Sulfide	3.0
Barium	2.0
Manganese	2.0
Gold	0.1
Silver	0.1
Fluorides	10.0

(u) Mercury from dental facilities that fall within the purview of 6 NYCRR Subpart 374-4 are required to have amalgam separators that meet the mercury discharge standard prior to discharging wastewater to District facilities.

(v) Any solids, liquids or gases which cause inhibition or disruption of the wastewater works, its treatment processes or operations, or its sludge processes, use or disposal which is a cause in whole or in part of a violation of any requirement of the wastewater treatment facility's State Pollutant Discharge Elimination System (SPDES) permit (including an increase in the magnitude or duration of a violation) or to the prevention of sludge use or disposal by the wastewater treatment facility in accordance with the following statutory provisions and

regulations or permits issued thereunder (or more stringent State or Local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act and the Toxic Substance Control Act.

## 5. ADMISSION OF INDUSTRIAL WASTES INTO THE SEWER SYSTEM

### (a) General Statement of Policy regarding Treatment of Industrial Wastes:

The economy and desirability of the combined treatment of industrial wastes and sanitary sewage is recognized. However, not all types or quantities of industrial wastes can be so treated. Hence, it shall be the established policy of the District to admit those types and quantities of industrial waste that are not harmful or damaging to the structures, sewer lines, processes or operation of the sewage works or receiving waters or sludge disposal facilities or are not specifically prohibited by this ordinance. It is also recognized that if, to provide this service, additional facilities are required, the cost must be borne by the persons receiving its benefits.

### (b) Approval Required for Industrial Wastes:

Industrial and commercial establishments desiring to connect to the sewer system, in addition to making written application for such services, shall furnish a detailed description as to type of building, commercial or industrial establishment to be served, together with a list setting forth the number and type of fixtures served and the type, volume and analysis of waste to be discharged.

Such commercial and industrial applicants shall also furnish to the District four (4) copies of a detailed plan showing:

1. A description of the property.
2. The location of structures to be served.
3. The location and profile of the services to be installed.
4. Details showing the connections to sanitary sewers and the arrangement and detail of meter installation or suitable flow measuring devices as approved by the District.

(c) In order to control the admission of industrial wastes the approval of the District must first be obtained as hereinafter provided prior to the discharge into the public sewers or any waters or wastes having:

(I) A 5-day 20 deg. B.O.D. greater than 300 ppm or a 5-day 20 deg. C.B.O.D. greater than 250 ppm, or



(II) A suspended solids content greater than 300 ppm, or

(III) A total nitrogen concentration of greater than 30 ppm, or

(IV) A chlorine demand greater than 15 ppm, or

(V) An average daily flow greater than 2% of the average daily sewage flow at the sewage treatment works.

(VI) Any toxic substance

(VII) Any wastes that are considered by the District to offer possibilities of harm to structures, processes, or operation of the plant, impact the receiving waters, or sludge disposal facilities.

(d) The discharge of all industrial wastes into the sewer system is subject to any laws or regulations of the State of New York or the United States of America. Users shall comply with the categorical pretreatment standards found at 40 CFR Chapter I, Subchapter N, Parts 405–499.

(e) Discharge of factory effluents or industrial wastes.

No factory effluents or industrial wastes, comprising wastes other than domestic, shall be discharged into the sewage system except for those wastes that are in compliance with the following rules, regulations and conditions:

(I) Each applicant making application for permission to discharge industrial wastes into the sewer system shall furnish all the information necessary to determine the quantity of such wastes and the nature or quality of the materials therein and other characteristics of such wastes. The applicant shall agree in such application to bear the cost of the original and any subsequent chemical analyses, and laboratory tests.

(II) Adequate means shall be provided at each industry's connection with the Plant for periodic determination of all characteristics and concentrations of wastes. Monitoring point shall be located so as to be readily accessible to District personnel and shall be constructed in compliance with District requirements. The sampling monitoring point will normally be located on the user's premises, but the District may allow the monitoring point to be constructed or an existing monitoring point to be modified in the public right-of-way in certain cases when an on-site location would be impractical. In all cases, the sampling location shall be designed, installed, and maintained to provide a safe and secure area for District personnel to conduct sampling and monitoring activities. Samples shall be collected in such manner as to be truly representative of the actual quality of the wastes, and standard methods of analysis as shall be performed in accordance with the current edition of "Standard Methods".

