

THE McCANDLESS TOWNSHIP SANITARY AUTHORITY
SEWER SYSTEM RULES AND REGULATIONS

ADOPTED BY MTSA BOARD OF DIRECTORS ON AUGUST 6th, 1992

REVISED AND CURRENT AS OF 2011

This document may be purchased at the Authority's Main Office:

**McCandless Township Sanitary
Authority
418 Arcadia Dr.
Pittsburgh, PA 15237-5506**

THE MCCANDLESS TOWNSHIP SANITARY AUTHORITY
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COMPILED RESOLUTIONS ADOPTING REVISIONS TO MTSA RULES AND REGULATIONS

ARTICLE 0 INTRODUCTION

- Section 001. The Board of The McCandless Township Sanitary Authority has duly adopted the following Rules and Regulations governing the furnishing of sewage service.
- Section 002. The McCandless Township Sanitary Authority, a body corporate and politic, existing under the laws of the Commonwealth of Pennsylvania, pursuant to the Municipal Authorities Act of 1945, approved May 2, 1945, P.L. 382, as amended, was duly organized by The Town of McCandless, County of Allegheny, Pennsylvania, on December 30, 1955 pursuant to the Municipality Authorities Act of 1935, approved June 28, 1935, P.L. 463 as amended.
- Section 003. The Authority is authorized by law to acquire, hold, construct, improve, maintain, and operate sewerage systems and facilities.
- Section 004. These Rules and Regulations shall govern and control the furnishings of sewage services, and shall be a part of each application for service and be a part of each contract with each person, Sewage Agency, any political subdivision, and such other parties; and every such person, Sewage Agency, political subdivision, and such other parties agree to be bound by these Rules and Regulations and applicable Schedule of Rates.
- Section 005. No workman, owner, or tenant, or other person shall interfere with the Authority's property, or do work on service line connections, service line extensions, building sewers and such other facilities, except in accordance with requirements herein set forth.
- Section 006. No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is part of the municipal sewage works, including but not limited to manholes, valves, lampholes, fence, etc.
- Section 007. Any person damaging any installation of the Authority, shall be required to pay the full cost of repairing, replacing and/or restoring the same.

- Section 008. Any person found to be violating any provision of these Rules and Regulations shall be served by the Authority 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.
- Section 009. Any person violating any of the provisions of these Rules and Regulations shall become liable to the Authority for any expense, loss or damage occasioned the Authority by reason of such violation.
- Section 010. No agent or employee of the Authority shall have the power to bind the Authority by any promise, agreement or representation not provided for in these rules without the approval of the Board of the Authority.
- Section 011. All notices relating to the Authority or its business shall be deemed to have been properly served if left upon the premises of the customer or, if mailed to the customer, directed to him at his address as shown on the records of the Authority. All notes of public advertisement for receipt of bids, adoption of budget and acceptance of audit shall be placed in all official newspaper publications having general circulation throughout the Authority's service area.
- Section 012. All notices of general character, affecting or likely to affect a large number of customers, shall be deemed to have been properly given or served if advertised in the newspaper designated by the Authority.
- Section 013. Nothing in these Rules, nor any contract, nor representation, verbal or written, of the Authority or any of its employees shall be taken or construed in any manner to be or constitute a guarantee to furnish service through any building connections, or to provide unreasonable sewer capacities or facilities, whether for domestic, commercial, industrial, manufacturing or other general uses, or for any other special purposes; but the Authority will, at all times and under all conditions, endeavor to maintain the efficiency of its service.
- Section 014. The Authority reserves the right to restrict the use of sewers as to capacity and character of sewage.
- Section 015. No sewers shall be extended from or connected to the sewers of the Authority unless the work is or was done in accordance with these Rules and Regulations and standards equal to or higher than those of the Authority.

ARTICLE I DEFINITIONS

Unless the context specifically indicates otherwise, the following words and terms used in these Rules and Regulations shall have the following meanings:

- Section 101. Act or "the Act". The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et. seq.
- Section 102. Approval Authority. The Administrator of the U.S. EPA Region III office until such time that the State's pretreatment program is approved, when the Secretary of the Pennsylvania DEP will become the Approval Authority.
- Section 103. Authority. The word "Authority", whenever the same appears herein, shall mean The McCandless Township Sanitary Authority, a body corporate and politic, organized and existing under the laws of the Commonwealth of Pennsylvania.
- Section 104. Authorized Representative of Industrial User. An authorized representative of an industrial user may be: (A) A principal executive officer of at least the level of vice-president, if the industrial user is a corporation; (B) A general partner or proprietor if the industrial user is a partnership or proprietorship, respectively; (C) A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates whose authority has been confirmed in writing to the Authority.
- Section 105. Board or "the Board" shall mean the members of the Board of The McCandless Township Sanitary Authority, as now or hereafter constituted, and its duly authorized agents or representatives.
- Section 106. Biochemical Oxygen Demand (BOD). The term "BOD" denoting biochemical oxygen demand, as used herein, shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees Centigrade expressed in milligrams per liter (mg/L). It shall be determined by one of the acceptable methods described in the current edition of "Standard Methods for the Examination of Water and Wastewater".
- Section 107. Categorical Standards. National Categorical Pretreatment Standards or Pretreatment Standard.

- Section 108. Combined Sewer shall mean a sewer designated to receive both sanitary sewage and storm water runoff, which has been approved for such purposes.
- Section 109. Cooling Water (Non-contact Cooling Water). The water used for any air conditioning, cooling, or refrigeration purposes which does not come into direct contact with any raw material, intermediate product, waste product or finished product.
- Section 110. Current Edition of Standard Methods for the Examination of Water and Wastewater published by the American Public Health Association shall mean the latest edition published and current at the time the determination of any analysis required is to be made.
- Section 111. Customer. The word "Customer", as used in these Rules & Regulations, shall mean the owner or tenant, as hereinafter defined, which is furnished sewage service by the Authority and is responsible for payment of sewage service provided by the Authority.
- Section 112. Department of Environmental Protection (DEP) shall mean the Pennsylvania Department of Environmental Protection or its successor agency or where appropriate, the term may also be used as a designation for the Secretary or other duly authorized official of said agency.
- Section 113. Direct Discharge. The discharge of treated or untreated wastewater directly to the waters of the Commonwealth of Pennsylvania.
- Section 114. Environmental Protection Agency (EPA) shall mean the U.S. Environmental Protection Agency or its successor agency or where appropriate, the term may also be used as a designation for the Administrator or other duly authorized official of said agency.
- Section 115. Equivalent Domestic Unit (EDU) shall mean the following: An Equivalent Domestic Unit (EDU) with regard to Residential Customers shall be defined as any room, group of rooms or enclosure, occupied or intended for occupancy as separate living quarters for a family or other group of persons living together or by persons living alone.

An Equivalent Domestic Unit (EDU) with regard to Industrial Customers shall be defined as each 73,669 gallons or less of water used per year, at any industrial establishment.

An Equivalent Domestic Unit (EDU) with regard to Commercial Customers shall be defined as any office, store, shop, restaurant, club, tavern, barber or beauty shop, service station, funeral home, or other similar commercial establishment selling a product or rendering a service,

or any religious or fraternal or governmental establishment. In the case of motels, hotels, **hospitals, personal care homes, dormitories or other institutional facilities** and schools, an EDU shall be defined as each 73,669 gallons or less of water used per year therein. Each Commercial EDU, even though in a building or complex of buildings, shall be considered to be a separate EDU even though it may be located in the same building with a residential unit or units or other commercial units.

- Section 116. Expansion shall mean an increase in hydraulic capacity.
- Section 117. Federal shall mean the United States of America.
- Section 118. Federal Categorical Pretreatment Standard or Federal Pretreatment Standard. Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307 (b) and (c) of the Act (33 U.S.C. 1347) which applies to a specific category of industrial users.
- Section 119. FOG. refers to Fats, Oil, and Greases that are derived from animal, vegetable or mineral sources.
- Section 120. FSE (Food Service Establishment). Includes but is not limited to any facility preparing and/or serving food for commercial or institutional use or sale. This includes restaurants; cafes; lunch counters; cafeterias; hotels; motels; hospitals; convalescent homes; factory or school kitchens; catering kitchens; bakeries; grocery stores with food preparation, food packaging, meat cutting, and meat preparation (excluding establishments with only food warming operations); meat packing facilities, and other food handling facilities not listed above where fats, oil, and grease may be introduced into the Authority's sewer system and cause line blockages and sewer overflows.
- Section 121. Garbage shall mean solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.
- Section 122. Grab Sample. A sample which is taken from a waste stream on a one-time basis without regard to the flow in the waste stream and without consideration of time.
- Section 123. Grease Interceptor. Passive exterior device for separating and retaining waterborne fats, oils and greases or grease complexes from wastewater.
- Section 124. Grease Removal Device. An automatic or semi-automatic interior recovery device for separating and retaining waterborne fats, oils and greases or grease complexes from wastewater.

- Section 125. Grease Removal System. Any device, unit, or installation for separating and retaining waterborne fats, oils and greases or grease complexes prior to the discharge of wastewaters to the sanitary sewer collection and treatment system.
- Section 126. Grease Trap. An active interior recovery device, for separating and retaining waterborne fats, oils and greases or grease complexes from wastewater.
- Section 127. High Concentrate Waste. High Concentrate Waste shall mean any waste having suspended solids, ammonia nitrogen, or phosphorus content or a five-day biochemical oxygen demand (BOD5) appreciably in excess of that normally found in municipal sewage. For the purposes of these regulations, any waste containing more than 240 milligrams per liter of suspended solids, 20 milligrams per liter of ammonia nitrogen, 10 milligrams per liter of phosphorus, or having a BOD5 in excess of 205 milligrams per liter, shall be considered a high concentrate waste regardless of whether or not it contains other substances in concentrations differing appreciably from those found in municipal sewage.
- Section 128. Indirect Discharge. The discharge or the introduction of nondomestic pollutants from any source regulated under Section 307 (b) or (c) of the Act (33 U.S.C. 1317), into the POTW (including holding tank waste discharge into the system).
- Section 129. Industrial Service. Provision of sewage service for premises where the customer is engaged in manufacturing or process industries.
- Section 130. Industrial Sewer Use Service Agreement. A sewer service agreement or contract between an industrial user and the Authority pursuant to Article IV of these Rules and Regulations.
- Section 131. Industrial User. A source of Indirect Discharge which does not constitute a "discharge of pollutants" under regulations issued pursuant to Section 402 of the Act (33 U.S.C. 1342).
- Section 132. Industrial Wastes shall mean any liquid, gaseous or waterborne wastes from industrial processes or establishments as distinct from sanitary sewage.
- Section 133. Interference. The inhibition or disruption of the POTW, its treatment processes or operations, or its sludge processes, use or disposal, which is a cause of or significantly contributes to either a violation of any requirement of the POTW's NPDES Permit (including an increase in the magnitude or duration of a violation) or to the prevention of sewage sludge use or disposal by the POTW 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 Substances Control Act.

An industrial user significantly contributes to such a permit violation or prevention of sludge use or disposal whenever such user:

- (A) Discharges a daily pollutant loading in excess of that allowed by the Authority or by the laws or regulations of the Commonwealth of Pennsylvania or the United States of America;
- (B) Discharges wastewater which substantially differs in nature or constituents from the user's average discharge; or
- (C) Knows or has reason to know that its discharge, alone or in conjunction with discharges from other sources, would result in a POTW permit violation or prevent sewage sludge use or disposal in accordance with the above-cited authorities as they apply to the POTW's selected method of sludge management.

Section 134. Manager shall mean the person designated by The McCandless Township Sanitary Authority to supervise the administration and operation of the Publicly Owned Treatment Works and is charged with certain duties and responsibilities by these Rules and Regulations, or his duly authorized representative.

Section 135. Mineral Based FOG. All petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin. These substances are detectable and measurable using analytical test procedures established in 40 CFR 136, as may be amended from time to time.

Section 136. Municipality or Municipalities shall mean one or more of the political subdivisions of the Commonwealth of Pennsylvania serviced by the Authority.

Section 137. National Pollutant Discharge Elimination System (NPDES) Permit. A permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).

Section 138. National Prohibitive Discharge Standard or Prohibitive Discharge Standard. Any regulation developed under the authority of 307 (b) of the Act and 40 CFR, Section 403.5.

