

WASTEWATER SYSTEM  
RATES, RULES AND  
REGULATIONS  
OF THE  
BEDFORD TOWNSHIP  
MUNICIPAL AUTHORITY

*Bedford County, Pennsylvania*

Bedford Township Municipal Authority  
Wastewater Rates, Rules, and Regulations

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**SECTION 1 DEFINITIONS**

1.01 Unless the contract specifically indicates otherwise, the meaning of the terms used shall be as follows:

- A. Abnormal waste: Any waste having a suspended solid content or B.O.D. appreciably in excess of that normally found in municipal sewage. For the purpose of this ordinance, any waste (based on an instantaneous sample) containing more than 350 parts per million of suspended solids, or having B.O.D. in excess of 300 parts per million, shall be considered an abnormal waste regardless of whether or not it contains other substances in concentrations differing appreciably from those normally found in municipal waste.
- B. Application: Form upon which a prospective User signifies their desire for wastewater service. To be complete, the form will be accompanied with the appropriate service charges and/or fees, a schedule for installation of required facilities, and registration of the contractor who is to perform the installation.
- C. Approval Authority: The Regional Administrator of Region III of the EPA
- D. Authority: The Bedford Township Municipal Authority and its duly authorized representatives and employees.
- E. Authorized or Duly Authorized Representative of the User:
  - 1. If the User is a corporation:
    - a. A principal executive officer of at least the level of president, secretary, treasurer or vice president in charge of a principal business function or any other person who performs similar policy or decision-making functions for the corporation.
    - b. A manager of one (1) or more manufacturing, production or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations and to initiate or direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
  - 2. If the user is a partnership or sole proprietorship: a general partner or proprietor respectively.
  - 3. If the User if a Federal, State or Local government facility:
    - a. A director or highest official appointed or designed to oversee the operation and performance of the activities of the government facility, or their designee.
  - 4. The individuals described in paragraph 1 through 3 above, may designate a Duly Authorized Representative if such representative, by name or position, is:
    - a. Identified in writing and submitted to the Pretreatment Coordinator.
    - b. Has authorization for the overall operation of the facility from which the discharge originates.
    - c. Has overall responsibility for environmental matters for the company.

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- F. B.O.D.: "Biochemical Oxygen Demand", the quantity of oxygen utilized in the biochemical oxidation of the organic matter in said sewage or industrial waste under standard laboratory procedure in 5 days at 20 degrees C., expressed in parts per million by weight.
- G.. Building: Each single-family dwelling unit, Multiple Dwelling Unit, Multi-use Unit, store, shop, office, business, institutional, commercial or industrial unit contained within any structure, erected and intended for continuous periodic habitation, occupancy or use by human beings or animals and from which structure, wastewater may be discharged into the Authority's Wastewater Mains.
- H. Building Connection: Physical connection of the Wastewater System and any related facilities when applicable.
- I. Building Sewer: The pipeline constructed and owned by the property owner extending from the plumbing fixtures in a Building to the property line or easement line of sanitary sewer main.
- J. Composite Sample: A sample formed by mixing discrete samples taken at periodic points in time or a continuous proportion of the flow. The number of discrete samples which make up the composite depends upon the variability of pollutant concentration and flow.
- K. Connection Charge: Shall mean the charge imposed by this Authority under Section 4B(h) of the Municipality Authorities Act of 1945, as amended, payable upon connection of a Building to the Wastewater System.
- L E.D.U. (Equivalent Dwelling Unit): An amount of waste equal to the amount usually and typically produced in a single-family dwelling unit, in volume, strength and character as determined by the Authority.
- M. Developer: Any person who desires to construct, at their own cost and expense, a wastewater main or other extension to serve any one or more Buildings and to connect such system extension to the Wastewater System.
- N. Engineer: A registered professional engineer retained by the Authority, including any authorized member of the staff of the engineer.
- O. Grab Sample: A sample which is taken from a waste stream without regard to the flow in the waste stream; and over a period of time not to exceed fifteen (15) minutes.
- P. Grinder Pump: A device used to transport the wastewater from a pump tank to the Wastewater Main, installed at location where wastewater will not flow by gravity to the wastewater main or where Lateral ties into a pressure wastewater main.
- Q. Industrial wastes: Any liquid, gaseous or water born wastes from industrial processes or commercial establishments.
- R. Inspector: The person or persons appointed by the Authority to inspect the Wastewater System (including both public, semi-public and private wastewater system), service lines, connections and all other connections between building conduits and the Wastewater Mains.
- S. Interference: the condition in which a discharge, alone or in conjunction with, discharges from other sources:
  - 1. Inhibits or disrupts the processes or operations of the wastewater treatment plant or the sewage collection system, or the processing, use or disposal of the sludge.

