



**BUREAU OF PUBLIC WORKS
REGULAR MEETING
MONDAY, NOVEMBER 14, 2022
4:00 PM**

Location

Board Room
District Headquarters
555 Main Street, Hartford

Dial in #: (415)-655-0001
Access Code: 43808661#
[Meeting Video Link](#)

Commissioners

Adil	Lester
Avedisian	Magnan
Bush	Pane
Currey	Patel
DiBella (Ex-Officio)	Taylor
Drake	Torres
Healy	Vicino (C)
Hoffman (VC)	Woulfe

Quorum: 8

1. CALL TO ORDER
2. PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS
3. APPROVAL OF MEETING MINUTES OF AUGUST 22, 2022
4. CONSIDERATION AND POTENTIAL ACTION RE: 2023 DISTRICT SEWER USER CHARGE RATES AND OTHER SEWER CHARGES
5. CONSIDERATION AND POTENTIAL ACTION RE: SEWER ORDINANCE REVISIONS
6. OPPORTUNITY FOR GENERAL PUBLIC COMMENTS
7. COMMISSIONER COMMENTS & QUESTIONS
8. ADJOURNMENT

FISCAL YEAR 2023 - REVISIONS TO DISTRICT SEWER USER CHARGE RATES AND OTHER SEWER CHARGES

To: Bureau of Public Works for consideration on November 14, 2022

In accordance with Section S12j of the District's Ordinances, sewer use unit charge rates shall be determined annually in conjunction with adoption of the District Budget. The 2023 budget in support of sewer operations calls for a sewer user charge rate to remain unchanged at \$5.90 per ccf or 0.0% change effective January 1, 2023.

Additionally, in support of the 2023 budget and in accordance with Section S12l of the District's Ordinances, the monthly sewer customer service charge per connection will remain at \$9.00 or 0.0% change effective January 1, 2023.

There will be an Administrative Review Fee for work performed by the Utility Services department, Engineering, Real Estate, Environment, Health & Safety, and others related to customer requests. The Administrative Review Fee includes, but is not limited to, the following individual services: availability and capacity analysis, assessment calculation, permit applications for non-domestic sewage wastewater discharges (including, but not limited to, individual permits, Significant Industrial Users, Categorical Industrial User Wastewater to a POTW, Food Service Establishment Wastewater, Groundwater Remediation Wastewater, Miscellaneous Discharges of Sewer Compatible (MISC) Wastewater, Vehicle Maintenance Wastewater), encroachment permits, abandonment of infrastructure, Engineering/Environmental surveys and documentation requests; this fee will be \$600.

The Annual Wastewater Discharge Compliance Fee of \$150 for all permitted wastewater discharges categorized as non-domestic sewage discharges, including but limited to, individual permits, Significant Industrial Users, Categorical Industrial User Wastewater to a POTW, Food Service Establishment Wastewater, Groundwater Remediation Wastewater, Miscellaneous Discharges of Sewer Compatible (MISC) Wastewater, Vehicle Maintenance Wastewater will be split into 12 monthly increments at a billing rate of \$12.50. The charge is related to costs associated with annual administration and review of discharge monitoring reports, verification of discharges and inventorying and management of customer data.

Following the cost trend for the sewer user charge rate, it is recommended the BOD and COD rates remain unchanged at \$0.70 per pound or effective January 1, 2023. In addition, the suspended solids strength charge will also remain unchanged at \$0.58 per pound effective January 1, 2023. These unit charges, which apply to high flow users, low flow/high strength users and non-municipal tax-exempt users, are for the following:

Liquid flow charge rate based on sewer flow in hundreds of cubic feet (CCF).

1. BOD (biochemical oxygen demand) strength charge rate based on pounds of BOD for the concentration of BOD exceeding 300 milligrams per liter (mg/l); AND/OR

COD (chemical oxygen demand) strength charge rate based on pounds of COD for that concentration of COD exceeding 700 mg/l.

2. Suspended solids strength charge rate based on pounds of suspended solids for that concentration exceeding 300 mg/l.

In accordance with Section S12p of the District’s Ordinances, sewer user charge Late Filing/Sewage Evaluation Fees will remain at \$250.00 for the 2023 budget.