- Section 139. New Source. Any source, the construction of which is commenced after the publication of proposed regulations prescribing a Section 307 (c) (33 U.S.C. 1317) Federal Categorical Pretreatment Standard which will be applicable to such source, if such standard is thereafter promulgated within 120 days of proposal in the Federal Register. Where the standard is promulgated later than 120 days after proposal, a new source means any source, the construction of which is commenced after the date of promulgation of the standard.
- Section 140. Occupied Building shall mean any structure erected and intended for continuous or periodic habitation, occupancy or use by human beings or animals, and from which structure sanitary sewage and industrial wastes, or either thereof, is or may be discharged.
- Section 141. Organic Based FOG. All organic polar compounds derived from animal and/or plant sources that contain multiple carbon chain monoglyceride, diglyceride, and/or triglyceride molecules. These substances are detectable and measurable using analytical test procedures established in 40 CFR 136, as may be amended from time to time.
- Section 142. Owner shall mean the person, firm, corporation or association having an interest as owner, or a person, firm, corporation or association representing itself to be the owner, whether legal or equitable, sole or only partial, in any premises which is, or is about to be furnished sewage service by the Authority, and the word "Owners" means all so interested.
- Section 143. Pass-Through shall mean the discharge of pollutants through the POTW into navigable waters in quantities or concentrations which are a cause of or significantly contribute to a violation of any requirement of the POTW's NPDES Permit (including an increase in the magnitude or duration of a violation).
- Section 144. Person. Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents, or assigns. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context.
- Section 145. pH shall mean the logarithm to the base 10 of the reciprocal of the hydrogen ion concentration expressed in moles per liter. It shall be determined by one of the acceptable methods described in the Current Edition of "Standard Methods for the Examination of Water and Wastewater".
- Section 146. Pollutant. Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials,

radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, road dirt and industrial, municipal, and agricultural waste discharged into water.

- Section 147. Pollution. The man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.
- Section 148. POTW Treatment Plant. That portion of the POTW that is designed to provide treatment to wastewater.
- Section 149. Premises shall mean the property or area including the improvements thereon, to which sewage service is or will be furnished.
- Section 150. Pretreatment or Treatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes; or process changes and other means, except as prohibited by 40 CFR Section 403.6 (d).
- Section 151. Pretreatment Requirements. Any substantive or procedural requirement related to a pretreatment, other than a National Pretreatment Standard imposed on an industrial user by the United States of America, the Commonwealth of Pennsylvania or any other agency having jurisdiction over pretreatment.
- Section 152. Properly Shredded Garbage shall mean the wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce that have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch (1/2 in.) in any dimension
- Section 153. Publicly Owned Treatment Works (POTW), as used in the context of these Rules and Regulations Governing Industrial Sewer Use, shall mean all separate sanitary sewers, all combined sewers, all sewage pumping stations, all sewage treatment works, and all other sewerage facilities owned, operated, or utilized in any manner by the Municipalities or the Authority for the collection, transportation and treatment of sanitary sewage and industrial wastes, together with their appurtenances, and any additions, extensions, or improvements thereto. It does not include separate storm sewers or culverts which have been constructed for the sole purpose of carrying storm and surface runoff, the discharge from which is not and does not become tributary to the Authority's sewage collection or treatment facilities.

- Section 154. Sanitary Sewage shall mean the normal water-carried household and toilet wastes from any structure or facility, including, but not limited to, residences, business buildings, institutions, industries and commercial establishments, exclusive of storm water runoff, surface water, groundwater and industrial waste.
- Section 155. Sanitary Sewer means a sewer intended to carry only sanitary or sanitary and industrial wastewaters from any structure or facility, including, but not limited to, residences, commercial buildings, industrial plants, and institutions and to which storm, surface and groundwaters are not intentionally admitted.
- Section 156. Sewage shall mean a combination of water-carried wastes from any structure or facility including but not limited to, residences, business buildings, institutions, and industrial and commercial establishments, together with such ground, surface or storm water as may be present.
- Section 157. Sewage Agency. The term "Sewage Agency" shall mean a municipal subdivision or an authorized representative thereof, and/or an owner, having power to negotiate and enter into an agreement with the Authority relative to the furnishing or sewage service by the Authority.
- Section 158. Sewer shall mean a pipe or conduit for carrying sewage or other waste liquids.
- Section 159. Sewer Service Connection shall be intended to mean the connection of a sewer or

pipe carrying sewage to the POTW.
- Section 160. Shall is mandatory; May is permissive.
- Section 161. Significant Industrial User. Any Industrial User of the Authority's wastewater disposal system who (i) has a discharge flow of 25,000 gallons or more per average work day, or (ii) has in his wastes abnormal industrial wastes or toxic pollutants as defined herein or pursuant to Section 307 of the Act, or (iii) is found by the Authority, the Pennsylvania Department of Environmental Resources, or the U.S. Environmental Protection Agency to have significant impact, either singly or in combination with other contributing industries, on the wastewater treatment system, the quality of sludge, the system's effluent quality, or air emissions generated by the system.
- Section 162. Standard Industrial Classification (SIC). A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of the Management and Budget, 1972.

- Section 163. State. Commonwealth of Pennsylvania.
- Section 164. Storm Sewer shall mean a sewer which is intended to carry storm water runoff, surface waters, groundwater drainage, etc., but which is not intended to carry any sanitary sewage or industrial sewage.
- Section 165. Storm Water. Any flow occurring, during or following any form of natural precipitation and resulting there from.
- Section 166. Storm Water Runoff shall mean that portion of the rainfall which reaches a drain.
- Section 167. Suspended Solids shall mean solids that either float on the surface or are in suspension in water, sewage, industrial waste, or other liquids, and which are removable by laboratory filtration. The quantity of suspended solids shall be determined by one of the acceptable methods described in the current edition of "Standard Methods for the Examination of Water and Wastewater".
- Section 168. Tenant shall mean anyone occupying premises, owned by another person, which are furnished sewage service.
- Section 169. Toxic Pollutant. Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the provision of the Clean Water Act 307 (a) or other Acts.
- Section 170. Treatment Works. Any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature to implement Section 201 of Public Law 92-500 33 U.S.C., or necessary to recycle or reuse water at the most economical cost over the useful life of the works, including intercepting sewers, outfall sewers, sewage collection systems, pumping, power and other equipment and their appurtenances; extension, improvement, remodeling, additions, and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear water facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residuals resulting from each treatment; or any other method or system for preventing, reducing, storing, treating, separating, or disposing of municipal waste, including storm water runoff, or industrial waste, including waste in combined storm water and sanitary sewer systems.
- Section 171. Unpolluted Water or Waste shall mean any water or waste containing none of the following: free or emulsified grease or oil; acid or alkali; phenols or other substances imparting taste and odor to receiving waters;

toxic or poisonous substances in suspension, colloidal state or solution; obnoxious or odorous gases. It shall contain not more than 1,000 milligrams per liter by weight of dissolved solids of which not more than 250 milligrams per liter shall be as chloride, and not more than 10 milligrams per liter each of suspended solids and BOD₅. The color shall not exceed 50 platinum-cobalt color units. Analyses for any of the above-mentioned substances shall be made in accordance with the current edition of "Standard Methods for the Examination of Water and Wastewater".

- Section 172. Upgrading. An increase in the level of treatment provided to improve the quality of the effluent water.
- Section 173. Upset. Any exceptional incident in which there is unintentional and temporary noncompliance with Federal Categorical Pretreatment Standards or local standards adopted pursuant to these Rules and Regulations because of factors beyond the reasonable control of the industrial user. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- Section 174. User. Any person who contributes, causes or permits the contribution of wastewater into the Authority's POTW.
- Section 175. Wastewater. The liquid and water-carried industrial or domestic wastes from dwelling, commercial buildings, industrial facilities, and institutions, together with any ground water surface water, and storm water that may be present, whether treated or untreated, which is contributed to or permitted to enter the POTW.
- Section 176. Water Authority or Utility shall mean any publicly or privately owned duly authorized agency, corporation or organization which is the approved purveyor of the public water supply within the limits of the Authority's service area.
- Section 177. Watercourse shall mean any natural or artificial channel in which a flow of water occurs, either continuously or intermittently.
- Section 178. Waters of the State. All streams, lakes, ponds, marshes, water courses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State or any portion thereof.
- Section 179. The following abbreviations shall have these designated meanings:

BOD	Biochemical Oxygen Demand
BOD ₅	Five-day Biochemical Oxygen Demand
CBOD	Carbonaceous Biochemical Oxygen Demand
CFR	Code of Federal Regulations
COD	Chemical Oxygen Demand
DER	Department of Environmental Resources
EDU	Equivalent Domestic (Dwelling) Unit
EPA	Environmental Protection Agency
L	Liter
mg	Milligrams
mg/L	Milligrams per Liter
NPDES	National Pollutant Discharge Elimination System
POTW	Publicly Owned Treatment Works
SIC	Standard Industrial Classification
SWDA	Solid Waste Disposal Act, 42 U.S.C. 6901, et. seq.
USC	United States Code
TSS	Total Suspended Solids

ARTICLE II **CONDITIONS OF SERVICE**

Section 201. The Authority will furnish sewage service only, in accordance with the currently prevailing, and as hereafter revised, Rates, Rules and Regulations of the Authority which Rates, Rules and Regulations are made a part of every application, contract, agreement, or license entered

into between the property owner or customer or sewage agency and the Authority.

Section 202. The Authority hereby reserves the right, so often as it may deem necessary, to alter, amend, and/or repeal the Rates and/or these Rules and Regulations, or any part, and in whole or in part to substitute new Rates, Rules and Regulations which altered and/or amended new Rates, Rules and Regulations shall forthwith, without notice, become and thereafter be a part of every such application, contract, agreement, or license for sewage service in effect at the time of such alteration, amendment and/or adoption.

Section 203. The furnishing of sewage service outside the limits of The Town of McCandless will be limited to premises included under agreements entered into only with Sewage Agencies, except as follows:

A. The Authority may enter into individual agreements with all agencies of the County of Allegheny, the Commonwealth of Pennsylvania, the United States of America, and other governmental bodies and municipal authorities and with commercial and industrial establishments whose properties are so located that the main sewer or sewers leading from the properties thereof will extend directly to a point or points of connection to the Sanitary Sewerage System and the Authority.

Section 204. All agreements executed with a "Sewage Agency" except an agency under Federal or State Regulation shall be subject to approval of the municipal subdivision represented thereby the agency, in some cases, being the municipal subdivision or an authority created thereby.

- Section 205. The furnishing of sewage services to premises, even though located on properties included under agreements with Sewage Agencies and/or others, may be refused if sewage flows there from are found or estimated to be excessive and/or the character of the sanitary wastes being, or to be discharged there from, is determined to be unsatisfactory by the Authority.
- Section 206. The Authority will furnish sewage service outside the Town limits to premises which drain into Allegheny County Sanitary Authority which premises are located in municipal subdivisions that have entered into Contracts for sewage service with the Allegheny County Sanitary Authority only when the said municipal subdivisions have agreed to be responsible to the Allegheny County Sanitary Authority for payment of all sewage service charges and special charges due said Allegheny County Sanitary Authority, and also to be responsible, unless otherwise approved, for all sewage service charges and special charges due the Authority.
- Section 207. All persons owning property within the Authority's service area accessible to the public sanitary sewage system, and whose existing occupied building is within one hundred and fifty feet from such sewer system, shall, at their own expense, make connection with the public sanitary sewage system in accordance with the applicable Connection Ordinance in effect for their respective municipality if they are not presently so connected. In the case of those persons owning property within the Town of McCandless accessible to the public sanitary sewage system and having an existing occupied building located upon the property, connection to the public sanitary sewage system is mandatory.
- Section 208. All persons owning property within the Authority's service area accessible to the public sanitary sewage system, upon which an occupied building is subsequently erected within one hundred and fifty feet from such sewer system, shall, at their own expense, make connection with the public sanitary sewage system in accordance with the applicable Connection Ordinance in effect for their respective municipality except for buildings erected within the Town of McCandless where connection to the public sanitary sewer system is mandatory irrespective of distance from the sewer.

- Section 209. All persons owning any occupied building within the Authority's service area upon premises which subsequently become accessible to the public sanitary sewage system, and, if said building is within one hundred and fifty feet from such sewer system, shall, at their own expense, make connection with the public sanitary sewage system within the time period stipulated after proper notice to do so has been given in accordance with applicable law. Connection to the public sanitary sewer system is mandatory for all occupied buildings located in the Town of McCandless. In the case of documented financial hardship, the Authority may defer for a specified time period the issuance of a notice to connect to the public sanitary sewer system.
- Section 210. All connections to the public sanitary sewage system shall be made in accordance with Article IX hereof.
- Section 211. No privy vault, cesspool, septic tank, mine hole or similar receptacle for human excrement shall presently or at any time hereafter be connected with the public sanitary sewage system.
- Section 212. The Authority, in cases involving service outside the Town, will negotiate with each municipal subdivision in order to effect a comprehensive agreement whereby all premises, excepting those set forth herein or in the said agreement, that are located in the respective municipality in the respective drainage areas will be furnished sewage service. Such agreements may permit sewage service for the entire respective drainage areas or any portion or portions thereof subject to compliance with the Rules and Regulations of the Authority.
- Section 213. The furnishing of sewage service to premises located in municipal subdivisions which do not enter into the aforesaid comprehensive agreements, excluding such premises as are not subject to such agreements, will be furnished only through agreements with Sewage Agencies as herein defined.
- Section 214. The furnishing of sewage services to premises in The Town of McCandless will be in accordance with the requirements set forth herein.