(III) Industrial waste discharged or proposed to be discharged into the Plant shall be subject to analyses by the District. The cost of such analyses shall be borne by the applicant/user.

(IV) Industries shall cooperate by adopting such schedules of discharges as will minimize peak concentrations.

(V) If in the opinion of the District the materials in wastes discharged or proposed to be discharged from any industry, or the chemicals in or characteristics of such wastes, cause or threaten injury to the sewer system or impair the sewage or treatment process or unduly increase the cost of operation thereof, said industry shall produce wastes of acceptable quality before discharge thereof into the sewer system by reducing its peak discharges, by construction of equalizing tanks, by pre-treatment, by partial pre-treatment, by elimination of troublesome wastes or by other approved means.

(VI) The industry shall indemnify the District for any damage caused by its industrial wastes to the sewer system, its function, and for its treatment processes. Such indemnification shall be in strict conformance with the applicable local and state laws and shall be in effect during the Life of Agreements between industries and the District.

(VII) The District reserves the right to cancel any agreement between any industrial and the District after one year. However, whenever it shall be found that a service installation or industrial waste treatment facility has been made contrary to these rules and regulations and constructed and operated in any manner than that approved by the District, the services shall be disconnected and removed within thirty (30) days. The services shall not again be supplied until the service installation and industrial waste treatment facilities are connected and operated according to these rules and regulations and all expenses and damages shall be paid by the industry or its successor.

(f) Measuring Devices - At the direction of the Commissioners, each industry discharging factory effluents or industrial wastes into the Plant shall install a suitable device for continuously indicating, recording and totalizing the flow discharged by it into the sewer system and shall submit for approval by the District plans for complete metering installation. All meters or the measuring devices installed or required to be used shall be under the control of the District. The industry by which any such measuring device is installed, at its own expense, shall be responsible for its maintenance and safekeeping and all repairs thereto shall be made at the industry's cost, whether such repairs are made necessary by ordinary wear and tear or other causes. Bills for such repairs, if made by the District, shall be due and payable within thirty (30) days after the date of issuance by the District.

(g) Laundromats and Vehicle Washes. All laundromats and vehicle washes which are renovated or modified increasing the design flow capacity, as determined by the Superintendent, and any new application for laundromats or vehicle washes shall be required to utilize water-recycling systems or equipment which will reduce water usage by seventy-five (75%) percent. The engineering and design specifications of the systems or equipment to be utilized shall be submitted to the District for review and approval as part of the sewer

connection application. For the purpose of calculating sewer availability pursuant to these Rules and Regulations, the design flow shall be reduced by the percentage of the water reduction achieved by the water recycling equipment.

#### 6. CONSTRUCTION OF SEWERS REQUIRED FOR NEW CONSTRUCTION OR SUBDIVISIONS

Any applicant of property within the Oyster Bay Sewer District, constructing a new building where a sewer is not available for connection shall be required to provide for the construction of sewer lines, appurtenances and building sewers. The applicant shall submit to the District a map outlining the proposed construction. The District's Engineer will prepare a preliminary plan of sewers and an estimate of the cost of construction including any allowance for legal, engineering and accounting fees, and a contingency allowance.

(a) If the new construction does not involve subdivision of land, then the applicant shall:

(1) Deposit with the District 10% of the estimated cost, 90 days prior to the need for construction to commence.

(2) After receipt of bids for construction, submit a certified check to the District in an amount equal to the Total Construction Bid, plus allowance for legal, engineering, and accounting fees, and a contingency allowance, less the prior deposit. These monies shall be held in escrow by the District and the unused balance refunded to the applicant. The District shall execute a contract with the lowest responsible bidder after receipt of said certified check.

(b) If the new construction involves subdivision of land, then the applicant shall:

(1) Deposit with the District 10% of the estimated cost, 90 days prior to filing for subdivision approval.

(2) Enter into contract with the District, which contract shall require:

(a) Submission by the applicant of a performance and payment bond in the full amount of the Engineer's project cost estimate.

(b) Furnishing all easements and right-of-ways to the District,

(c) Payment of all application fees by the applicant,

(d) Payment by the applicant by certified check of the full cost of construction, plus legal, engineering and accounting fees and an allowance for contingencies, less prior deposit,

(e) Release by the District of the performance bond upon receipt of the certified check.