Additionally, Section S12x of the District’s Ordinances provides for the Special Sewer Service Charge (a.k.a. Clean Water Project Charge), primarily for payment of principal and interest on certain bonds and loans which proceeds are used to finance the costs associated with the Clean Water Project and going forward, the Integrated Plan. The Special Sewer Service Charge is set annually in conjunction with adoption of the District Budget. Effective January 1, 2023, said charge shall be \$4.25 per hundred cubic feet (ccf) to be uniformly applied and to be proportional to the quantity of water used by District customers who utilize the District sewer system and are furnished water directly by the Metropolitan District. The Special Sewer Service Charge shall appear separately on the water bills of the District.

Liquid Waste Discharge Fee (other than Acceptable Septage): A fee is required as part of the approval from MDC for its acceptance, by whatever means, of the discharge of liquid waste other than Acceptable Septage, as provided by §S13b of the District’s Sewer Ordinances. For example, but without limiting the forms of liquid waste subject to this fee, this fee shall apply to the following without limitation: groundwater; remediated groundwater; contaminated stormwater; contaminated groundwater permitted through a CT DEEP Groundwater Remediation General Permit or other CT DEEP Miscellaneous General or Individual Permit; landfill leachate; process equipment condensate; groundwater used for process water including cooling water; discharges granted temporary authorization to discharge by CT DEEP; and stormwater discharged into a separated sanitary sewer system.

Liquid Waste Discharge Fee (other than Acceptable Septage): **FOR EXISTING CUSTOMERS AS OF 12/31/22**

Tier 1--	0-500,000 avg. gallons per month	\$0.13/gal
Tier 2--	500,001 to 700,000 avg. gallons per month	\$0.07/gal
Tier 3--	700,000+ avg. gallons per month	\$0.05/gal

FOG Charges: Fees are charged to Class III and IV and FDA class 2, 3, and 4 Food Service Establishments FSE or any other facility that is likely to discharge fats, oils and grease above the effluent limit of 100 mg/l to offset the costs of managing the Fats, Oils and Grease (FOG) program. This program is required by the CT Department of Energy and Environmental Protection General Permit for the Discharge of Wastewater Associated with Food Service Establishments.

It is **RECOMMENDED** that it be

Voted: That the Bureau of Public Works recommends to the District Board passage of the following resolution:

Resolved: That, in accordance with Section S12j of the District Ordinances, Unit Charges For Computing The Sewer User Charge, a sewer user charge rate of five dollars and ninety cents (\$5.90) per hundred cubic feet of sewer flow be effective for meter readings on and after January 1, 2023 and that, effective January 1, 2023, a sewer user customer service charge per connection of nine dollars (\$9.00) per month, a BOD strength charge of seventy cents (\$0.70) per pound be billed on sewer flow for that concentration of BOD exceeding 300 milligrams per liter; a COD strength charge of seventy cents (\$0.70) per pound be billed on sewer flow for that concentration of COD exceeding 700 milligrams per liter; and a suspended solids strength charge of fifty eight cents (\$0.58) per pound be billed on sewer flow for that concentration of suspended solids exceeding 300 milligrams per liter.

Further

Resolved: In accordance with Section S12x of the District’s Ordinances, the rate for the Special Sewer Service Charge a.k.a. Clean Water Project Charge shall be \$4.25 per ccf commencing January 1, 2023.

Further

Resolved: That the District Board approve the following schedule of fees effective January 1, 2023.

	<u>CURRENT</u>	<u>PROPOSED</u>
Installation, Repair or Replacement of Sewer Meters		
<i>Fees are charged to wastewater dischargers that require metering of discharges for billing purposes. The charge is for the initial District meter installation and required repair or replacement of District meter as needed during the permitted discharge period.</i>		
5/8" meter	\$360	\$360
3/4" meter	\$375	\$375
1" meter	\$445	\$445
1-1/2" meter	\$1,140	\$1,140
2" meter	\$1,250	\$1,250
3" meter	\$2,630	\$2,630
4" meter	\$3,180	\$3,180
6" meter	\$4,960	\$4,960
8" meter	\$14,840	\$14,840
10" meter	\$17,110	\$17,110
12" meter	\$17,800	\$17,800
Meter Box (5/8" to 1")	\$1,750	\$1,750
Meter Pit (1 1/2" and larger)	Actual Cost* + Overhead	Actual Cost* + Overhead

* The charge will be the District’s cost of material, labor and equipment used, plus overhead at prevailing rates. In circumstances where this procedure for charging a customer would significantly delay the final billing, the District will use an appropriate estimate of its cost.