Section 215. A municipal subdivision desiring to enter a contract providing for sewage service to all properties located in the municipal subdivision in a certain drainage area, excluding such properties as previously set forth, shall submit a written request to the Authority. Subsequent to submission of such request, negotiations shall be conducted to establish the terms of an agreement, including the sewage services, fees, and charges, and, subject to successful negotiations thereon, an agreement shall be executed between the municipal subdivision and the Authority.

Section 216. The furnishing of sewage service, subsequent to the execution of an agreement, shall then be subject to the submission of applications for sewer connections for each premise or group of premises, and approval thereof by the Authority. Such applications are to be accompanied by such data as herein set forth, and as required to allow an analysis of such service by the Authority of each individual premise or premises.

ARTICLE III EXCLUSION OF STORM WATER RUNOFF

Section 301. The discharge of storm water runoff to sanitary sewers is prohibited.

Section 302. All persons connecting to the public sanitary sewage system shall provide adequate means for excluding storm water runoff in the event the connection is made to a sanitary sewer.

Section 303. No person connected to a sanitary sewer shall connect any roof drain or foundation drain or cellar drain thereto or permit any such drains to remain connected thereto, nor shall he permit, allow or cause to enter into any sanitary sewer any spring water or surface water from any other source.

Section 304. The provisions of these Rules and Regulations do not prohibit the present or future discharge of storm water runoff to storm sewers or to natural water courses within the Authority's service area.

Section 305. The Authority reserves the right to enter upon all properties receiving sewer service for the purpose of inspecting, observing, measuring, sampling, and testing to ascertain whether or not storm water runoff is being discharged to sanitary sewers through sources outlined in Section 303.

ARTICLE IV GENERAL REQUIREMENTS FOR INDUSTRIAL USE OF SEWERAGE SYSTEM

Purpose and Policy

- Section 401. The Board of The McCandless Township Sanitary Authority has duly adopted the following Rules and Regulations governing the admission of industrial wastes to the Publicly Owned Treatment Works.
- Section 402. The McCandless Township Sanitary Authority, a body corporate and politic, existing under the laws of the Commonwealth of Pennsylvania, pursuant to the Municipal Authorities Act of 1945, approved May 2, 1945, P.L. 382, as amended, was duly organized by The Town of McCandless, County of Allegheny, Pennsylvania, on December 30, 1955, pursuant to the Municipality Authorities Act of 1935, approved June 28, 1935, P.L. 463 as amended.
- Section 403. The Authority is authorized by law to acquire, hold, construct, improve, maintain and operate sewage transportation and treatment facilities, and to promulgate, issue, publish and enforce rules and regulations governing the use of these facilities, including provisions prohibiting or regulating certain discharges which may be harmful to the facilities as well as to fix, alter, charge and collect rates and other charges in the area served by its facilities.
- Section 404. These Rules and Regulations set forth uniform requirements for direct and indirect contributors of industrial wastes into the Publicly Owned Treatment Works, and enable the Authority to comply with all applicable laws of the Commonwealth of Pennsylvania and the United States of America required by the Clean Water Act of 1977 and the General Pretreatment Regulations (40 CFR, Part 403).
- Section 405. The basic objectives of these Rules and Regulations are:
- A. To prevent the introduction of pollutants into the municipal wastewater system which will interfere with the operation of the system or contaminate the resulting sludge;
 - B. To prevent the introduction of pollutants into the municipal wastewater system which will pass through the system, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the system;

- C. To prevent the introduction of pollutants into the municipal wastewater system which will cause physical damage to the structures of the public sanitary sewage system or cause hazard to those responsible for operation and maintenance of the public sanitary sewage system or to the general public.
- D. To improve the opportunity to recycle and reclaim wastewaters and sludges from the system;
- E. To provide for equitable distribution of the cost of the municipal wastewater system; and

Section 406. These Rules and Regulations provide for the regulation of direct and indirect industrial waste contributors to the municipal wastewater system through a system of service agreements with certain non-domestic users and through enforcement of general requirements for the other users, authorize monitoring and enforcement activities, require user reporting, assume that existing customer's capacity will not be preempted, and provide for the setting of fees for the equitable distribution of costs resulting from the pretreatment program established herein.

Section 407. These Rules and Regulations shall apply to each person and any political subdivision who, by contract or agreement with the Authority or otherwise, avails himself of sanitary sewer service of any kind from the Authority, and every such person or political subdivision by availing himself of sanitary sewer service of any kind from the Authority agrees to be bound by these Rules and Regulations.

Conflict

Section 408. Portions of previous Rules and Regulations or parts thereof, adopted by the Authority, which are inconsistent or conflicting with any part of these Rules and Regulations are hereby repealed to the extent of such inconsistency or conflict.

Severability

Section 409. If any provision, paragraph, word, or section of these Rules and Regulations is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, and sections shall not be affected and shall continue in full force and effect.

ARTICLE V REGULATION OF WASTEWATER DISCHARGES

Section 501. No user shall contribute or cause to be contributed directly or indirectly, any pollutants that will pass through the POTW or interfere with the operation or performance of the POTW. These general prohibitions apply to all such users of the POTW whether or not the user is subject to Federal Categorical Pretreatment Standards or any other Federal, State, or local Pretreatment Standards or Requirements. A user may not contribute the following substances to the POTW:

- A. Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system) be more than five percent (5%), nor any single reading over ten percent (10%) of the Lower Explosive Limit (LEL) of the meter. Restricted materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, and sulfides and any other substances which the Authority, the DER or EPA has notified the user is a fire hazard or a hazard to the system.
- B. Any solid or viscous substances which may cause obstruction to the flow in a sewer, cause mechanical action which will destroy the sewer structures, or in the opinion of the Authority may cause other interference with the operation of the POTW including, but not limited to: grease, wax, garbage with particles greater than one-half inch (1/2 in.) in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, construction materials or debris, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud or glass grinding or polishing wastes.
- C. Any wastewater having a Ph lower than 6.0 or having any other corrosive property which may cause damage or hazard to structures, equipment, or personnel or the POTW. Where the

Authority deems it advisable, it may require any person discharging industrial wastes to install and maintain at his own expense, in a manner approved by the Authority, a suitable device to continuously measure and record the Ph of the wastes so discharged.

- D. Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW, or exceed the limitation set forth in a Categorical Pretreatment Standard. A toxic pollutant shall include, but not be limited to any pollutant identified pursuant to Section 307 (a) of the Act.
- E. Any noxious or malodorous liquid, gas, or solid which either singly or by interaction with other wastes is, in the opinion of the Authority, sufficient to create a public nuisance or hazard to life or is sufficient to prevent entry into the sewers for their maintenance and repair.
- F. Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process where the POTW is pursuing a reuse and reclamation program. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State criteria applicable to the sludge management method being used.
- G. Any substance which will cause the POTW to violate its NPDES and/or State Disposal System Permit or the receiving water quality standards for any receiving stream to which any POTW Any wastewater containing dyes, paints, pigments, ink, or other discharges.
- H. Coloring agents which are not removed by the treatment process, and which in the opinion of the Authority will result in a discoloration or other undesirable physical change in the appearance of the receiving stream.

- I. Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in interference, but in no case wastewater that causes the temperature of the wastewater at the point of introduction into the POTW treatment plant to exceed 40° C (104° F).
- J. Any pollutants, including oxygen demanding pollutants (BOD, etc.) released at a flow and/or pollutant concentration which a user knows, or has reason to know, will cause interference to the POTW. In no case shall a slug load have a flow rate or contain concentration or quantities of pollutants that exceed for any time period longer than fifteen minutes more than five (5) times the average twenty-four (24) hour concentration, quantities, or flow during normal operation. Where the Authority deems it advisable, it may require any person discharging industrial wastes to utilize flow equalization or restricted discharge rates to prevent potential slug loading problems, such as in the case of batch discharges.
- K. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Authority in compliance with applicable State or Federal regulations.
- L. Any liquids or wastes containing organic or inorganic suspended solids of such quantity that there is interference with the POTW operation, or that become burdensome to the operation and maintenance of the wastewater treatment plant facilities.
- M. Any waste or water which may contain mineral based FOG in concentrations in excess of 100 mg/L, such as petroleum oils, greases, oil sludges and other petroleum hydrocarbon derived products from garages, repair shops, machine shops, or other commercial or industrial establishments deemed subject to this Section by the Authority.
- N. Any liquids or wastes containing coal tar, its derivatives and wastes.
- O. Wastes containing more than 10 mg/L of hydrogen sulfide, sulfur dioxide, nitrous oxide, or any of the halogens.
- P. Any waste or water which may contain FOG from Food Service Establishments, in concentrations in excess of 100 mg/L of organic based FOG. Grease removal systems are required to be installed and maintained at a User's expense when the User operates a Food Service Establishment.

Section 502. When the Authority determines that a user(s) is contributing to the POTW, any of the above enumerated substances in such amounts as to interfere with the operation of the POTW, the Authority shall: (1) advise the user(s) of the impact of the contribution on the POTW; and (2) develop specific effluent limitation(s) for such user to correct the interference with the POTW. In addition, where the Authority deems it advisable, it may require such user to install and maintain at his own expense, in a manner approved by the Authority, a suitable device to continuously measure the character of the discharge to the POTW.

Section 503. No person shall discharge any wastewaters containing any of the following substances in solution in concentrations exceeding the following maximum permissible concentrations:

<u>Substance</u>	<u>Maximum Permissible Concentration</u>
Sodium Chloride	10,000 mg/L
Sodium Sulfate	1,500 mg/L
Iron	5.0 mg/L
Chromium (Total)	1.60 mg/L
Chromium (Hexavalent)	0.14 mg/L
Cyanide - Total	0.28 mg/L
Cyanide - Amenable to Chlorination	0.14 mg/L
Copper	0.5 mg/L
Zinc	0.5 mg/L
Nickel	1.0 mg/L
Cadmium	0.5 mg/L
Arsenic	0.05 mg/L
Barium	1.0 mg/L
Boron	0.05 mg/L
Phenolics	5.0 mg/L
Lead	0.5 mg/L
Silver	0.05 mg/L
Mercury	0.10 mg/L
Selenium	0.05 mg/L

or any other elements which will, in the opinion of the Authority, damage collection facilities or otherwise be detrimental to the treatment processes. The limits set forth above may be amended from time to time as deemed necessary by the Authority to protect the facilities and ensure the POTW's compliance with applicable NPDES Permit conditions and water quality standards.

- Section 504. No statement contained in these Rules and Regulations shall be construed as prohibiting any special agreement or arrangement between the Authority and any person or industrial user whereby an industrial waste of unusual strength or character may be discharged to the POTW by the user, provided the objectives of the General Pretreatment Regulations and the provisions of these Rules and Regulations are fulfilled. Similar to any other requirements imposed under the Rules and Regulations, the provisions of any such special agreement will be superseded by any more stringent requirements of any applicable Federal Categorical Pretreatment Standard.
- Section 505. Upon the promulgation of the Federal Categorical Pre-treatment Standard for a particular industrial subcategory, the Federal Standard, if more stringent than limitations imposed under these Rules and Regulations for sources in that subcategory, shall immediately supersede the limitations imposed under these Rules and Regulations. The Authority shall notify all affected users of the applicable Federal Standards and the applicable reporting requirements under 40 CFR, Section 403.12, such as the Baseline Monitoring Report
- Section 506. Where the Authority's wastewater treatment system achieves consistent removal of pollutants limited by Federal Pretreatment Standards, the Authority may apply to the Approval Authority for modification of specific limits in the Federal Pretreatment Standards. "Removal" shall mean a reduction in the amount of a pollutant or an alteration of the nature of a pollutant in the influent to the POTW to a less toxic or harmless state in the effluent. Consistent removal shall mean the average of the lowest 50 percent of the removals measured according to the procedures set forth in Section 403.7 (d) (2) of Title 40 of the Code of Federal Regulations. Part 403 - "General Pretreatment Regulations for Existing and New Sources of Pollution" promulgated pursuant to the Act. The Authority may modify pollutant discharge limits in the Federal Pretreatment Standards if the requirements contained in 40 CFR, Part 403, Section 403.7, are fulfilled and prior approval from the Approval Authority is obtained.
- Section 507. State requirements and limitations on discharges shall apply in any case where they are more stringent than federal requirements and limitations or those imposed under these Rules and Regulations.
- Section 508. The Authority reserves the right to establish by supplemental Rules and Regulations more stringent limitations or requirements on discharges to the POTW if deemed necessary.
- Section 509. No user shall ever increase the use of process water or cooling water or, in any way, attempt to dilute a discharge as a partial or complete substitute

for adequate treatment to achieve compliance with the limitations contained in the Federal Categorical Pretreatment Standards, or in any other specific pollutant limitation developed by the Authority or State.