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2. Is a cause of violation of any requirement of the Authority's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provision and regulations or permits issued thereunder (or more stringent State and Local regulations), §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 and State sludge management plan prepared pursuant to subtitle D of the SWDA), the Clean Air Act, the Toxics Substances Control and the Marine Protection, Research and Sanctuaries Act; or which results in, or increases the severity of, a violation of other State or national environmental statutes, rules or regulations.
- T. Lateral: That part of the Wastewater System including the wye, saddle and pipe extending from the Wastewater Main to the property line, as owned and maintained by the Authority; and that part of the pipe extending from the property line to the Building, including observation ports, cleanouts, and other necessary appurtenances for service, as owned and maintained by the Owner.
- U. May: Is permissive.
- V. Multiple Dwelling Unit: Apartments, multi-family or multi-unit, and multi-family dwelling projects; does not include motels or hotels.
- W. Multiple Use Unit: A combination of a single family dwelling unit, store, shop, office, business, institutional, commercial or industrial unit contained within any structure or any Building determined by the Authority to have more than one use.
- X. Noncontact Cooling Water: Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.
- Y. Owner: Any Person vested with ownership, legal or equitable, sole or partial, of real estate serviced by the Wastewater System.
- Z. Pass Through: Discharge of pollutants from the Wastewater System to the waters of the Commonwealth and either alone or in conjunction with other discharges, causes a violation of the Authority's NPDES permit or an increase in the magnitude or duration of any such violation; or the concentration of pollutants in the sludge so that the end use of the sludge causes or contributes to pollution, harm to the environment or a violation of any State or national sludge disposal regulation, guideline or standard.
- AA. Person: An individual, firm, company, association, society, corporation or other group or entity.
- BB. pH: The logarithm to the base of 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 latest edition of Standard Methods of the Examination of Water & Wastewater published by the American Public Health Association.
- CC. Pre-treatment Requirement: Requirements of the Authority and/or the Municipal Authority of the Borough of Bedford to alter, reduce, or eliminate pollutants in the wastewater; prior to discharge into the Wastewater System. As a minimum, such discharge shall meet the pre-treatment requirements set forth on 40 C.F.R. part 403.
- DD. Shall: Is mandatory.

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- EE. Tapping Fee: Shall mean the fee or charge imposed by the Authority under Section 4B(t) of the Municipality Authorities Act of 1945, as amended, paid in full prior to connection of a Building to the Wastewater System.
- FF. Tenant: Any building occupant other than the Owner who utilized the service of the Wastewater System.
- GG. Unpolluted water or waste: Any water or waste containing none of the following: free of emulsified grease or soil; acid or alkali; phenols or other substances imparting waste and odor to receiving waters; toxic or poisonous substances in suspension, colloidal state or toxic or solution; obnoxious or odorous gases. It shall contain not more than 10,000 parts per million by weight of dissolved solids of which not more than 2,500 parts per million shall be as chloride and not more than 10 parts per million each of suspended solids and B.O.D. The color shall not exceed 50 parts per million.
- HH. User: The party, whether Owner, tenant, agent or representative of the Owner, receiving wastewater service by the Authority for one or more families or a business or institutional unit on one property owned or tenanted by the party or parties.
1. Residential User - All premises used only for human residency and which is connected to the Wastewater System.
  2. Commercial User - Any property occupied by a non-residential establishment not within the definition of an "Industrial User" and is connected to the Wastewater System.
  3. Industrial User - Any non-residential User identified in Division A, B, C, D, E, or I of the Standard Industrial Classification Manual; shall also include any User which discharges wastewater containing toxic or poisonous substances or any substance(s) which cause(s) interference in the wastewater system.
  4. Significant Industrial User – except as provided by 40 C.F.R., an industrial user who:
    - a. Subject to Categorical Pretreatment Standards; or
    - b. Has a discharge flow of twenty-five thousand (25,000) gpd or more of process wastewater to the Wastewater System (excluding sanitary, noncontact cooling and boiler blowdown wastewater); or
    - c. Contributes process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the WWTP; or
    - d. Is designated as such the Authority on the basis that it has a reasonable potential for adversely affecting the WWTP's operation or for violating any Pretreatment Standard or Requirement; or
    - e. Utilizes cooling tower(s) to remove heat that is produced as an input or output of a chemical or industrial process(es), as well as any cooling tower that cools industrial processes in combination with any heating, ventilation, or air conditioning system.
- II. Use Charge: The annual rental or charge imposed by the Authority under Section 4B(H) of the Municipal Authorities Act of 1945, for the use or availability of use of the Wastewater System.