	<u>CURRENT</u>	<u>PROPOSED</u>
Open Channel Sewer	\$15,300	\$15,300
Meter Chamber for Open Channel	Actual Cost* + overhead	Actual Cost* + overhead
Radio transmitter unit	\$200	\$200
Liquid Waste Discharge Fee (other than Acceptable Septage) FOR EXISTING CUSTOMERS AS OF 12/31/22		
Tier 1-- 0-500,000 avg. gallons per month	\$0.13/gal	\$0.13/gal
Tier 2-- 500,001 to 700,000 avg gallons per month	\$0.07	\$0.07
Tier 3-- 700,000+ avg gallons per month	\$0.05	\$0.05
Sewer User Charge Late Filing/Sewage Evaluation Fees	\$250	\$250
Administrative Review for Sewer Services Fee	\$540	\$600
<i>Includes, but is not limited to, the following individual services: availability and capacity analysis, assessment calculation, permit applications for non-domestic sewage wastewater discharges (individual permits, Significant Industrial Users, Categorical Industrial User Wastewater to a POTW, Food Service Establishment Wastewater, Groundwater Remediation Wastewater, Miscellaneous Discharges of Sewer Compatible (MISC) Wastewater, Vehicle Maintenance Wastewater), encroachment permits, abandonment of infrastructure, Engineering/Environmental surveys and documentation requests</i>		
Annual Wastewater Discharge Compliance Fee	\$150	\$150
<i>For all permitted wastewater discharges categorized as non-domestic sewage discharges, including but not limited to, individual permits, Significant Industrial Users, Categorical Industrial User Wastewater to a POTW, Food Service Establishment Wastewater, Groundwater Remediation Wastewater, Miscellaneous Discharges of Sewer Compatible (MISC) Wastewater, Vehicle Maintenance Wastewater. The charge is related costs associated with annual administration and review of discharge monitoring reports, verification of discharges and inventorying and management of customer data. The fee will be billed on a monthly basis at \$12.50/month.</i>		

	<u>CURRENT</u>	<u>PROPOSED</u>
Private Sewer Cleaning <i>Including appurtenances such as catch basins</i>		Actual Cost* + Overhead
Publicly Owned Catch Basin Cleaning <i>Rate applies to MDC owned catch basins in Hartford with >50% full sumps at time of cleaning</i>		\$157.89 per catch basin
Wastewater Discharge Compliance Fees		
Failure to submit Registration or Variance Applications	\$500	\$500
Disallow Inspection	\$225	\$225
Failure to maintain discharge records including analytical results and discharge volumes	\$200	\$200
No FOG management or pre-treatment equipment installed	\$200	\$200
Non-compliant FOG management or pre-treatment equipment installed	\$200	\$200
Failure to properly maintain/service FOG and pre-treatment equipment to maintain proper working order and provide inspection and maintenance records as required.	\$100	\$100
Failure to maintain FOG management equipment in proper working order	\$200	\$200
Failure to clean FOG management equipment quarterly or when 25% of the depth of the trap is filled with food solids and FOG, whichever comes first.		
Failure to properly dispose of brown and/or yellow grease	\$200	\$200
Source of sewer blockage	\$1,000	\$1,000
Source of sanitary sewer overflow - Actual costs will be billed to the facility for time and materials related to the overflow	minimum \$1,000 or Actual Cost whichever is greater	minimum \$1,000 or Actual Cost whichever is greater

* The charge will be the District's cost of material, labor and equipment used, plus overhead at prevailing rates. In circumstances where this procedure for charging a customer would significantly delay the final billing, the District will use an appropriate estimate of its cost.