Section 510. Each user shall provide protection from accidental discharge of prohibited materials or other substances regulated by these Rules and Regulations. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or user's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Authority for review, and shall be approved by the Authority before construction of the facility.

All existing users shall complete and submit a plan within 90 days after the effective date of these Rules and Regulations. No user who commences contribution to the POTW after the effective date of these Rules and Regulations shall be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the Authority. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify the user's facility as necessary to meet the requirements of these Rules and Regulations. In the case of an accidental discharge, it is the responsibility of the user to immediately telephone and notify the POTW of the incident. The notification shall include location of discharge, type of waste, duration of discharge, concentration and volume, and corrective actions.

Section 511. Within five (5) days following an accidental discharge, the user shall submit to the Authority a detailed written report describing the cause of the discharge and the occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, fish kills, or any other damage to person or property; nor shall such notification relieve the user of any fines, civil penalties, or other liability which may be imposed by these Rules and Regulations or other applicable law.

Section 512. A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge. Employers shall ensure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure.

Section 513. It shall be unlawful for any existing industrial user within the Authority's sewer service area to discharge any wastewater to the POTW without entering into an Industrial Sewer Use Service Agreement with the Authority in accordance with the provisions of these Rules and Regulations.

Section 514. All industrial users proposing to connect to or to contribute to the Authority's POTW must enter into an Industrial Sewer Use Service Agreement with the Authority before connecting to or contributing to the POTW.

Section 515. Users required to enter into an Industrial Sewer Use Service Agreement must first complete and file with the Authority, an application to discharge industrial wastes, in the form prescribed by the Authority, and accompanied by an application fee according to the fee schedule adopted by the Authority. Under the provisions of Section 502 of these Rules and Regulations, the Authority reserves the right to assess additional charges and fees to cover any reasonable costs incurred by the Authority in reviewing and processing the application to discharge industrial wastes. Existing industrial users shall submit an application within 60 days after written notification from the Authority that the user must enter into an Industrial Sewer Use Service Agreement. Proposed new users shall submit an application at least 60 days prior to connecting to or contributing to the POTW. In support of the application to discharge industrial wastes, the user shall submit, in units and terms appropriate for evaluation, the following information wherever possible:

- A. Name, address, and location of facility (if different from the mailing address);
- B. SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended;
- C. Wastewater constituents and characteristics including but not limited to those mentioned in Article III of these Rules and Regulations as determined by a reliable analytical laboratory; sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304 (g) of the Act and contained in 40 CFR, Part 136, as amended;
- D. Time and duration of contribution;
- E. Average daily and thirty (30) minute peak wastewater flow rates, including daily, monthly, and seasonal variations, if any;
- F. Site plans, floor plans, mechanical and plumbing plans or sketches to approximate scale and sufficient detail to show all sewers, sewer connections, and appurtenances by the size, location and elevation,
- G. Description of activities, facilities and plant processes on the premises including a list of all toxic pollutants prohibited or

regulated by these Rules and Regulations which are or could potentially be discharged to the POTW;

H. Where known, the nature and concentration of any pollutants in the discharge which are limited by any Authority, State or Federal Pretreatment Standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required for the user to meet applicable Pretreatment Standards;

I. If additional pretreatment and/or operation and maintenance procedures will be required to meet the Pretreatment Standards, the user shall submit the shortest schedule by which the user will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard:

The following conditions shall apply to this schedule:

1. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable Pretreatment Standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.).
2. No increment referred to in paragraph (1) above shall exceed nine months
3. No later than 14 days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the Authority including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the user to return the construction to the schedule established. In no event shall more than nine months elapse between such progress reports to the Authority.

J. Each product produced by type, amount, process or processes and rate of production;

- K. Type and amount of raw materials processed (average and maximum per day);
- L. Number of employees and hours of operation of plant and proposed or actual hours of operation and pretreatment system;
- M. Any other information as may be deemed by the Authority to be necessary to evaluate the application.

Section 516. The Manager of the Authority shall review the application for completeness within 60 days of its receipt and notify the applicant in writing as to whether the application is considered complete or incomplete. If the application is incomplete, the Manager shall specify the additional information that is required to complete the application and a date for submitting the necessary information. After an application is completed, the Manager may still request additional information but only to clarify, modify or supplement the previously submitted material. If the Manager deems it necessary, a site visit may be scheduled with the applicant to assist the Manager in evaluating the application. Failure or refusal to correct deficiencies in the application within a reasonable time schedule may be cause for denial of an Industrial Sewer Use Service Agreement and appropriate enforcement action as per Article VI of these Rules and Regulations.

Section 517. The Manager shall issue a draft Industrial Sewer Use Service Agreement or notice of intent to deny a Service Agreement within 60 days after receipt of the completed application. The applicant shall be given a 30-day period to review and comment on the proposed Service Agreement or denial action. Upon request, the Manager shall schedule an informal meeting with the applicant to review the draft Service Agreement or proposed denial action. In the event that the applicant and the Manager cannot come to an agreement on the draft Service Agreement or denial action, the applicant may request a formal meeting before the Authority Board to appeal the denial action or specific provisions of the draft Service Agreement. A request for an appeal must be submitted in writing to the Board within 30 days after the informal meeting with the Manager.

The request shall clearly state the specific action or provision (s) being appealed and the grounds for the appeal. Within 30 days after the close of the applicant's review period or the appeal meeting, the Authority shall issue a final Industrial Sewer Use Service Agreement for execution or a formal denial of permission to discharge the proposed industrial wastes.

Section 518. Within nine months of the promulgation of a Federal Categorical Pretreatment Standard, the Industrial Sewer Use Service Agreement of users subject to such standards shall be revised to require compliance with

such standard within the time frame prescribed by such standard. Within 180 days after the effective date of the applicable Federal Categorical Pretreatment Standard, any user which has not previously submitted an application to discharge industrial wastes, as required by Section 403 of these Rules and Regulations, shall submit to the Authority an application to discharge industrial wastes together with a Baseline Monitoring Report as required by 40 CFR, Part 403, Section 403.12 (b). Within 180 days after the effective date of the applicable Federal Categorical Standard, any user with an existing Industrial Sewer Use Service Agreement shall submit to the Authority a Baseline Monitoring Report including the information required by Section 403 (H) and (I) of these Rules and Regulations.

Section 519. Industrial Sewer Use Service Agreements shall be expressly subject to all provisions of these Rules and Regulations and all other applicable regulations, user charges and fees established by the Authority. Service Agreements may contain the following requirements:

- A. Unit charges or a schedule of user charges and fees for the wastewater to be discharged to the POTW;
- B. Limits on the average and maximum wastewater constituents and characteristics;
- C. Limits on average and maximum rate and time of discharge or requirements for flow regulation and equalization;
- D. Requirements for installation and maintenance of inspection and sampling facilities;
- E. Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedule;
- F. Compliance schedule;
- G. Requirements for submission of technical reports or discharge reports (see Section 411 of these Rules and Regulations);
- H. Requirements for maintaining and retaining plant records relating to the wastewater discharge as specified by the Authority, and affording the Authority access thereto;
- I. Requirements for notification of the Authority of any new introduction of wastewater pollutants or any substantial change in the volume or character of the wastewater pollutants being introduced into the POTW;

- J. Requirements for notification of slug or accidental discharges as per Section 310 of these Rules and Regulations;
- K. Other conditions as deemed appropriate by the Authority to ensure compliance with these Rules and Regulations.

Section 520. Industrial Sewer Use Service Agreements shall be issued for a specified time period, not to exceed five (5) years. A Service Agreement may be issued for a period less than a year or may be stated to expire on a specific date. The terms and conditions of the Service Agreement may be subject to modification by the Authority during the term of the Service Agreement if the limitations or requirements identified in Article III are modified or other just cause exists. The user shall be informed of any proposed changes in his Service Agreement at least 30 days prior to the effective date of the change. Any changes or new conditions in the Service Agreement shall include a reasonable time schedule for compliance.

Section 521. A user with a currently effective Service Agreement shall submit a renewal application to the Authority at least 180 days before the expiration date of the existing Service Agreement unless permission for a later date has been granted by the Manager. The terms and conditions of the existing Service Agreement shall remain fully effective and enforceable until the effective date of a new Service Agreement, provided the industrial user has properly submitted a complete application for renewal of the Service Agreement within the specified time period, and the Authority has not terminated the existing Service Agreement or denied the renewal in accordance with the provisions of these Rules and Regulations.

Section 522. Industrial Sewer Use Service Agreements are executed between the Authority and a specific industrial user for a specific operation. A Service Agreement shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation without the approval of the Authority. Any succeeding owner or user shall also comply with the terms and conditions of the existing Service Agreement until such time that a new Service Agreement is executed between the Authority and the new owner or user.

Section 523. Within 90 days following the date for final compliance with applicable Pretreatment Standards or, in the case of a New Source, following commencement of the introduction of wastewater into the POTW, any user subject to Pretreatment Standards and Requirements shall submit to the Authority a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by Pretreatment Standards and Requirements and the average and maximum daily flow for these process units in the user facility which are limited by such Pretreatment Standards or Requirements. The report shall state

whether the applicable Pretreatment Standards or Requirements are being met on a consistent basis and, if not, what additional operational and maintenance procedures and/or pretreatment is necessary to bring the user into compliance with the applicable Pretreatment Standards or Requirements. This statement shall be signed by an Authorized Representative of the Industrial User, and certified to by a qualified professional.

- A. Any user subject to a Pretreatment Standard, after the compliance date of such Pretreatment Standard, or, in the case of a New Source, after commencement of the discharge into the POTW, shall submit to the Authority during the months of April, July, October, and January, unless required more frequently in the Pretreatment Standard or by the Authority, a report indicating the nature and concentration of pollutants in the effluent which are limited by such Pretreatment Standards. In addition, this report shall include a record of all daily flows which during the reporting period exceeded the average daily flow reported under

Section 515 (E). At the discretion of the Authority and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the Authority may agree to alter the months during which the above reports must be submitted.

- B. The Authority may impose mass limitations on users which are using dilution to meet applicable Pretreatment Standards or Requirements, or in other cases where the imposition of mass limitations are appropriate. In such cases, the report required by Section 523 (A) shall indicate the mass of pollutants regulated by Pretreatment Standards in the effluent of the user. These reports shall contain the results of sampling and analysis of the discharge, including the flow and the nature and concentration, or production and mass where requested by the Authority, of pollutants contained therein which are limited by the applicable Pretreatment Standards. The frequency of monitoring shall be prescribed in the applicable Pretreatment Standard.

All analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304 (g) of the Act and contained in 40 CFR, Part 136 and amendments thereto or with any other test procedures approved by the EPA. Sampling shall be performed in accordance with the techniques approved by the EPA.

(Comment: Where 40 CFR, Part 136 does not include a sampling or analytical technique for the pollutant in question, sampling and

analysis shall be performed in accordance with the procedures set forth in the EPA publication, Sampling and Analysis Procedures for Screening of Industrial Effluents for Priority Pollutants, April, 1977, and amendments thereto, or with any other sampling and analytical procedures approved by the EPA.)

- Section 524. When required by the Authority as a condition of the Service Agreement, an industrial user shall install a suitable manhole or manholes on his connecting sewer or sewers to facilitate observation, sampling and measurement of the combined flow of wastes from his premises. Alternate monitoring facilities or arrangements may be acceptable to the Authority under certain conditions and will be considered on a case-by-case basis. Such manhole or manholes shall be accessible and safely located and shall be constructed in accordance with plans approved by the Authority. The monitoring facilities shall be installed by the Owner at his expense and shall be maintained by him so as to be safe and accessible to the Authority or its authorized representative at all times.
- Section 525. There shall be ample room in or near such sampling manhole or monitoring facility to allow accurate sampling and preparation of samples for analysis. The monitoring facilities that the user is required to install shall be maintained at all times in a safe and proper operating condition at the expense of the user.
- Section 526. Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with the Authority's requirements and all applicable local construction standards and specifications. Construction shall be completed within 180 days following written notification by the Authority.
- Section 527. The Authority shall inspect the facilities of any user to ascertain whether the purpose of these Rules and Regulations is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the Authority or their representative(s) ready access at all reasonable times to all parts of the premises necessary for the purpose of inspection, sampling, records examination or in the performance of any of their duties. The Authority and the Approval Authority shall have the right to set up on the user's property such devices as are necessary to conduct sampling, inspection, compliance monitoring and/or metering operations. Where a user has security measures in force which would require proper identification and clearance before entry into their premises, the user shall make necessary arrangements with their security guards such that upon presentation of suitable identification, personnel from the Authority, designated representatives of the Authority, and/or the Approval Authority will be

permitted to enter, without delay, for the purposes of performing their specific responsibilities.