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- JJ. Wastewater Main: Any pipe or conduit that carries sanitary sewage or other wastes and is owned and operated by the Authority.
- KK. Wastewater System: Term describes the entire publicly owned treatment works. Includes the entire sanitary sewage collection and conveyance system comprised of pipe, manholes, cleanouts, fittings and appurtenances and the wastewater treatment plant facilities that are required to sustain wastewater service.

**SECTION 2 GENERAL PROVISIONS**

- 2.01 The purpose of these Rules and Regulations is to govern for the public use of the Authority's Wastewater System through regulation of sewer connection, sewer use and wastewater discharges; to provide for the distribution of the costs for the Authority's Wastewater System; and to provide procedures for complying with the requirements contained herein.
- 2.02 The definitions of terms used in these Rules and Regulations are found in Section 1 above. The provisions of these Rules and Regulations shall apply to the discharge of all wastewater to any facilities of the Authority. These Rules and Regulations provide for use of the Authority's Wastewater System, regulation of sewer construction, control of the quantity and quality of wastewater discharged, wastewater pretreatment, equitable distribution of costs, assurance that existing customers' capacity will not be preempted, approval of sewer construction plans, issuance of Wastewater Discharge Permits, minimum sewer connection standards and conditions, and penalties and other procedures in cases of violation of these Rules and Regulations.
- 2.03 These Rules and Regulations shall apply to all Users of the Wastewater System.
- 2.04 Except as otherwise provided herein, the Authority shall promulgate, administer, implement and enforce the provisions of these Rules and Regulations.
- 2.05 Any Person found in violation of these Rules and Regulations or any requirement of a permit issued hereunder, may be served with a written notice stating the nature of the violation and providing a time limit for compliance. Any such notice given shall be in writing and served in person or by registered or certified mail. The notice shall be sent to the last address of the User known to the Authority. Where the address is unknown, the notice may be made upon the Owner of record of the property involved. If satisfactory action is not taken in the time allotted by the notice, violation penalties of these Rules and Regulations shall be implemented.
- 2.06 Any Person who continues to violate the discharge provisions of these Rules and Regulations beyond the time limit provided for, may be charged with commission of a misdemeanor and upon conviction thereof, shall be fined not less than twenty-five dollars (\$25.00) nor more than three hundred dollars (\$300.00) for each day the violation continues, or may be subject to disconnection from the Authority's Wastewater System.
- 2.07 Each day or portion thereof a violation continues shall constitute a separate violation.

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- 2.08 All fees, penalties and charges payable under the provisions of these Rules and Regulations shall be paid to the Authority. Such fees and charges shall be as set forth herein.
- 2.09 All fees, penalties and charges collected under these Rules and Regulations shall be used for the sole purpose of constructing, operating or maintaining the general account of the Authority, or the retirement of debt incurred for same.
- 2.10 All fees and charges payable under the provisions of these Rules and Regulations are due and payable immediately upon the receipt of notice thereof from the Authority, unless otherwise provided in such notice. Unpaid charges shall become delinquent and shall be subject to penalty and interest charges as set forth herein.
- 2.11 The Authority, bearing proper credentials and identification, shall be permitted to enter on to the properties including any dwellings of any User at any reasonable time for the purposes of inspection, observation, measurement and sampling of the wastewater discharge to ensure that the discharge to the Authority's Wastewater System is in accordance with the provisions of these Rules and Regulations.
- 2.12 No agent or employee of the Authority or the Township shall have the right or authority to bind the Authority by any promise, agreement or representation contrary to the letter of intent of these Rules and Regulations.
- 2.13 No person shall maliciously, willfully or negligently misuse, overload, block, break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the Authority's Wastewater System. Any person who violates this section shall be guilty of a misdemeanor and, upon conviction, is punishable by a fine in an amount not to exceed three hundred dollars (\$300.00). Any damage to portions of the Authority's Wastewater System, including service laterals, must be immediately reported to the Authority and repairs made under the direction of Authority personnel.
- 2.14 A finding by any court or other jurisdiction that any part or provision of these Rules and Regulations is invalid shall not affect the validity of any other part or provision of these Rules and Regulations which can be given effect without the invalid parts or provisions.