Wastewater Discharge Violation Correction Schedule

Discharge and/or Equipment not registered	7 days	7 days
No FOG management or pre-treatment equipment installed	30 days	30 days
FOG management equipment in need of repair or cleaning	7 days	7 days
Failure to maintain written records of FOG management equipment cleaning and inspection	7 days	7 days
Disallow an inspection – Inspection must be scheduled within 7 days of initial inspection attempt	7 days	7 days
Failure to clean and maintain FOG management equipment as required	7 days	7 days
Source of sewer blockage	24 Hours	24 Hours
Source of sanitary sewer overflow (minimum)	24 Hours	24 Hours

Respectfully submitted,



Scott W. Jellison
Chief Executive Officer

FISCAL YEAR 2023 - REVISIONS TO DISTRICT SEWER USER CHARGE RATES AND OTHER SEWER CHARGES

To: Bureau of Public Works for consideration on November 14, 2022

It is **RECOMMENDED** that it be

Voted: That the Bureau of Public Works approves the following resolution:

Resolved: That following the public hearing held on November 7, 2022, the Bureau of Public Works recommends to the District Board, through the Committee on MDC Government, approval of the following "REVISIONS TO SEWER ORDINANCES" by the enactment of said proposed ordinances. (Additions are indicated in red and deletions by strikethrough).

REVISIONS TO SEWER ORDINANCES

SEC. S1b DEFINITIONS

(NEW) (22) "Inflow" shall mean water other than wastewater that enters a sewer system (including sewer service connections) from direct and indirect sources such as, but not limited to, roof leaders, cellar drains, yard drains, area drains, drains from springs and swampy areas, cross connections between storm sewers and sanitary sewers, catch basins, cooling towers, storm waters, surface runoff, street wash waters, drainage, or clean water from local, state and federal regulated Industrial Users and stormwater dischargers permitted to discharge to public water course.

SEC. S2j ENTRY FOR INSPECTION

The Manager or Chief Engineer, or any authorized representative of either of them, shall have the right to enter and inspect any part of any premises served by the public sewers and drains of said District upon which there may be reason to believe that violations of the requirements of this ordinance have occurred or are likely to occur, for the purpose of ascertaining facts as to such violation or suspected violation, or of obtaining samples of wastes, substances or waters being discharged into sewers or drains, or of inspecting devices provided to exclude such prohibited discharges or otherwise treat or control the waste, substances or waters being discharged. The District Board may establish and revise fees for said inspection activities, registrations and violations.

SEC. S2k SUBMISSION OF PLANS FOR SAMPLING WELLS AND OTHER DEVICES

To facilitate compliance with the requirements of this section, the Manager or Chief Engineer of the Bureau of Public Works may require that the owner or party applying for a permit to install a new connection to any sewer or drain, or to alter or extend an existing house connection shall, in any case where a sampling well, oil or grease trap or separator, diluting device, storm water management device or control measure, or similar appurtenance is or may be required, furnish to said Manager or Chief Engineer as part of the application for said permit a plan or satisfactory description, or both, of the device (of whatever kind) which it is proposed to provide in accordance with the requirements of this section and description of the proposed operation thereof. Said plan, description, or both, shall become part of said application and the installation of the device in accordance therewith shall be a condition attached to the granting of said permit.

The issuance of any permit by the District does not constitute any express or implied warranty, guarantee or representation that any such devices or control measures will perform satisfactorily; or prevent flooding, surcharges, or backups within a property or nearby properties. Storm water management devices shall be furnished and maintained in accordance with any applicable local municipal, state and federal requirements. The local municipal agencies shall govern the monitoring and maintenance of storm water management devices and enforcing compliance by the Owner of said premises with applicable regulations.

No permit will be issued until all local municipal, state and federal requirements and approvals are satisfied.

SEC. S2n USE OF STORM DRAINS

Storm water drains, also referred to as storm drains, storm sewers, conduits or similar terms, are in general intended to be used for conveying surface and storm waters from streets, yards and other ground surfaces, from roofs and other places. They may also be used for conveying subsoil drainage waters, the flow of natural springs, ground water, surplus from flowing wells, clean cooling water as defined in Section S1b(5) of this ordinance, and, subject to approval by the Manager, inoffensive industrial wastes. Such discharges are subject to any applicable fees as established and revised by the District Board

New or modified connections to drains shall not adversely affect the capacity, or operation, of the District's storm water system nor increase the frequency of flooding, surcharges or backups. When diversion of storm or surface waters to a storm drain cannot be made to avoid damage or injury to said property and its occupants and to others, the owners of said property shall install public storm drains in accordance with applicable regulations without expense or cost to the District. The District will not take ownership of said new public storm drains.