- Section 528. Users shall provide necessary wastewater treatment as required to comply with these Rules and Regulations and shall achieve compliance with all Federal Categorical Pretreatment Standards within the time limitations as specified by the Federal Pretreatment Regulations. Any facilities required to pretreat wastewater to a level acceptable to the Authority shall be provided, operated, and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the Authority for review, and shall be acceptable to the Authority before construction of the facility. The review and approval of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the Authority under the provisions of these Rules and Regulations. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the Authority prior to the user's initiation of the changes.
- Section 529. The Authority shall annually publish in the area's largest daily newspaper a list of the users which, during the previous 12 months, were significantly violating applicable Pretreatment Requirements or Standards. For the purpose of this section, a significant violation is any violation which remains uncorrected 45 days after notification of noncompliance; or which resulted in the POTW exercising its emergency authority under Section 537 of Article V. The notification shall also summarize any enforcement actions taken against the user(s) during the same 12 months.
- Section 530. All records relating to compliance with Pretreatment Standards shall be made available to officials of the EPA or Pennsylvania DEP upon request.
- Section 531. Information and data on a user obtained from reports, questionnaires, applications, service agreements and monitoring programs and from inspections shall be available to the public or other governmental agency without restriction unless the user specifically requests and is able to demonstrate to the satisfaction of the Authority that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the user.
- Section 532. When requested by the person furnishing a report, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the general public but shall be made available upon written request to governmental agencies for uses related to these Rules and Regulations, the Authority's National Pollutant Discharge Elimination System (NPDES) Permit, and/or the State Disposal System provided, however, that such portions of a report shall be available for use

by the State or any state agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information.

Section 533. Information accepted by the Authority as confidential, shall not be transmitted to any governmental agency by the Authority until and unless a ten-day notification is given to the user.

Section 534. All Users subject to these Rules and Regulations shall retain and preserve for no less than three (3) years any records, books, documents, memoranda, reports, correspondence and any and all summaries thereof, relating to monitoring, maintenance, sampling and chemical analyses made by or on behalf of a User in connection with its discharge. All records which pertain to matters which are the subject of enforcement or litigation activities brought by the Authority or Sewage Agency pursuant hereto shall be retained and preserved by the User until all enforcement activities have concluded and all periods of litigation have expired.

Section 535. The purpose of this Article is to provide for the recovery of costs from industrial users of the Authority's wastewater disposal system for the implementation of the pretreatment program established herein. The applicable charges or fees shall be set forth in the Authority's Schedule of Charges and Fees.

Section 536. The Authority may adopt charges and fees which may include:

- A. fees for reimbursement of the costs of setting up and operating the Authority's Pretreatment Program.;
- B. fees for compliance monitoring, inspections and surveillance procedures;
- C. fees for reviewing accidental discharge procedures and construction;
- D. fees for applications to discharge industrial wastes;
- E. fees for filing appeals;
- F. fees for consistent removal (by the Authority's POTW) of pollutants otherwise subject to Federal Pretreatment standards;
- G. other fees as the Authority may deem necessary to carry out the requirements contained herein.

These fees relate solely to the matters covered by these Rules and Regulations and are separate from all other fees chargeable by the Authority under the General Rules and Regulations Governing Sewage Service of March 1, 1977, as amended.

- Section 537. The Manager of the Authority may, upon informal notice to an industrial user, order the user to immediately halt or prevent a discharge to the POTW which, in the opinion of the Manager, reasonably appears to present an imminent endangerment to the health or welfare of persons. For the purpose of this Section, informal notice to an industrial user may be issued by a telephone call, an on-site inspection/visit, a cease and desist order, or any combination of these methods.
- Section 538. In the event that an industrial user should fail to voluntarily comply with an emergency order to immediately halt or prevent a discharge to the POTW, the Manager shall take whatever action deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW or the endangerment of any individuals. The costs associated with any such emergency action shall be assessed to the industrial user, and the Authority shall not be responsible for any damages, including loss of income, as a result of such emergency action.
- Section 539. The Authority shall authorize permission to resume a discharge that has been halted under the emergency action provisions of Section 537 upon satisfactory proof that the imminent danger has been eliminated. Within 15 days after the date of any such emergency action, the industrial user shall submit to the Authority a detailed written statement describing the cause or causes of the harmful contribution that necessitated the emergency action, and the measures that will be taken to prevent any future occurrence of the incident.
- Section 540. The conditions and requirements of these Rules and Regulations are applicable to all industrial users and shall be incorporated into the user's Service Agreement either expressly or by reference. The industrial user has a duty to comply with all of the conditions of these Rules and Regulations. Any noncompliance constitutes a violation of the Rules and Regulations and is subject to appropriate enforcement action including, but not limited to, termination of the user's Service Agreement or denial of a renewal application in accordance with the provisions of these Rules and Regulations.
- Section 541. The Authority may terminate an industrial user's Service Agreement and suspended wastewater treatment service, or deny a renewal application, for any of the following causes:

- A. Determination by the Authority that the discharge presents or may present an endangerment to the environment or which threatens to interfere with the operation of the POTW;
- B. Failure of the user to disclose fully all relevant facts during the application process, or the user's misrepresentation of any relevant facts at any time;
- C. Falsifying monitoring or compliance reports, or tampering with or knowingly rendering inaccurate any monitoring device or method required to be maintained as a condition of the user's Service Agreement;
- D. Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring; and
- E. Willful and knowing failure to comply with any conditions of the user's Service Agreement or these Rules and Regulations.

Section 542. In the event of a non-emergency situation, where the Authority has determined that a User's discharge presents or may present a threat to the environment or the operation of the POTW, or where termination of a User's Service Agreement is warranted as an enforcement action; the Authority shall, after formal written notification to the affected User and after affording 30 days for the User to respond, require the User to halt or prevent the discharge.

Section 543. Whenever the Authority determines that an industrial User has violated or is violating any prohibitions, limitations or requirements of the User's Service Agreement or these Rules and Regulations, the Authority may issue by certified mail a formal written notification stating the nature of the violation. The User shall be afforded a period not to exceed 45 days after the receipt of the notification of violation within which to correct the deficiency or violation, or to submit to the Authority a proposed corrective action plan and schedule for correcting the violation. The Authority may, in its sole discretion for good cause shown, extend the period for correction of the deficiency or violation or to submit a corrective plan and schedule for correcting the violation.

Section 544. In the case of procedural violations, an industrial User may correct the violation by fulfilling the duties or requirements that are deficient. The Authority shall review the corrective action taken by the User to determine whether or not the violation has been adequately corrected. Failure to correct a violation within a time period required by the Authority may result in further enforcement action.

- Section 545. In the case of discharge violations, the Industrial User may correct the violation by process modifications or implementing appropriate pretreatment technology. The Authority shall review the proposed corrective action plan and schedule submitted by the User to determine whether or not the plan is adequate to correct the violation and consistent with the objectives of any applicable Federal Pretreatment Standards and the General Pretreatment Regulations. The Authority may require modifications to the plan and schedule, including the submission of interim progress reports, to verify correction of the violation within an Authority approved compliance schedule. The Authority may modify the User's Service Agreement to incorporate a schedule of compliance to implement an acceptable correction action plan.
- Section 546. Except in the case of emergency situations subject to the provisions of Section 537 of these Rules and Regulations, whenever the Authority deems it necessary to take enforcement action, including termination of the user's Service Agreement, under the provisions of these Rules and Regulations, the Authority may issue the affected user a formal written notification of the proposed enforcement action by certified mail. Such notice shall state the basis for the proposed action and the reasons for the Authority's tentative action.
- Section 547. The industrial user shall be afforded a minimum period of 30 days within which to comment on the proposed action and to submit to the Authority a written request for a meeting with the Authority to appeal the proposed action. All requests for an appeal meeting shall clearly state the specific action or provision(s) of the proposed action that is being appealed, and the grounds upon which the appeal is based.
- Any supporting evidence that is relevant to the appeal must also be submitted with the request for appeal. The Authority must deny the appeal request on the basis of insufficient grounds, or may schedule a meeting for the user to present the appeal to the Authority. As soon as practicable after the conclusion of the review period or the appeal meeting, the Authority shall issue to the user a formal written notification of the intended enforcement action and their conclusions.
- Section 548. Under the conditions specified in Section 403.16 of the Federal General Pretreatment Regulations for Existing and New Sources of Pollution (40 CFR, Part 403), an upset shall constitute an affirmative defense to an enforcement action for noncompliance with either Federal Categorical Standards or local standards adopted pursuant to these Rules and Regulations. Any industrial user seeking to establish the occurrence of an upset shall have the burden of proof to demonstrate that the conditions necessary for an upset according to the General Pretreatment Regulations have been met.

Section 549. In certain cases, such as those involving termination of a user's Service Agreement, the Authority may order a user to show cause before the Authority why the proposed enforcement action should not be taken. A notice shall be served on the user specifying the time and place of a hearing to be held by the Authority regarding the violation, the reasons why the action is to be taken, the proposed enforcement action, and directing the user to show cause before the Authority why the proposed enforcement action should not be taken.

The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days before the hearing. Service may be made on any agent or officer of a corporation.

Section 550. The Authority may itself conduct the hearing and take evidence, or may designate any of its members, or in conjunction with the affected user and the Authority may designate an arbitrator or board of arbitration to:

- A. Issue in the name of the Authority notices of hearing requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearings;
- B. Take the evidence;
- C. Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the Authority for action thereon.

Section 551. At any hearing held pursuant to these Rules and Regulations, testimony taken must be under oath and recorded stenographically. The transcript, so recorded, will be made available to any member of the public or any party to the hearing upon payment of the usual charges thereof.

Section 552. After the Authority has reviewed the evidence, it may issue an order to the user responsible for the discharge directing that, following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices or other related appurtenances shall have been installed on existing treatment facilities, devices or other related appurtenances and are properly operated. Further orders and directives as are necessary and appropriate may be issued.

Section 553. If any person discharges sewage, industrial wastes or other wastes into the Authority's POTW contrary to the provisions of these Rules and Regulations, Federal or State Pretreatment Requirements or any order of the Authority, the Authority's solicitor may commence an action for appropriate legal and/or equitable relief in the Court of Common Pleas of

the appropriate county or the United States District Court for the Western District of Pennsylvania; or such other forum which has jurisdiction.

Section 554. Any user who is found to have violated an order of the Authority or who willfully or negligently fails to comply with any provision of these Rules and Regulations or the orders, rules, regulations, and Service Agreement issued hereunder by the Authority, shall be subject to criminal penalties in accordance with the provisions of the local ordinance adopted by the Sewage Agency or Municipality within which the user's facility is located. A penalty of not less than one hundred dollars (\$100) nor more than three hundred dollars (\$300) and costs to prosecution, and in default of payment of penalty and costs, to undergo imprisonment for not more than thirty (30) days is the recommended penalty for each offense. Each day's continuation of a violation shall constitute a separate offense. In addition to the penalties recommended herein, the local Municipality shall be able to recover court costs, court reporters' fees and any other expense of litigation by appropriate suit at law against the person found to have violated the provisions of these Rules and Regulations.

Section 555. Any person who knowingly makes any false statement, representation or certification in any application, record, report, plan or other document filed or required to be maintained under these Rules and Regulations, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under these Rules and Regulations shall be subject to criminal penalties in accordance with the provisions of the local ordinance adopted by the Sewage Agency or Municipality within appropriate jurisdiction. A penalty of not more than three hundred dollars (\$300) and costs of prosecution, and in default of payment of fine and costs, to undergo imprisonment for not more than thirty (30) days is recommended penalty for each offense. In addition to the penalties recommended herein, the local Municipality shall be able to recover court costs, court reporters' fees and any other expense of litigation by appropriate suit at law against the person found to have violated the provisions of these Rules and Regulations.