**SECTION 3 REQUIRED CONNECTIONS**

- 3.01 No Owner of a Building shall be required to connect such Building to the Wastewater System if the Authority determines that the capacity of the wastewater collection, conveyance, or treatment facilities is insufficient to serve the Building.
- 3.02 Subject to the above, each Owner of a Building, within the Township that is within the criteria established by the Township's mandatory connection Ordinance, shall be required to connect the Building to the Wastewater System at the Owner's expense in accordance with the Authority's



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Rules and Regulations within sixty (60) days after the date of written notice to do so from the Authority.

- 3.03 While the Township's mandatory connection ordinance and Section 3.2 of these Rules and Regulations shall determine who shall be legally required to connect to the Wastewater System, the Authority establishes the following guidelines to assist the Authority in determining when to request the Township to enforce the mandatory connection ordinance. These guidelines shall not be binding upon the Township which may seek enforcement in situations outside the guidelines and shall not be legally binding upon the Authority. The guidelines shall be as follows:
- A. Buildings within 300 feet of a gravity wastewater main or existing service line which can be served by gravity flow shall be required to connect.
  - B. Buildings within 300 feet of a gravity wastewater main or existing service line which can be served by a pump shall be required to connect.
  - C. Buildings located beyond the distances set forth in A and B may be required to connect if the Authority, in its sole discretion, determines that such connection is appropriate after consideration of relevant factors such as the nature and type of use of the Building, the type and amount of anticipated flow, the site conditions, etc.
  - D. Buildings located within the distances set forth in A and B may be exempted from connection in the event that the Authority, in its sole discretion, determines that such exemption is appropriate after consideration of relevant factors such as extreme and unusual site conditions. Such an exemption, however, shall not be permanent and shall be subject to change by the Authority in the event that the Authority, in its sole discretion, determines that such change is appropriate.
  - E. These guidelines shall be subject to change or modification by the Authority at any time.

**SECTION 4 FAILURE TO CONNECT**

- 4.01 In the event any Owner refuses or neglects to connect within the sixty (60) day period, he shall be deemed to be in violation of the Authority's Rules and Regulations and Township Ordinances. Upon proper notice, the Authority may enter upon property and construct the connection. In such case the Authority shall, upon completion of the work, send an itemized bill of the cost of the construction of connection to Owner. In case of neglect or refusal by Owner to pay such bill within thirty (30) days, the Authority may file a municipal lien. No Owner of a Building shall connect any Building to the Wastewater System if the Authority determines in its discretion that the then available Wastewater System capacity is insufficient to serve the Building.
- 4.02 Any Person who fails to make a proper connection to the Wastewater System within the time specified after receipt of proper notice or after shall be referred to the Municipal Government for the imposition of appropriate fines or penalties.
- 4.03 The Authority may commence the imposition of rates and charges applicable to the Wastewater System against any Person who fails to make proper connection thereto, in consideration of the

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availability of service, at any time after 60 days from the date of notice to connect and may file and enforce a municipal lien to collect such rates and charges. This will not release the Person from connecting to the Wastewater System.