SEC. S2p USE OF AUXILIARY OR RELIEF DRAINS

When and/or where, because an existing combined sewer was not adequate to carry the storm water runoff from its tributary area, an auxiliary storm drain or overflow sewer has been built to divert storm water from the combined sewer or to dispose of the excess flow in a combined sewer and such auxiliary storm drain or overflow sewer is conveniently located with respect to any piece of property, the Manager of the Bureau of Public Works may, if he deems it to be in the public interest to do so, require that when a new building is erected upon said property adjacent to said auxiliary drain or overflow sewer or when an existing building is extensively remodeled in whole or in part, the storm or roof and other clean or unpolluted waste waters from said building or parts thereof shall be kept separate from the sanitary and other wastes from such building and that the storm, roof and surface water from said building shall be discharged into the said storm drain or overflow sewer, and that other wastes shall be discharged into the combined sewer, all of which shall be done irrespective of any rights to use the combined sewer which the owners of said property may have had prior to the construction of the auxiliary storm drain or overflow sewer. Such diversion of storm or roof waters to the auxiliary storm drain or overflow sewer shall be made to avoid damage or injury to said property and its occupants and to others by the discharge of storm water into the existing combined sewer in excess of the capacity of such combined sewer to safely carry away the quantities of water which might otherwise be discharged into it, and said diversion shall be made, without compensation for the cost thereof, by the owners of the property in question. When such diversion of storm or roof waters to auxiliary storm drain or overflow sewer cannot be made to avoid damage or injury to said property and its occupants and to others, the owners of said property shall install public storm drains in accordance with applicable regulations without expense or cost to the District. The District will not take ownership of said new public storm drains.

SEC. S2s STATE OF CT GENERAL PERMIT FOR DISCHARGES FROM MISCELLANEOUS INDUSTRIAL USERS

No person or property owner shall discharge or permit to be discharged, directly or indirectly, from any premises under his/her control into any public sewer of any kind or type, any new discharge of miscellaneous sewer compatible wastewater subject to the State of Connecticut Department of Energy & Environmental Protection's ("CT DEEP") General Permit for Discharges from Miscellaneous Industrial Users ("MIU General Permit") without first submitting the required notification form under the MIU General Permit to the District. All notification form submittals to the District under the MIU General Permit shall include an administrative review fee as established, and amended or modified, by the District Board. No variances shall be granted by the District to any discharger under the MIU General Permit unless the discharger has taken actions to achieve compliance and has implemented best management practices that are determined to be appropriate by the District. For any person or property owner requesting a variance, under the CT DEEP Significant Industrial User (SIU) General Permit and/or other applicable state permit(s) they shall provide information to the District as to why the discharger is unable to comply with the conditions of the permit and the best management practices that have been implemented. The District retains the right to deny any variance request. The District Board may establish and revise fees for said inspection activities, registrations, variances and violations.

SEC. S2t REQUIRED WASTEWATER DISCHARGE PERMIT(S)

No person or property owner shall discharge any new sources of non-domestic wastewater conveyed to the District Water Pollution Control facilities through its sanitary sewerage system or by any means other than its sanitary sewage system unless the generator of such wastewater; (a) is authorized by a permit issued by the CT DEEP under Section 22a-430 CGS (individual permit), or, (b) is authorized under Section 22a-430b (general permit), or, (c) has been issued an emergency or temporary authorization. All permits must also be approved by MDC. The District Board may establish and revise fees for said inspection activities, registrations, variances and violations.

SEC. S2w NEW OR MODIFIED STORM WATER (INFLOW) CONNECTIONS (NEW)

- (1) No new inflow sources or discharges shall be permitted to connect to a combined sewer or storm sewer tributary to a combined sewer. Any property to be (re)developed which may alter the manner, volume or rate of storm water discharge or inflow to the District's sewer system must submit a permit application to the District's Utility Services Department. Modified storm water and inflow connections to combined or storm sewers may be permitted only after a determination by the District that sufficient capacity is available within the combined or separated storm sewer system. The District Board may establish and revise fees for said permit required by this ordinance.
- (2) The District may require the applicant to submit design and analysis by a licensed professional engineer including direct and indirect peak discharge rates and total runoff volumes from proposed connections. The direct and indirect peak discharge rates and total runoff volumes shall not exceed pre-development conditions, nor downstream sewer system capacity design, for 24-hour storms with average recurrence intervals of 1, 2, 10, 25, and 100 years. If the Applicant or District determine that the discharge rates and volume standards are not achievable, the Applicant may, in consultation with the District, perform a comprehensive hydraulic analysis of the catchment area to assess the effects that the increased discharge rates will have on the existing pipe network including an evaluation of potential pipe surcharging and localized flooding upstream and downstream of the connection. The District will not approve new or modified discharges that increase the potential for pipe surcharging or street flooding. No permit will be issued until all local municipal, state and federal requirements