Section 556 Any user violating any of the provisions of these Rules and Regulations or who discharges or causes a discharge which produces a deposit or obstruction or otherwise causes damage to or impairs the operation of the Authority's POTW shall be liable to the Authority for any expenses, losses, or damages caused by such violation or discharge. The Authority shall bill the user for the costs incurred by the Authority for any cleaning, repair or replacement work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a violation of these Rules and Regulations and shall be subject to further enforcement action according to the provisions of these Rules and Regulations.

Section 557. Each sewage collection, transportation and treatment charge, surcharge and penalty imposed by the Sewage Rate Resolution of the Authority or any charges, fees, surcharges or penalties assessed by the Authority according to Article V of these Rules and Regulations shall be a debt due the Authority and shall be a lien on the property served, and if not paid within the period prescribed in the Sewage Rate Resolution after the date of the bill shall be deemed delinquent. In such event, the Board shall proceed to file a lien in the office of the Prothonotary of Allegheny County and collect the same in the manner provided by law for filing and collection municipal claims.

Section 558. In the event of failure to pay any sewage collection, transportation and treatment charges, fees, surcharge or penalty after they become delinquent, the Board may also authorize the appropriate personnel to shut off water service to said property or to remove or close the sewer connection and to take such steps as may be necessary to accomplish such shut off or removal or closing. The expense of restoring any service, shall likewise be a debt due the Authority and a lien on the property served, and may be filed and collected as hereinabove provided. Each sewage service shall not be restored until all sewage collection, transportation and treatment charges, surcharges and penalties, including the expense of removal, closing and restoration shall have been paid or adequate provisions for their payment shall have been made.

Section 559. In the case of change in the nature of business or the cessation of such business activities whereby the existing User's indirect discharge requiring the operation of pretreatment facilities to the Authority's POTW will be terminated, then the User shall within 45 days give written notice of such change to Authority. The notice from the User shall also provide a plan and schedule for the removal from service of all pretreatment facilities including grease removal systems subject to the approval of the Authority.

ARTICLE VI BILLS AND PAYMENT

Section 601. There is imposed upon the owners of, or the users of water in or on, all properties served by the public sanitary sewage system, sewage collection, transportation and treatment charges for the use of said system, payable in the amounts and as provided in the Sewer Rate Resolution heretofore adopted by the Board and as it is hereinafter from time to time amended and modified. Said owners and users will be jointly and severally liable

for the payment of said sewage collection, transportation and treatment charges and the penalties therein prescribed for delinquent payments thereof.

Section 602. The Authority will bill monthly or quarterly, at its option, and bills will be rendered as soon as practicable at the end of the period.

All bills are due and payable within the time and according to the terms set forth in the Schedule of Rates of the Authority, and a penalty of ten percent (10%) will be added to all bills if not paid when due. Acceptance or remittance of bills on the last day of the due date shall be determined as evidenced by the date the bill is received at the Authority office. If the last day of the period falls on a holiday, then payment can be accepted the next business day.

A delinquent notice may be served by mail, telephone call, or in person to the effect that, unless the bill is paid within ten (10) days from the end of the pay period, collection efforts will be initiated, which would include any or all of the following: water shut-off, filing of a municipal property lien, and/or property sheriff sale.

Section 603. All bills are payable at the Executive Offices of the Authority or any pay agency of the Authority.

All bills for services furnished by the Authority will be based on the published Rate Schedule of the Authority.

Each equivalent dwelling unit will be subject to a fixed minimum monthly or quarterly charge. Such minimum charge shall be non-abatable for nonuser of water and non-cumulative against subsequent use. In the case of fractional bills covering less than a full billing period, charges and allowances of water shall be prorated. The charges for temporary service and other miscellaneous services shall be as set forth elsewhere herein and/or in the Rate Schedule.

Section 604. When water usage is used as a basis of charges, then if an owner or user obtains part or all of the water used in or on a property from sources other than the Water Authority, the owner or user shall install, at no expense to the Authority, a water meter of the type approved by the Authority Board for the purpose of measuring all water used other than water obtained from the Water Authority and the quantity of water used to determine the sewage collection, transportation and treatment charges shall be the quantity of water measured by all such meters, plus the quantity of water obtained from the Water Authority. In lieu of such additional meters, the Board may establish under the Sewer Rate Resolution a flat rate charge which shall be applicable to such non-metered water usage.

Section 605. When water usage is used as the basis of charges, then if it is established to the satisfaction of the Board that a portion of the water used in or on any property served by the public sanitary sewage system does not and cannot enter said system, the Board may determine, in such manner and by such method as it may deem practical, the percentage of the water entering the public sanitary sewage system, or the Board may require or permit the installation of additional meters in such manner as to determine either the quantity of water excluded from the public sanitary sewage system or the quantity of water, sewage or industrial waste actually entering the public sanitary sewage system, exclusive of storm water runoff. In such case, the sewage collection, transportation and treatment charge shall be based upon the quantity of water estimated, measured or computed by the Board to be actually entering the public sanitary sewage system, exclusive of storm water runoff.

Section 606. When water usage is used as the basis of charges, then any person requesting consideration for a reduction of the amount of the sewage collection, transportation and treatment charges because of water not entering the public sanitary sewage system shall make written application to the Board for such consideration in accordance with Resolution No. 370 and the Deduct Meter Program adopted by the Board.

The cost of furnishing, installing and maintaining any meters other than those utilized to measure water purchased from the Water Authority shall be borne by the applicant, including the cost of reading the meter. The type, size, location, arrangement and maintenance of such meters shall be subject to the approval of the Board, the Water Authority, and the County Health Department as explained in the Deduct Meter Program adopted by the Board.

Section 607. Debt Service and Administration (D/A) - A charge, as set forth in the Schedule of Rates, will be made against all vacant premises that are not subject to multiple billing and are provided with a separate sewer line service connection, when a premise shall be vacant for a period of more than thirty (30) days and the owner makes written application to the Authority. If water is used in any portion of such applied for vacancy period, the premise will be subject to the minimum charge as established in the Rate Schedule or to such charge as is determined by application of the Rate Schedule, whichever charge is greater. No D/A charge is permitted unless the unit or premise has an individual water meter.

Section 608. Multiple Billing - The term "Multiple Billing" shall mean the basis for computing charges for sewage service in all cases where more than one premise is served through one water meter or a water meter installation (a meter installation being defined as an installation that includes two or more meters placed at one or more locations for the purpose of servicing

one or more premises in a building or related group of buildings, in a facility or related group of facilities, in an area or related group of areas, and in such other properties; more than one meter generally being provided to allow other properties; more than one meter generally being provided to allow flexibility of operation, to furnish adequate capacity, to permit more accurate measurement of water, due to the physical layout of the property, and for such other reasons); and the basis for charges for sewage service in all cases where more than one premise is served through one premise or building sewer line; the procedure for such billing outlined in the Rules and Regulations and summarized as follows; the general principles of Multiple Billing to apply also when charges are subject to a unit charge basis.

The charge for sewage service in all cases where more than one "premise" is served through one premise or building sewer line shall be determined as follows:

- A. Number of Premises - The potential number of "premises" in any building or group of buildings, and the charges therefor, are subject to determination by the Authority prior to original approval of the Authority to furnish sewage services and are subject to determination subsequent to any alterations, additions, or changes in the building or group of buildings. The customer or customers, or Sewage Agency shall notify the Authority promptly, relative to any changes in the number of "premises"--the number at any time always being subject to determination by the Authority.
- B. Different Types of Property Use - This regulation shall apply regardless of whether a business may be owned by a "Customer" also receiving household sewage service through the same building sewer, or the two or more "premises" are located in one building or in different buildings--the ownership of the property or business not being significant.
- C. Service Charges Based on Flat Rates - The total charge for sewage service shall be equal to the average Flat Rate Charge for each "premise" subject to all minimum charges, multiplied by the number of "premises."
- D. Service Charges Based on Water Consumption - The total charge based on water consumption shall be determined as follows;

The average use of water for each billing period for each "premise" shall be equal to the total number of gallons registered by the water meter or meter installation divided by the number of "premises."
The average use of water for each billing period for each "premise"

as thus determined shall provide the basis for billing, subject to all minimum charges. The total charge for sewage service shall be equal to the average charge for each "premise" multiplied by the number of "premises," determined as just set forth, and the total charge shall be submitted to the customer or customers or Sewage Agency as the proper charge for sewage service furnished to the type of building and/or buildings included hereunder.

- E. Miscellaneous Bases for Sewage Service Charges - The Authority may use miscellaneous bases for determination of sewage service charges.
- F. Normal Charges for Sewage Service - The "normal" charges for sewage service will be based on the published Schedule of Rates of the Authority and be subject to the various bases for billing as set forth herein and/or as set forth in the published Schedule of Rates or as determined by the Authority.

Section 609. The word "premises," as used herein, shall be the property or area including the improvements thereon, to which sewage service is or will be furnished, and as used herein shall be taken to designate:

- A. A building under one roof, owned or leased or subleased by one customer and occupied as one resident or one place of business; or
- B. A group or combination of buildings owned by one customer, in one common enclosure, occupied by one family or one organization, corporation or firm, as a residence, or place of business, or for manufacturing or industrial purposes, or as a hotel, hospital, church, parochial school, or similar institution, except as otherwise noted herein; or
- C. The one side of a double house having a solid vertical partition wall; or
- D. Each side or each part of a house or building occupied by one family even though the closet and/or other fixtures be used in common; or
- E. Each apartment, office or suite of offices, and/or place of business located in a building or group of buildings even though such buildings in a group are interconnected by a tunnel, or passageway, covered area-way, or patio or by some similar means or structure; or

- F. A public building devoted entirely to public use, such as a town hall, school house, fire engine house; or
- G. A single lot, or park or playground; or
- H. Each house in a row of houses; or
- I. Each dwelling unit in a house or building, a dwelling unit being defined as a building or portion thereof with exclusive culinary and sanitary facilities designed for occupancy and used by one person or one family (household); or
- J. Each individual and separate place of business and/or occupancy located in one building or group of buildings commonly designated as shopping centers, supermarket areas, and by such other terms; or
- K. Each dwelling unit in a public housing development owned and operated by the United States of America, a municipal subdivision of the Commonwealth of Pennsylvania, or an agency or instrumentality of the United States or the Commonwealth of Pennsylvania; by a philanthropic foundation or organization or some such similar body or organization; or operated under private ownership.
- L. Each trailer or mobile home;

Each "premise" shall be served through a separate premises or building service line except where the Authority determines that physical conditions prevent the installation of separate service facilities.

Section 610. Each residential customer with a private water supply will be billed a user charge based on the estimated average wastewater discharge of metered residential customers and in addition to the debt service and administration charge in part 1. This user charge will be based on the **Average Annual Residential Consumption equals 73,669 gallons.**

Private water customers may, at their own expense, install an approved water meter at their well head and report the meter readings monthly to the Authority, subject to verification by the Authority at least once per year and at the convenience of the Authority.

Each non-residential customer with a private water supply will be billed an administration and debt charge and a user charged based on the quantity of water discharged, as estimated by the Authority in accordance with the parameters given in The Pennsylvania Department of

Environmental Resources Domestic Wastewater Facilities Manual #1357, as amended and the Pennsylvania Code, Title 25, Chapter 73 of The Commonwealth of Pennsylvania, as amended; but in no event shall such customer be billed less than the total amount which would be billed to a residential customer with a private water supply.

ARTICLE VII SURCHARGE FOR CERTAIN COMPATIBLE HIGH CONCENTRATION WASTE CONSTITUENTS

Section 701. For waste constituents compatible to the public sanitary sewage system and for which the sewage treatment works is to provide specific removal capability, the waste shall be subject to surcharge for such constituent concentration in excess of the average influent value upon which the plant design is based. Those constituents for which surcharges are applicable are BOD₅, suspended solids, ammonia nitrogen and phosphorous. The surcharges shall be in addition to the regular sewage collection, transportation and treatment charges set forth in the Sewer Rate Resolution of the Authority, and shall be payable as therein provided.

Section 702. The concentration of the applicable surcharge constituents of any waste shall be determined monthly, or more frequently as the board shall determine, from samples taken either at the manhole or metering chamber referred to in Article IV hereof, or at any other sampling point mutually agreed upon by the Authority and the producer of such waste. The frequency and duration of the sampling period shall be such as, in the opinion of the Authority, will permit a reasonably reliable determination of the average composition of such waste, exclusive of storm water runoff. Samples shall be collected or their collection supervised by a representative of the Authority and shall be in proportion to the flow of waste, exclusive of storm water runoff, and composited for analysis in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," cited above. Except as hereinafter provided, the strength of the waste so found by analysis shall be used for establishing the surcharge or surcharges.