**SECTION 5 CONDITIONS AND PROCEDURES FOR INITIAL SERVICE**

- 5.01 No person shall make or cause to be made any connection with the Wastewater System until they have fulfilled all of the following conditions and procedures:
- A. A person desiring to connect a building to the Wastewater System must first make a written application for a permit on the form furnished by the Authority, at least two (2) weeks before the connection is to be made, stating the building address, the name of the Owner and the User, the purpose for which service will be used and the size and configuration, Lateral and/or Building Sewer required. No work of any nature shall commence before the issuance of the connection permit by the Authority.
  - B. The application for connection permit must be signed by the Owner of the Building or his duly authorized agent. The terms of the connection permit, together with the Rules and Regulations of the Authority, shall regulate and control the provision of wastewater service to the Building.
  - C. The application for connection permit must be accompanied by the required Connection Charge, Tapping Fee and any other fees or charges established by the Authority which are payable prior to the time of connection. The excavator's name and phone number must be provided along with a current copy of their liability insurance.
  - D. The application for connection permit must contain indication of the date when the connection will be ready for inspection and the Building Sewer will be constructed.
  - E. The Owner will be granted a connection permit only upon meeting the Authority's application and permitting procedure.
  - F. The Authority will notify the Owner at the time connection permit is issued as to the location and configuration of the lateral installed by the Authority.
- 5.02 When an application has been made for a new service connection or for reinstatement or change in an existing service, it is assumed that the Building Sewer and all plumbing, piping, and fixtures which will be serviced are in proper order to receive the service; and the Authority shall not be liable for any accident, breaks or leakage arising in any way in connection with the Building Sewer and with the acceptance of wastewater flow or failure to accept wastewater flow, or the freezing of pipes or fixtures, nor for any damage to the building which may result from the usage or non-usage of wastewater service provided to such Building.
- 5.03 The Owner shall notify the Inspector at least seventy-two (72) hours prior to the time when the Building Connection will be made, in order that the Inspector can be present to inspect and approve the work of connection. The Owner shall not backfill over any lateral piping until the Inspector has given his approval. Also, the Owner shall not remove the plug or cap on the Authority's lateral until the Inspector has given his approval. Inspections shall be performed

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Monday through Friday 7:00am – 3:00pm only. After hours or weekend inspections shall be done for an additional inspection fee to be charged to the Owner.

- 5.04 At the time of inspection of the building connection, and prior thereto in accordance with applicable easements, the Owner shall permit the Inspector full and complete access to all pipes, building sewer, drainage facilities and other appurtenances in each Building and about all parts of the property. No portion of the Building Sewer shall be covered over, or in any manner concealed, until after it is satisfactorily inspected and approved by Inspector by a written notation on the connection permit.
- 5.05 An air pressure testing requirement shall apply to all components of the service lateral from the foundation wall to the Connection Stub. In the case of new construction, the air pressure testing requirement shall apply to all under slab piping as well.
- 5.06 All components of service laterals shall be air tested wherein all components are pressurized with air to a minimum of five (5 p.s.i.) pounds per square inch and thereafter held for a period of fifteen (15) minutes with no noticeable loss of pressure. Details of such testing are prescribed in §312 of the International Plumbing Code as contained in the Pennsylvania Uniform Construction Code.
- 5.07 Requests for inspection or witnessing of the testing must be made a minimum of seventy-two (72) hours in advance of the requested time. The inspector will allow up to thirty (30) minutes per test. The witnessing of a test shall be for the actual test itself, not for the preliminary hook up or other work which precedes the actual test. In the event that a property does not pass the initial test, a fee will be assessed for each retest that is necessary. The inspector shall make the sole determination as to when the actual testing period commences and thereafter when the fifteen (15) minute duration of the test has expired. Inspections shall be performed Monday through Friday 7:00am – 3:00pm only. After hours or weekend inspections shall be done for an additional inspection fee to be charged to the Owner.
- 5.08 In no case shall infiltration/exfiltration exceed fifty (50) gallons per day per inch diameter per mile of pipe, or such other amount as shall be determined by the Authority.

For example:

A 4-inch lateral is 40 lineal feet long

Allowable leakage:

50 gallons per day per inch diameter per mile x 4 inches x (40 ft/5280 ft per mile) = 1.5 gallons per day.

- 5.09 The Inspector shall signify his approval of the Building Sewer by endorsing his name and the date of approval on the connection permit.

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- 5.10 Notwithstanding any other provisions to the contrary, the Authority shall at all times reserve the right to withhold the issuance of any permit for connection to the Wastewater system unless the applicant provides collateral or security as the Authority in its sole and absolute discretion deems adequate in the event the Owner or any successor fails to complete the proper construction.
- 5.11 The Authority will not permit connection to the Wastewater System unless adequate capacity to convey and treat the wastewater is available.
- 5.12 For sewer service installed to a Building that receives its water from a private well, a meter shall be installed on the line coming from the well for the purpose of measuring usage which shall be used to bill for the sewer service.

