

CITY OF LEWISTON
DEPARTMENT OF PUBLIC WORKS
SEWER DIVISION

PRIVATE STORMWATER ELIMINATION POLICY

PRIVATE STORMWATER ELIMINATION POLICY

TABLE OF CONTENTS

<u>TITLE</u>	<u>PAGE NO.</u>
Introduction	1
Purpose	2
Authority	2
Definitions	2
Administration	5
Department's Responsibility	5
Owner's Responsibility	6
Permits	6
Exemptions	6
Incentive	6
Penalty	7
Periodic Testing	7

PRIVATE STORMWATER ELIMINATION POLICY

Introduction

In 1972, Congress enacted the first comprehensive national clean water legislation in response to growing public concern for serious and widespread water pollution. This legislation, known as the Federal Water Pollution Control Act of 1972, set the basic structure for regulating discharges of pollutants to waters of the United States. The Clean Water Act (CWA) is a 1977 amendment to the Federal Water Pollution Control Act of 1972. The CWA is now the primary federal law that protects our nation's waters, including lakes, rivers, aquifers and coastal areas. The CWA makes it unlawful for any person, industry, or municipality to discharge any pollutant from a point source into navigable waters unless a permit (NPDES) is obtained under the Act.

The City is required by its NPDES permit to eliminate the discharge of untreated sewerage in open water bodies by 2015. Currently, the City has 30 combined sewer overflows (CSOs) that discharge untreated sewage and stormwater flows to the Androscoggin River and its tributaries during extreme wet weather periods. To address this issue, the City intends to separate the sewerage and storm water piping systems in areas of the city that currently have a single pipe to convey combined wastewater and stormwater flows; this separation will be accomplished by construction of new sewer or drain piping, with existing piping continuing to be used as a separate sewer or drain.

Private property inflow removal is required as part of this 15-year program to separate combined sewer systems. If the City fails to address these CSO issues by the year 2015, it could face fines of up to \$25,000 per day.

Role of Private Inflow Removal In CSO Separation

Separation of stormwater and sanitary sewage from public and private property is necessary to help prevent system overflows and basement flooding and to reduce sewage conveyance and treatment costs.

Sanitary sewers are sized to handle sanitary sewer flows and a reasonable amount of groundwater infiltration. They are not sized to handle direct rainwater inflow sources. Connection of private inflow sources requires all components of the sewer collection, conveyance and treatment system to handle large, peak wet weather flow rates which would occur only rarely. These peak wet weather events result in overflow events and/or backing up of sewage flow in buildings. The construction and maintenance costs of oversized sewers that are large enough to handle these combined flows are cost prohibitive and are expected to be so in the future. Elimination of illicit storm connections will reduce the peak storm surge and the associated overflow or backup events by allowing the peak storm water to be released as clean storm water to a storm drain and then to a stream or the river.

PRIVATE STORMWATER ELIMINATION POLICY

I. PURPOSE

The Federal Government has designated CSO events as one of the largest point sources of pollution to the Androscoggin River and its tributaries. The wet weather CSOs discharging to the river are placing the health of our environment and its residents at risk. This program will promote the health and general welfare of the citizens of Lewiston by regulating the use of sewerage systems in such a manner so as to avoid creation of a pollution, public health, or nuisance problem.

Eliminating private inflow has been demonstrated to reduce peak flows, thus reducing CSO discharges. This policy establishes a program that provides City assistance and incentives for property owners to separate storm water from the sanitary services by providing a storm drain stub at the property line to which the Owner may connect the new storm service lateral. The goal of this policy is to have as many private inflow sources disconnected from the public sewer as necessary to meet the recently approved State and Federal City separation plan (Appendix A).

2. AUTHORITY

This policy derives its enforceability from Title XX, Section XX, Subsection XX, etc.

Hereafter, any person owning any buildings within the City of Lewiston which is the source of sewage and/or industrial wastes or who proposes to erect or rehab such building or structure, shall conform to the requirements of this policy.

3. DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this policy shall be as follows:

Applicant and/or owner shall mean any person requesting approval to discharge domestic or industrial wastewater into facilities of the City Sewer Division.

Authority means the Lewiston-Auburn Water Pollution Control Authority or its duly authorized representative.

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.

Building sewer shall mean the extension from the building drain to the public sanitary sewer. Also called house sewer or house connection.

City shall mean the City of Lewiston.

City engineer shall mean the City of Lewiston City Engineer or his/her duly authorized representative.

Combined sewer shall mean a sewer receiving both wastewater and storm water.

PRIVATE STORMWATER ELIMINATION POLICY

Council or city council shall mean the City of Lewiston City Council.

Department shall mean the City of Lewiston Department of Public Works.

Division shall mean the Sewer Division of the Lewiston Public Works Department.

Director shall mean the Director of the City of Lewiston Department of Public Works or his/her authorized deputy, agent or representative.