However, the Authority may, if it so elects, accept the results for routine sampling and analyses by the producer of such wastes in lieu of making its own samplings and analyses. The specific requirements for monitoring the waste flow for surcharge constituent strength will be determined at the time of the permit application referred to in Article IV and will be made a condition of this permit.

Section 703. In the event any waste is found, by the Authority, to have a BOD₅ in excess of 205 milligrams per liter, the producer of said waste shall be surcharged an amount equal to the product of the actual volume of wastes in thousand gallons per billing period, exclusive of storm water runoff, discharged to the public sanitary sewage system and the "BOD₅ surcharge rate." The "BOD₅ surcharge rate" shall be determined by the following formula:

$$R_c = 0.00834 P (C - 205)$$

Where R_c = the BOD₅ surcharge rate in cents per 1,000 gallons of waste discharged.

P = the average annual fixed, operating and maintenance cost of secondary treatment processes per pound of BOD₅ received at the treatment works.

C = the average BOD₅ of the industrial waste expressed in milligrams per liter as determined in accordance with Section 702 of this Article.

The figure 205 appearing in the above formula corresponds to the maximum BOD₅ permissible without surcharge. The figure 0.00834 is the factor to convert milligrams per liter to pound per 1,000 gallons. No discount will be permitted for sewage or industrial wastes having BOD₅ less than 205 milligrams per liter.

Section 704. In the event any waste is found, by the Authority, to have an average suspended solids concentration in excess of 240 milligrams per liter, the producer of such waste shall be surcharged an amount equal to the product of the actual volume of wastes in thousand gallons per billing period, exclusive of storm runoff, discharged to the public sanitary sewage system and the "suspended solids surcharge rate." The "suspended solids surcharge rate" shall be determined by the following formula:

$$R_s = 0.00834 \times B (S - 240)$$

Where R_s = the suspended solids surcharge rate in cents per 1,000 gallons of waste discharged.

B = the average annual fixed, operating and maintenance cost of the sludge disposal operations per pound of suspended solids received at the treatment works.

S = the average suspended solids concentration of the abnormal industrial waste expressed in milligrams per liter as determined in accordance with Section 702 of this Article.

The figure 240 appearing in the above formula corresponds to the maximum suspended solids concentration permissible without surcharge. The figure 0.00834 is the factor to convert milligrams per liter to pounds per 1,000 gallons. No discount will be permitted for sewage or industrial wastes having a suspended solids concentration less than 240 milligrams per liter.

Section 705. In the event any waste is found by the Authority, to have an average phosphorus concentration in excess of 10 milligrams per liter, the producer of said waste shall be surcharged an amount equal to the product of the actual volume of wastes in thousand gallons per billing period, exclusive of storm water runoff, discharged to the public sanitary sewage system and the "phosphorus surcharge rate." The "phosphorus surcharge rate" shall be determined by the following formula:

$$R_c = 0.00834 P (C - 10)$$

Where R_c = the "phosphorus surcharge rate" in cents per 1,000 gallons of waste discharged.

P = the average annual fixed, operating and maintenance costs of secondary treatment processes per pound of phosphorus received at the treatment works.

C = the average phosphorus of the industrial waste expressed in milligrams per liter as determined in accordance with Section 702 of this Article.

The figure 10 appearing in the above formula corresponds to the maximum phosphorus permissible without surcharge. The figure 0.00834 is the factor to convert milligrams per liter to pound per 1,000 gallons. No discount will be permitted for sewage or wastes having a phosphorus concentration less than 10 milligrams per liter.

Section 706. In the event any waste is found, by the Authority, to have an ammonia nitrogen concentration in excess of 20 milligrams per liter, the producer of said waste shall be surcharged an amount equal to the product of the actual volume of wastes in thousand gallons per billing period, exclusive of storm water runoff, discharged to the public sanitary sewage system and the "ammonia nitrogen surcharge rate." The "ammonia nitrogen surcharge rate" shall be determined by the following formula:

$$R_c = 0.00834 P (C - 20)$$

Where R_c = the "ammonia nitrogen surcharge rate" in cents per 1,000 gallons of waste discharged.

P = the average annual fixed, operating and maintenance cost of secondary treatment processes per pound of ammonia nitrogen received at the treatment works.

C = the average ammonia nitrogen of the industrial waste expressed in milligrams per liter as determined in accordance with Section 702 of this Article.

The figure 20 appearing in the previous formula corresponds to the maximum ammonia nitrogen permissible without surcharge. The figure 0.00834 is the factor to convert milligrams per liter to pounds per 1,000 gallons. No discount will be permitted for sewage or wastes having an ammonia nitrogen less than 20 milligrams per liter.

ARTICLE VIII BILLING AND COLLECTION

Section 801. Bills and notices relating to the sewage collection, transportation and treatment charges and surcharges will be mailed or delivered to the property owner's last address, or where proper arrangements have been made with the Board, to the user's last address, as shown on the billing books of the Board.

Section 802. The Authority will accept an application for service only from the owner and will bill such owner. Should the owner desire that the Authority conduct business directly with the tenant of each "premise," the owner must fully understand that the property owner is responsible for the bill regardless of where or to whom the bills are sent. In view of this, tenants may be billed only after a form is signed by the owner, stating that they will be responsible for the bill and requesting that the Authority bill the tenant. Tenants may be billed only where an individual water meter is installed on public water systems, no meters being permitted on water systems served by wells or other similar sources of water supply. The foregoing provisions of this Section enabling tenants to be billed directly for sewage service shall not be available on any accounts for rental properties for which application is made after June 1, 1981.

ARTICLE IX CONNECTIONS TO SYSTEM

Section 901. Application for connection to the public sanitary sewage system shall be made to the Board by the property owner or a party authorized by the property owner upon the permit form to be formulated and furnished by the Board.

Section 902. All information requested on said form shall be furnished by the applicant, including the character and use of each structure located upon the property.

Section 903. Any required tapping fee, connection fee, and customer facilities fee shall be paid at the time of making application for permission to make a connection. In addition, any unpaid assessment, connection fee, tapping fee, sewer service charge, customer facilities fee or other fee or charge due to MTSA by the applicant, whether or not liened and applicable to any property of applicant, shall be paid or arrangements shall be made for payment at the time of making application for permission to make a connection.

- Section 904. No work shall commence before the payment of any aforementioned tapping fee, and/or connection fee, and/or customer facilities fee, and issuance of the aforementioned connection permit.
- Section 905. Unless written permission is obtained from the Board, separate connections, and corresponding tapping fees, connection fees, and customer facility fees, will be required for each Equivalent Domestic Unit (EDU) as defined in the Sewer Rate Resolution of the Authority, whether constructed as a separate building or detached unit or as one of a pair or row, but a single connection with payment of the tapping fees for the appropriate number of actual EDU's served will be permitted to serve a school, factory, apartment house or other permanent multiple unity structure whose individual apartments or units may not be subject to separate ownership.
- Section 906. Connections to sanitary sewers shall be completed within sixty (60) calendar days after receipt of proper notice. Only Authority employees are permitted to tap Authority lines. A two foot by 8 foot "ditch box" and backhoe must be present for the Authority to tap an Authority line. A 24-hour notice is required prior to tapping the line.
- Section 907. All connections to sanitary sewers shall be subject to certain restrictions as to unacceptable sanitary sewage which are set forth herein in Article V.
- Section 908. The Inspector, designated by the Board, shall be given at least 24 hours notice before any connection is made to the system so that the Inspector can be present to inspect and approve the work of building the sewer and connection. The Inspector shall signify his approval to the connection by endorsing his name and the date of approval on the aforementioned connection permit in the possession of the permittee. The Inspector shall be permitted to enter upon all properties receiving sewer service for the purpose of inspection, observation, measurement, sampling and testing; such entries to be made only during reasonable daylight hours with prior notification to the customer. The Inspector shall signify his approval to the connection by endorsing his/her name and the date of approval on the aforementioned connection permit in the possession of the permittee.
- Section 909. At the time of inspection of the connection, the owner or owners of properties shall permit the Inspector full and complete access to all sanitary and drainage arrangements and facilities in each building and in and about all parts of the property. No building sewer line shall be covered over, or in any manner concealed, until after it is inspected and approved by said Inspector. The Authority may require a lateral test in addition to the County tests, depending upon the material and workmanship used in construction.

Section 910. It is the intention of these Rules and Regulations that the entire connection be inspected at one time. However, if the property owner feels that special conditions warrant more than one inspection, he may request the same subject to such additional inspection fees as the Board shall determine.

Section 911. All pipe installed shall be either:

A. Reinforced Concrete Pipe

All reinforced concrete pipe shall conform to the requirements of ASTM Designation C76-57T, Class III unless otherwise indicated on the Drawings. Sized up to and including 24" diameter shall be bell and spigot. Sized over 24" diameter may be bell and spigot or tongue and groove joints. The pipe shall be absolutely free of honeycomb and shall present a hard dense surface inside and outside. The roughness coefficient of the pipe (Kutters "n") shall not exceed 0.013. The pipe shall be furnished with rubber gaskets conforming to ASTM C443-65. Concrete pipe is typically not used for small diameter laterals.

B. Ductile Iron Pipe (Use wherever cast iron pipe is specified)

Ductile iron pipe, centrifugally cast in metal molds or sandlined molds for water or other liquids, shall conform to ASA A21.51 (AWWA C-151-65). Class 52.

C. P.V.C. Pipe

Polyvinyl chloride gravity sewer pipe shall conform to a minimum standard of ASTM D 3034-73, (SDR 35) or ASTM F-789-82. The pipe and fittings shall have integral wall bell and spigot joints with rubber ring joints. The pipe stiffness shall be in accordance with ASTM designation D 2412, with a minimum "stiffness factor" $(F/y) = 46$.

D. ABS-Schedule 40

All rigid acrylonitrile-butadiene-styrene pipe furnished shall conform to ASTM Specification D-2661-90. The pipe manufacturer shall submit certification that the pipe meets all the requirements of said ASTM Specification. The pipe shall be tested for stiffness and deflection by a testing laboratory per ASTM D-648. Not less than one (1) length of pipe for each two hundred (200) lengths furnished nor less than two (2) lengths shall be tested. Fittings shall conform to ASTM D-2661 specifications.

The costs for all testing shall be included in the costs for the pipe. The pipe shall be installed in strict accord with the manufacturer's recommendations and ASTM D-2321 by experienced personnel. The manufacturer shall furnish a representative to remain on the job site at the start of the job for a sufficient time to school or instruct the Contractor of the proper installation procedures. Joints shall be of the solvent weld type, per ASTM D-2235.

A manhole water stop gasket and clamp assembly shall be installed around the pipe when entering and leaving a manhole.

Deflection testing shall be conducted on each section of pipe over 8' deep, and on sections under 8' deep as selected by the Engineer, but not to exceed 25% of 0-8' pipe length. This testing is to be delayed as long as practicable after the pipe is installed. Testing for deflection shall be done using the Engineers' GO/NO GO mandrel. Any sections of pipe in which cross-sectional deflection exceeds 5% shall be unacceptable and shall be replaced by the Contractor at his expense. In addition to the requirements of Article 16, of "Excavation, Backfill and Embankment", the Contractor shall give special attention to side fill material and placement of same in order to develop optimum pipe support considering the ABS-Truss pipe as flexible or semi-flexible pipe which requires more support than rigid vitrified clay or reinforced concrete pipe. All pipe installed shall be at least 4 inches in diameter. Each section of pipe shall be stamped with the manufacturer's certification. Where connections between different types of pipe are required, proper transition fittings shall be utilized, and in no case will concrete encasement be permitted in lieu of such fittings.

Section 912. All sewer pipe shall be installed in strict accord with the manufacturer's recommendations. Where rock trench foundation exists, a 4" gravel cradle shall be provided under the pipe.

Section 913. All pipe shall be installed with a minimum slope of 1/8" per foot and a minimum cover of two and one-half (2-1/2') feet unless otherwise approved. All pipe shall be laid to an even grade and straight alignment to the public sanitary sewer. All pipe shall be laid with full and even bearing and no block supports will be allowed. Bell holes shall be dug to allow sufficient space to properly make each joint. Backfill shall be tamped uniformly around the pipe. All work shall be done in a workmanlike manner and shall provide a durable installation.

"Backfill shall be tamped uniformly around the pipe. The trench shall be refilled with clean earth deposited in six (6) inch layers to a height of at least two (2) feet above the top of the sewer in such a manner as not to disturb the structure, and solidly rammed down and tamped around the sewer and under it, with mechanical tampers or proper tools made for this

purpose. The earth, to the height specified above, shall be carefully thrown in with hand shovels and not pushed in by heavy equipment. The remainder of the trench shall be then refilled to the required height in layers, each layer not to exceed twelve (12) inches in thickness. Trench rollers and/or mechanical tampers shall be used so as to obtain maximum compaction of the material."