and approvals are satisfied.

- (3) If a storm sewer is tributary to infrastructure or facilities owned by others, such as the City of Hartford Flood Control Commission or the Connecticut Department of Transportation, the Applicant must first seek written permission from the other entity for the increased discharge that the separate entity will ultimately receive.
- (4) The District may also consider, on a case-by-case basis and in consultation with the affected municipality, allowing increased flows in the post-development condition if it can be shown that the municipality has, per requirements of its MS4 permit, achieved and documented an equivalent reduction in discharge to the District's sewers or drains within the same drainage district as a result of the disconnection of Directly Connected Impervious Areas (DCIA). The new or modified connection shall not exacerbate combined sewer overflows (CSOs) or street flooding, regardless of any offsetting reductions at other locations.

SEC. S3s MAINTENANCE OF SEWER CONNECTIONS

All sewer house connections on private property shall be maintained by, and at the expense of, the property owner, subject to Section S3i. When a sewer house connection is in need of replacement or lining, or for a new house connection to the District's sewer, the property owner may at his or her election, request to participate in the District's sewer installation program as established by the Bureau of Public Works, as may be modified or amended from time to time. The sewer installation program provides property owners with the ability to pay for house connection replacement, lining or installation over time as part of their monthly water bill.

For a privately-owned storm sewer or drain, a property owner may request for the District to clean and/or maintain the sewer and its appurtenances such as catch basins. The District Board may establish and revise fees for said cleaning or maintenance of privately-owned sewers or drains. As to publicly-owned catch basins, to the extent the District is compelled to clean and/or maintain such catch basins more frequently than otherwise required in any local, state or federal permit as a result of a public entities failure to comply with its obligations under its Municipal Separate Storm Sewer System Permit (MS4 Permit), the District may establish and revise a per catch basin fee for each cleaning/maintenance activity beyond that required in its permit.

SEC. S8a AGREEMENTS WITH DEVELOPERS AUTHORIZED

The Bureau of Public Works is authorized to empower the District Clerk or designee to enter into agreements on behalf of The Metropolitan District with developers, contractors or other owners of land for the construction of sewers or drains by and at the expense of such developers, contractors or owners, which sewers may become part of the public sewer system under the conditions hereinafter stipulated, and the said Bureau is empowered to make, from time to time, any necessary regulations stipulating the terms and conditions of said agreements not inconsistent with the provisions of this ordinance.

Effective January 1, 2023, a storm sewer or drain constructed by developers, contractors or owners of land may be connected to the District's system only if there is sufficient capacity in the District's downstream system but the District will not take ownership over said sewer(s) or drain(s). Said sewer(s) or drain(s) shall remain the property of the developers, contractors, owners, or other entity; or ownership may be transferred to the municipality in which it is located. When an existing District storm sewer or drain is available to a property but said sewer lacks sufficient capacity to serve the property; a developer, contractor or owner may,

at its own cost, enlarge the existing District storm sewer or drain under a developer's agreement and the District will retain ownership of such enlarged storm sewer or drain.

The Chairman or Vice Chairman of the Bureau of Public Works is authorized to sign all such agreements on behalf of the District. The Chairman of the Bureau of Public Works may, at his or her discretion, authorize the District Clerk to sign all such agreements on behalf of the District. The terms and the text of a standard form of agreement for work under this ordinance or any variations of said standard form to apply to any particular project thereunder shall be as approved by the District Counsel. In cases where, in staff's opinion, special circumstances are involved, the Administration must bring the matter to the Bureau of Public Works for approval.