(f) The applicant to deed all right and title to the sewers, and appurtenances to the District, upon completion and approval by the Engineer or District prior to use (The District may, at its option, elect not to take title to said facilities, and require that the facilities be owned and maintained by the applicant.) and,

(g) The applicant to construct all building sewers to the property line.

(3) The District shall –

(a) Instruct its Engineer to prepare plans and specifications and to apply to the Nassau County Health Department for approval to construct.

(b) Instruct its Engineer to prepare easement and right-of-way descriptions, as may be required,

(c) Advertise for bids for the construction of sewers and appurtenances.

(d) Execute a contract with the lowest responsible bidder, after receipt of all required payments by the applicants.

(e) Inspect the construction to assure conformance with contract requirements,

(f) Provide the applicant with a complete accounting of the funds, to be held in escrow, and,

(g) Return to the applicant the balance on the escrow account at the completion of the project.

(4) The District upon receipt of application from the applicant will consider the utilization of a contractor employed by the applicant. Such approval, if granted, shall be conditional upon:

(a) The applicant providing a performance and payment bond for the construction of all sewers and appurtenances.

(b) The contractor being experienced, reputable and acceptable to the District.

(c) The contractor meeting all requirements of the District's Engineer's plans and specifications.

(d) The District's Engineer inspecting the construction and finding same to be acceptable and meeting the requirements of the plans and specifications, and

(e) The applicant providing the District with a certified check, to be held in escrow, for the full amount of all legal, engineering and accounting fees, and a contingency allowance.

## 7. PROTECTION FROM DAMAGE

No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of the applicable section or sections of the penal law.

## 8. POWERS AND AUTHORITY OF INSPECTORS

(a) The Superintendent and other duly authorized employees and representatives of the District and EPA and DEC personnel bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this Ordinance. Observation shall include photographs, videotape, or electronic images. Users who wish to assert that photographs, video tapes or electronic images constitute confidential information shall notify the District Board of Commissioners in writing within five business days of the visit. The Superintendent or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for water treatment.

(b) While performing the necessary work on private properties referred to in subsection (a) above, the Superintendent or duly authorized employees and representatives of the District 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 District employees, and the District shall indemnify the company against loss or damage to its property by District 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) The Superintendent and other duly authorized employees and representatives of the District and EPA and DEC personnel bearing proper credentials and identification shall be permitted to enter all private properties through which the District 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.

## 9. PENALTIES FOR OFFENSES

(a) Any person found to be violating any provision of the Ordinance except Article 7 shall be served by the District 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.

(b) Any person who shall continue any violation beyond the time limit provided for in subsection (a) above, shall be guilty of a violation, and on conviction thereof, shall be fined in the amount of not less than five hundred dollars (\$500.00) or more than five thousand dollars (\$5,000) for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

(c) Any person violating any of the provisions of this Ordinance shall become liable to the District for any expense, loss, or damage occasioned the District by reason of such violation. Any fine, levy, penalty assessed against the Oyster Bay sewer District by any other agency shall be deemed an expense or loss within the purview of this section.

(d) The making of any false statement in an application for a permit or the failure to comply with any conditions in a permit, shall be deemed a violation of these regulations.

#### 10. MISCELLANEOUS

(a) Repeals - All Sewer District ordinances or parts of ordinances in conflict herewith are hereby repealed.

(b) Conflicting Regulations - Nothing in this Ordinance shall be considered in conflict with existing ordinances, such as Building and Plumbing Codes, or State and Federal regulations. Where there are discrepancies, the most stringent requirement will govern at the discretion of the Superintendent.

(c) Validity - 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.

(d) Non-liability and disclaimer for damages - The Superintendent, District and other officers, employees and their authorized representatives (District Engineer, etc.) assume no responsibility or liability for damages, injuries or leakages that may result from increases or decreases in volume of flow in the sewage works and said facility may be shut off, discontinued or decreased at any time without prior notice to the user.

(e) Changing Rules and Regulations - The District reserves the right to change or amend from time to time these Rules and Regulations.

BY ORDER OF THE BOARD OF  
SEWER COMMISSIONERS OF THE  
OYSTER BAY SEWER DISTRICT

Dated January 26, 2016  
Oyster Bay, New York