Section 914. A 6-inch trap with a 4-inch vent and cover (house trap) shall be installed a maximum of five feet from the building. The vent shall be so situated as not to allow the discharge of any surface water to the sanitary sewer.

Section 915. Commercial installations must also comply with all local construction regulations.

Section 916. Maintenance and repair of all building sewers shall be the responsibility of the property owner.

Section 917. Old building sewers may be used to connect existing buildings to the sewer system only when the Authority's representative determines that the old sewer is in an acceptable condition. The condition of the existing building sewer will be determined in the following manor: A 6-inch diameter vertical riser shall be constructed by the property owner at his expense. The riser shall be located at the point where the existing sewer connects to the public sewer system. Flow in the existing line will be observed in the riser and determination of the condition of the existing line made. If flow observed is excessive, indicating infiltration, the line will be rejected. Otherwise it will be accepted. If rejected, the owner of the property shall install a new building sewer to comply with these Rules and Regulations.

Section 918. All publicly Owned Treatment Works (POTW) of the Authority, including sanitary sewer lines, extensions, interceptors, manholes and other appurtenances situated within a public or Authority right-of-way shall at all times be maintained by the respective Owners so as to prevent any structures or other significant improvements, trees or other substantial vegetation to be built or planted over such public sewers and appurtenances and all manhole covers shall remain uncovered and accessible to Authority staff and contractors at all times. All sanitary sewer lines and appurtenances shall be free of excess overburden or fill.

ARTICLE X PROPOSED EXTENSIONS OF SYSTEM BY DEVELOPERS

- Section 1001. Five (5) copies of plans for proposed extensions shall be submitted to the Board on 24" x 36" sheets showing plan views to a scale of 1" = 50' and profiles to a scale of 1" = 10' vertically and 1" = 50' horizontally, a north point, a suitable title block, date and the name of the engineer or surveyor and imprint of his registration seal.
- Section 1002. All sewers shall be designed in accordance with the Sewerage Manual of the Pennsylvania Department of Environmental Resources, Division of Sanitary Engineering, and these Rules and Regulations.
- Section 1003. Construction of sewers will not be permitted until the proper State Permits have been obtained.
- Section 1004. Prior to final acceptance of any sewer extensions by the Board, it will be necessary for the developer to furnish to the Board two sets of "as built plans" showing the angle and distance between manholes, the top and invert elevation of each manhole, and the elevation of the wye for each house, the basement elevation of all houses, and the exact location of all house sewer connections relative to the nearest manhole both downstream and upstream.
- Section 1005. Easements shall be recorded in the name of the Authority for all sewers to be constructed outside of dedicated street right-of-way.
- Section 1006. All sewer pipe shall be extra strength PVC SDR 35, SDR 21 or ductile transite iron, unless otherwise specified for extraordinary ground conditions by the Board.
- Section 1007. All sewer pipe shall be a minimum of 8" in diameter and have a minimum of laying length of not less than five feet.
- Section 1008. The installation of sewers shall start at the lower end of the line and proceed upstream so that the spigot ends point in the direction of flow. The pipe shall be carefully laid to line and grade. The handling, placing and jointing of pipe shall be in strict accordance with the pipe manufacturer's recommendation.
- Section 1009. All manholes shall be constructed in accordance with the standards established by the Board. Frames and covers for all manholes shall be fabricated of cast iron and shall conform to the standards established by the Board. Vented covers shall be furnished at the ends of lines.

- Section 1010. Sewers shall be hydrostatically, pneumatically, and/or smoke tested for leakage at the discretion of, and in the manner required by, the Board.
- Section 1011. The Developer shall file all necessary connection permits and pay the applicable tap connection and inspection fee for each house or building to the Board which shall become due and payable prior to inspection and approval by the Inspector for each respective house service sewer.
- Section 1012. The Developer shall also reimburse the Board in full for costs incurred by the Board in reviewing construction plan drawings, as well as all costs of inspection of construction of all sanitary sewers. The amount and type of inspection required shall be determined by the Board during construction.
- Section 1013. No sewer extensions constructed by a Developer will be approved for ownership, operation and maintenance by the Board until said sewers are formally approved by the Board, all building tap connection and inspection fees have been paid for each building connected to the system, and the Board has been reimbursed in full for all inspection costs incurred by the Inspector during construction, testing and approval.
- Section 1014. In the event that a proposed subdivision is submitted to The McCandless Township Sanitary Authority (“MTSA”) for review and such subdivision includes the use of a tank and on-lot grinder pump to convey sewage from an individual lot to MTSA’s collection system, MTSA will require the following:
- A. That each tank and on-lot grinder pump be of a manufacturer approved by MTSA;
 - B. That each Deed from the Developer of the subdivision contain a provision that notifies the subsequent lot owner of its duties and responsibilities under the MTSA Rules and Regulations;
 - C. That the owner of such lot is required to have full service repair capability available on a short notice with one or more firms designated by MTSA for such emergency repair;
 - D. That each grinder pump is equipped with an alarm system to notify the lot owner of its inoperability so that the lot owner may request emergency service;
 - E. That in the event that the lot owner fails to obtain emergency service, MTSA is authorized to engage such emergency service from an

authorized provider and back-charge the lot owner for all such costs of service and an additional service fee to be determined at that time.

Section 1015. All publicly Owned Treatment Works (POTW) of the Authority, including sanitary sewer lines, extensions, interceptors, manholes and other appurtenances situated within a public or Authority right-of-way shall at all times be maintained by the respective Owners so as to prevent any structures or other significant improvements, trees or other substantial vegetation to be built or planted over such public sewers and appurtenances and all manhole covers shall remain uncovered and accessible to Authority staff and contractors at all times. All sanitary sewer lines and appurtenances shall be free of excess overburden or fill.

ARTICLE XI DELINQUENCIES, VIOLATIONS AND REMEDIES

Section 1101. Each sewage collection, transportation and treatment charge, surcharge and penalty imposed by the Sewer Rate Resolution of the Authority shall be a debt due the Authority and shall be a lien on the property served, and if not paid within the period prescribed in the Sewer Rate Resolution after the date of the bill shall be deemed delinquent. In such event, the Authority may proceed to file a lien in the office of the Prothonotary of Allegheny County and collect the same in the manner provided by law for the filing and collection of municipal claims. In the event of failure to pay the sewage collection, transportation and treatment charge or surcharge or penalty after they become delinquent, the Board may also authorize the appropriate personnel to shut off water service to said property or to remove or close the sewer connection and to take such steps as may be necessary to accomplish such shut off or removal or closing. The expense of such shut off or removal or closing, as well as the expense of restoring any such service, shall likewise be a debt due the Authority and a lien on the property served and may be filed and collected as hereinabove provided. Such sewage service shall not be restored until all sewage collection, transportation and treatment charges, surcharges and penalties, including the expense of removal, closing and restoration shall have been paid or adequate provisions for their payment shall have been made.

Section 1102. Any person found to be violating any provision of these Rules and Regulations shall be served by the Authority 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.

Section 1103. Any person who shall continue any violation beyond the time limit provided for in Section 1102, on conviction thereof, shall be find in accordance with the applicable connection ordinance in effect in the

appropriate portion of the Authority's service area. Each day in which any such violation shall continue shall be deemed a separate offense. ⁽¹⁾

Section 1104. Any person violating any of the provisions of these Rules and Regulations shall become liable to the Authority for any expense, loss or damage occasioned the Authority by reason of such violation.

ARTICLE XII DEMOLITION OF ABANDONED SERVICE SEWERS

Section 1201 The customer desiring termination of sanitary sewer service shall make written application for the termination of service on a form supplied by the Authority. The Customers shall give the date and time when the capping of the tap will be made and available for inspection by Authority personnel prior to backfilling. No application shall be submitted more than fourteen (14) days prior to the scheduled capping of the sewage line.

Section 1202 There is hereby imposed an application and inspection fee of \$25.00 for the termination of sanitary sewage service.

Section 1203 The work in general consists of:

- A. The location and excavation of the four (4) inch or six (6) inch sewer lateral connections within three (3) to five (5) feet of the existing eight (8) inch or larger sanitary sewer main.
- B. Permanently plugging or capping of each location with a suitable and compatible material with the type of pipe existing to prevent inflow or infiltration into the sanitary sewer system.
- C. The excavation materials must be removed from the site and the trench must be backfilled with AASHTO 2-A limestone and compacted as it is installed to prevent any future settlement.

(1) All locations in roadways and berms are to be backfilled to grade level.

(2) Areas located out of these roadway and berm areas are to be at least one-half (1/2) of the depth filled with 2-A limestone, again to prevent settlement, and then backfilled with topsoil and reseeded to prevent erosion.

D. The removal from service, abandonment and/or demolition of all pretreatment facilities including grease removal systems in

accordance with a plan and schedule approved by the Authority. The Authority may conduct inspections of the User's facilities to ascertain compliance with the purpose and requirements of this Article.

Section 1204 A customer who has capped or plugged a sewer lateral connection after application to do so and in accordance with these Rules and Regulations may reapply for sanitary sewer service for the same premises.

Section 1205 MTSA will examine the application and the premises if necessary to determine whether the premises to be reconnected will involve less, the same, or more anticipated sanitary sewage as compared to previous usage at the same site. If the new usage anticipated is less than or the same as the previous usage and the application for reconnection is made within one (1) year from the effective date of disconnection of service, there will be no additional tapping fee required. If the new usage anticipated is more than the previous usage and the application for reconnection is made within one (1) year from the effective date of disconnection of service, a tapping fee based upon measurement per EDU of additional anticipated usage will be required. If the application for reconnection is made more than one (1) year from the effective date of disconnection of service, the then current tapping fee per EDU will be required.

Section 1206 The addition of this section consists of an amendment by motion of the Board **March 2, 1995** to the Rules and Regulations previously adopted August 6, 1992.

ARTICLE XIII VALIDITY

Section 1301. All resolutions or parts of resolutions which are in conflict with any Section of these Rules and Regulations shall be deemed to be repealed. Further, the invalidity of any section, clause, sentence or provision of these Rules and Regulations shall not affect the validity of any other part of them which can be given effect without such invalid part or parts, and if any one or more of the provisions of this set of Rules and Regulations shall for any reasons be held to be illegal or invalid or otherwise contrary to law, then such provisions shall be null and void and shall be deemed separable from the remaining provisions hereof, but shall in no way otherwise affect the validity of these Rules and Regulations.

Section 1302. These Rules and Regulations shall take effect immediately.

Section 1303. All other rules and regulations affecting the Sewer System not in accordance with these Rules and Regulations are hereby repealed insofar as they affect these Rules and Regulations.

Section 1304. These Rules and Regulations were adopted pursuant to and in accordance with a Resolution of the Board adopted **August 6, 1992**. See following page for REVISIONS.

REVISIONS TO MTSA RULES AND REGULATIONS

- (1) Section 1103 - Revised by Resolution No. 376, April 1, 1993 deleting "shall be guilty of a misdemeanor, and" to make the Section read in its entirety as revised herein, on Page 72.
- (2) Section 610 - Revised by Resolution No. 379, July 1, 1993 are hereby amended by deleting from the last sentence of the Section "the sewer design manual of The Pennsylvania Department of Environmental Resources," and, substituting, therefore: "The Pennsylvania Department of Environmental Resources Domestic Wastewater Facilities Manual #1357, as amended and the Pennsylvania Code, Title 25, Chapter 73 of The Commonwealth of Pennsylvania, as amended; but in no event shall such customer be billed less than the total amount which would be billed to a residential customer with a private water supply.
- (3) Article XII - Demolition of Abandoned Sewer Service is an addition to the Rules and Regulations which were amended by motion March 2, 1995. Article XIII - Validity formally was referred to as Article XII. Note: Minimum Standards were also amended to add Demolition of Abandoned Sewers under Section 3.5, subsections 3.51 through 3.54
- (4) Resolution 409, 3/7/96 adding language to Section 802.
- (5) Resolution 409, 3/7/96 adding language to Section 901.
- (6) Resolution 417, 3/5/98 adding language to Section 116
- (7) Resolution 417, 3/5/98 adding a new Section 918.

- (8) Resolution 417, 3/5/98 adding a new Section 1015.

- (9) Resolution 422, 8/6/98 modifying Section 903.

- (10) Resolution 461, 8/8/2002, adding a new Section 1015 Grinder Pumps and changing the former section of 1015 to 1016.

- (11) Resolution 579, 1/6/2011, revised definitions and added sections .

(Originally Adopted Aug. 6, 1992 - Above information consists of Revisions #1 through #10)