SEC. S12x SPECIAL SEWER SERVICE CHARGE FOR ~~CAPTIAL~~ CAPITAL IMPROVEMENTS TO THE SEWERAGE SYSTEM

~~a.)~~ (1) For customers of The Metropolitan District who utilize the District sewer system and are furnished water directly by The Metropolitan District there shall be a special sewer service charge at rates established annually through the budget approval process as set forth in Chapter 3 of the Charter of The Metropolitan District. Except as provided in subsection S12x(b), and S12x(c), and S12(d) said rates shall be uniformly applied to, and be proportional to the quantity of water used by, the affected customers.

~~b.)~~ (2) Notwithstanding the foregoing, The Metropolitan District may, through its annual budget, allow for a reduction in the special sewer service charge otherwise payable by owners of commercial or industrial properties in the event said properties, and the commercial or industrial operations located thereon, are serviced, in whole or in part, by an on-site wastewater collection, treatment, and disposal system that does not discharge into the sanitary sewage system of The Metropolitan District. The amount of said reduction shall be based upon the sewer usage metered and reported pursuant to Section S12e and determined by the Board of Commissioners of The Metropolitan District during its annual budget approval process for any ensuing year.

~~c.)~~ (3) Customers subject to the provisions of this Section 12x, other than customers subject to Subsection S12x(b) above, shall be subject to the special sewer service charge as follows: 1) for the first 24,060 hundred cubic feet of water consumed from a single water meter per month, the special sewer service charge shall be assessed at the rate established by The Metropolitan District against each one hundred cubic feet of water consumed; and 2) for all water consumed in excess of 24,060 hundred cubic feet per month from a single water meter, the special sewer service charge shall be assessed at such rate against each one hundred cubic feet of sewer flow generated by the water used in excess of 24,060 hundred cubic feet per month metered at a location approved by the Metropolitan District. This excess sewer flow shall be calculated via the proportion of sewage discharged to water consumed for the month, with this proportion applied to the volume of water consumed in excess of 24,060 hundred cubic feet per month and billed pursuant to Section S12f. The special sewer service charge assessed pursuant to this subsection shall be billed monthly.

~~d.)~~ (4) The proceeds from the special sewer service charge, as aforesaid, shall be used exclusively for capital costs associated with any and all measures necessary to comply with: (a) a certain consent decree executed by and between The Metropolitan District and the United States Environmental Protection Agency in a case filed on August 15, 2006 in the United States District court for the District of Connecticut captioned United States of America and State of Connecticut vs. The Metropolitan District of Hartford, Connecticut; (b) and a certain consent order (Consent Order No. 5434) executed by and between The Metropolitan District and the State of Connecticut on or about November 6, 2006 relating to the reduction of combined sewer overflows; (c) the reduction of nitrogen discharged from District Wastewater Treatment Facilities as required by State of Connecticut Department of Environmental Protection Nitrogen General Permit issued ~~December 21, 2005~~ October 5, 2018; and (d) a certain

consent order (Consent Order No. COWRMU22002) executed by and between The Metropolitan District and the State of Connecticut relating to the implementation of an integrated planning concept dated September 12, 2022, as such decree and orders may be amended from time to time, and specifically for payment of capital expenditures in connection with compliance with the decree or orders, or payment of debt service on indebtedness of The District incurred for purposes of funding expenditures in connection with compliance with such decree and orders. For this purpose “indebtedness” shall mean bonds, notes and other loans and obligations, including, without limitation, State of Connecticut Clean Water Fund loans, and “Debt service” shall mean: (i) any obligation that would constitute “debt service” if incurred with respect to bonds issued under the special obligation indenture of trust, dated June 1, 2013, between The District and U.S. Bank National Association, as trustee, as amended and supplemented from time to time, as the term “debt service” is used in such indenture, whether or not such obligation is incurred with respect to indebtedness under such indenture; and (ii) any obligation of The Metropolitan District incurred in furtherance of compliance with Consent Order No. COWRMU22002, including, but not limited to, any indebtedness incurred or capital expenditures made pursuant to Public Act No. 15-114.

(e) (5) The special sewer service charge shall appear separately on the water bills of the District and shall be due and payable at the same time as the water bills are due and payable. Collection and payment of such charge shall be subject to and in accordance with sections S12m, S12n, and S12o of this part.

Respectfully submitted,



Scott W. Jellison
Chief Executive Officer