Domestic sewer shall mean a sewer, which carries domestic wastewater, and to which storm, surface, and ground water are not intentionally admitted.

Domestic wastewater shall mean the wastewater derived from dwellings, business buildings, institutions and the like. It should not contain ground water, surface water, or storm water.

EPA, USEPA, or US Environmental Protection Agency shall mean the agency of the federal government charged with the administration and enforcement of federal environmental laws, rules and regulations.

Excessive shall mean amounts or concentrations of a constituent of a waste water which in the judgment of the Director will cause damage to any sewerage facility, which will be harmful to a waste water treatment process, which cannot be removed in the waste water treatment works of the Authority to the degree required to meet the limiting permit requirements or stream classification standards of the Androscoggin River, which can otherwise endanger life, limb, or public property, and/or which can constitute a nuisance.

Facilities shall include structures and conduits for the purpose of collecting, treating, neutralizing, stabilizing, or disposal of domestic waste water and/or industrial or other waste waters as are disposed of by means of such structures and conduits including treatment and disposal works, necessary intercepting, outfall, and outfall sewers, and pumping stations integral to such facilities with sewers, equipment, furnishing thereof and other appurtenances connected therewith.

Garbage shall mean the animal and vegetable wastes resulting from the handling preparation, cooking, and serving of food. It is composed largely of putrescible organic matter and its natural moisture content.

Incompatible pollutant. Any pollutant, which the POTW is not designed to treat.

Licensing Authority shall mean the Lewiston Public Works Department, Sewer Division with the authority to grant, deny or revoke any license or permit governed by this chapter.

Maine Department of Environmental Protection (MeDEP) shall mean the agency of the state government charged with the administration and enforcement of federal environmental laws, rules and regulations.

PRIVATE STORMWATER ELIMINATION POLICY

National Pollutant Discharge Elimination System (NPDES) Permit shall mean a permit issued by the United States Environmental Protection Agency, pursuant to section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342).

Natural outlet shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

Person shall mean any individual, partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns.

pH shall mean the logarithm of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.

POTW (Publicly Owned Treatment Works) shall mean a treatment works including any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage and industrial waste, also known as the Authority or LAWPCA (Lewiston Auburn Water Pollution Control Authority).

Receiving waters shall mean any watercourse, river, pond, ditch, lake, aquifer or other body of surface or ground water receiving discharge of wastewater.

Public sewer shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

Sanitary sewer shall mean a pipe or conduit for carrying wastewater.

Shall is mandatory; *may* is permissive.

Spill shall mean the release, accidental or otherwise, of any material not normally released to the facilities or defined by law, which by virtue of its volume, concentration or physical or chemical characteristics creates a hazard to the facilities, their operation or their personnel. Such characteristics shall include, but are not limited to, volatile, explosive, toxic or otherwise unacceptable materials.

Storm drain shall mean a pipe or conduit for conveying rainwater, groundwater, subsurface water, condensate, cooling water or other similar discharge to a storm drain or combined sewer.

Suspended solids means solids that either float on the surface of, or are in suspension in, water, wastewater, or other liquids, and which are removable by laboratory filtering, and are referred to as non-filterable residue in the laboratory test prescribed in "Standard Methods" for the Examination of Water and Wastewater, as published by the American Public Health Association, American Water Works Association and Water Environment Federation.

Wastes shall mean substances in liquid, solid, or gaseous form that can be carried in water.

Wastewater shall mean the spent water of a community and may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and

PRIVATE STORMWATER ELIMINATION POLICY

institutions, together with any ground water, surface water, and storm water that may be present, whether treated or untreated. Ground water, surface water, and storm water should not be intentionally combined with domestic or industrial wastewater in the sanitary sewerage system, but may be present where combined sewers are in use or where there is infiltration.

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

4. ADMINISTRATION

- A. The Department will develop and administer an illicit inflow connection control program, including keeping the necessary records, which fulfills the requirements of the Department's Private Inflow Connection Policy (the "Policy").
- B. The Owner shall allow his/her property to be inspected for possible illicit storm inflow connections and shall follow the provisions of the Department's program and the Policy
- C. Both the Department and the Owner shall attempt to eliminate all illicit private inflow connections, as deemed necessary by the Department, consistent with the Policy.
- D. If State and Federal rules and regulations have been violated the City shall notify the appropriate agency to report the violations

5. RESPONSIBILITY

A. Department's Responsibility

- i. The Department's inspections for illicit inflow connections or potential illicit inflow connections shall be made during normal working hours unless otherwise arranged with the owner.
- ii. The Department will, after the initial inspection of plans or premises, inform the Owner by letter of any illicit connections, the method of making the correction, and the time allowed to correct the problem. Ordinarily, one hundred eighty (180) days will be allowed.
- iii. The Department will not allow any illicit inflow connections to remain after a separate municipal storm drain system is available for connection.
- iv. The Department shall inform the Owner by letter of failure to comply with the requirements of Paragraph 5.A, item ii. The Department will allow an additional thirty (30) days for the correction. If there is failure to comply within the 30 day period, the Department shall inform the Owner by letter and penalties will be assessed to the Owner's sewer bill.
- v. The City, where feasible, will install storm drain service laterals from the new storm main to the property line of each existing building at the time of construction of the new storm main. If no lateral is installed, the City shall reimburse the Owner up to \$500 and the Owner shall complete installation of a storm drain service lateral from the existing City storm main to the property line (the Owner shall own and maintain the new storm lateral from the building to the public storm main).
- vi. The City shall own, operate and maintain new storm drains within the City right-of-way or in an easement area only. The City shall not own, operate or maintain any storm laterals other than for catch basins, manholes and municipally owned buildings.

PRIVATE STORMWATER ELIMINATION POLICY

B. Owners Responsibility

- i. The Owner, after being informed by a letter from the Department, shall at his/her expense install and maintain a separate storm drain service from the Owner's building to the service lateral stub, if one exists. If a storm lateral does not exist, the Owner shall also install a new storm service lateral to the City storm main and the City shall contribute up to \$500 for installation of the lateral in accordance with Paragraph 5A.
- ii. The Owner shall correct any internal or external plumbing connections to separate the storm drain flow from the sewer flows. This shall include, but not be limited to, plumbing, foundation work, and excavation work to disconnect roof drains and sump pumps.
- iii. The Owner shall inform the Department of any proposed or modified storm inflow connections and any existing storm inflow connections which the Owner is aware of but has not been found by the Department.
- iv. After such installation, no person shall discharge or cause to be discharged any storm water, surface water, ground water, roof run-off, cooling water or unpolluted industrial waters into any sanitary sewer.
- v. No person shall make a connection of roof downspouts, exterior or interior foundation drains, cooling-water drains, storm water drains, sump pumps or any other sources of surface runoff or groundwater to a building sewer or building connection which in turn is connected, or intended to be connected, directly or indirectly, to a public sanitary sewer.
- vi. The Owner shall own and permanently maintain the storm drain service located from the Owner's property to the publicly owned storm drain.

6. PERMITS

Permits are required for the connection of private storm services being connected to the City storm drains. Permits will be issued by the Department according to Chapter 74 Section 43 of City Code. There is a fee for this permit to cover the cost of record keeping and inspection.

7. EXEMPTIONS

- A. Any building that does not have a public storm drain or watercourse to discharge water to may continue to divert storm water to a combined sewer system if approved by the Director, until such time as a City storm drain becomes available.
- B. All new construction or renovations shall have a separate storm service from the building wall to the property line for future connection to a City storm main as per City Code (Sec 74-55).

PRIVATE STORMWATER ELIMINATION POLICY

8. INCENTIVE

- A. As an incentive to separate private storm water from the sanitary sewer in a timely fashion, the City will pay Owners with illicit connections \$500 for each building that eliminates illicit connections, as approved by the Department.
- B. To be eligible to receive incentive monies, the Department must inspect the Owner's illicit inflow connections prior to completion of any work.
- C. To receive the incentive monies, the Department must inspect the Owner's completed separation work.
- D. All work shall be in compliance with Building & Plumbing Codes and City, State and Federal regulations to be considered complete and eligible for incentive monies.
- E. Correction of illicit storm connections to sewers shall be completed by the Owner in accordance with the schedule described in Paragraph 5A in order to be eligible for incentive monies.
- F. The City will pay incentive monies only after the Department has inspected the Owner's property and deems the Owners property meets all requirements.
- G. The City has up to ninety (90) days to consider whether the Owner's property complies with all rules and regulations and is eligible for incentive monies and pay the incentive monies.
- H. Incentive monies will be paid to the Owner in the amount of \$500 within sixty (60) days of approving eligibility for incentive monies.
- I. The need to separate a private storm inflow from combined sewer service will be determined by the Director and be based upon the Clean Water Act Master Plan and separation schedule approved by Maine DEP and the US EPA.
- J. As an additional incentive, the Department may provide the reimbursement of up to \$500.000, pursuant to Section 5(A)(v) and Section 7(B) above.

9. PENALTY

Any person or industrial user who has violated or continues to violate this policy or any order or permit issued hereunder, shall be liable to the city for a civil penalty as provided in Section 1-8 of the Code of Ordinances upon petition, citation or complaint of the Director of Public Works. Every separate provision violated shall constitute a separate violation. Every day that a violation occurs shall be deemed a separate violation.

10. PERIODIC TESTING & INSPECTION

The Department will, as part of the City's NPDES Discharge permit, test and inspect public storm and sewer systems for illicit connections. If illicit connects are found as part of this inspection program, this policy and other applicable City codes and policies shall be followed to notify and correct the violations. If State and Federal rules or regulations have been violated, the City shall notify the appropriate agency to report the violations.