**SECTION 6 SPECIFICATIONS AND STANDARDS FOR BUILDING SEWERS AND  
LATERALS**

- 6.01 A separate Building Sewer and Lateral will be required for each Building whether constructed as a detached unit or as one of a pair or row. A single Building Sewer, and/or Lateral may be permitted to serve a school, factory, and other permanent Multiple Dwelling Unit or Multiple Use unit structure which does not have a solid vertical partition wall between each unit and whose individual units may not be subject to separate ownership, at the discretion of the Authority. The Authority, in its sole discretion, may permit multiple structures to be served by one building sewer only upon satisfactory proof from the Owner of the following: (1) the structures are under common use and ownership, (2) there is no reasonable likelihood that the structures will ever be severed from common use and ownership by sale, lease or otherwise, (3) there would be an undue hardship on the Owner, and (4) the method and type of connection shall be approved by the Authority's Engineer. An example of such a situation may be an Owner desiring sewage service for a detached garage on the same lot as the Owner's residence. If an exception is granted by the Authority, the Authority reserves the right to withdraw the exception in the event circumstances change so that the criteria set forth above is no longer met.
- 6.02 No repairs, alterations or additions to any Building Sewer, or Lateral shall be made unless the Person desiring to make them shall make application to and receive permission from the Authority.
- 6.03 No User shall be allowed to permit any other Persons or Building to use or connect with his building sewer, or lateral except upon written permission of the Authority.
- 6.04 The minimum size gravity Building Sewer for any Building shall be four (4) inch diameter pipe laid on a minimum grade of one quarter ( $\frac{1}{4}$ ) inch per foot of length, and having permanently sealed water tight and gas tight joints. The size of the Building Sewer serving other than detached residential units by gravity shall be considered on an individual basis by the Authority.
- 6.05 No Building Sewer shall be installed which passes through property of persons other than the Owner of the Building to be served, unless the Owner of the Building to be served obtains a right-

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of-way from the Person through whose property it will pass. The right-of-way shall be recorded with the County Recorder of Deeds. The Owner of the Building to be served shall be responsible for maintenance of the Building Sewer.

- 6.06 When an Owner desires wastewater service to a Building which does not have an existing Wastewater Main or does not have an existing Wastewater Main of adequate capacity in the roadway abutting the building, such Owner shall be required to extend or replace the Wastewater Main at his sole cost. Size of the Wastewater Main and length that Wastewater Main will have to be extended shall be determined by the Engineer. The extension will require the written permission of the Authority, and, if appropriate, the receipt of proper Commonwealth permits in the name of the Authority obtained at the sole cost of the Owner.
- 6.07 No Building Sewer, or Lateral shall be placed by any Person in the same trench with a water or gas pipe or with any facility of a public service company or municipality, or within three (3) feet of any excavation or vault, unless permitted by the Authority.
- 6.08 All Building Sewers shall be placed on a six (6) inch aggregate base and backfilled with aggregate to at least six (6) inches above top of pipe. The pipe shall have at least thirty (30) inches of cover. The pipe shall be laid in a straight alignment. The aggregate shall be PennDOT 2B, 2A or 2RC unless otherwise approved by the Authority. Lines in load bearing areas must be properly compacted. Traceable trench pipe shall be used. Traps, standpipes, vents and inspection ports shall be covered with 2B, 2A or 2RC aggregate up to 6" below grade.
- 6.09 All excavation shall be guarded with barricades to protect the public from hazard.
- 6.10 All Building Sewer shall be type SDR 35 PVC pipe conforming to ASTM D3034 or equal. Pipe and fittings shall have bell and spigot type elastomeric gasketed joints. Gaskets shall meet the requirements of ASTM F477. SDR 35 shall be used for vent and trap assemblies, and in load bearing areas if specifically approved by the Authority's inspector. Fernco fittings shall be placed on all stand pipes to prevent potential infiltration caused by ground freeze/thaw movement of pipes.
- 6.11 All work must comply with the General Specifications on file with the Bedford Township Municipal Authority.
- 6.12 Flow from basement and garage floor drains, sump pumps, French drains and downspouts are prohibited from entering the sewer system and shall not be connected to the building Sewer or Service Line unless the Authority determines that separation would cause undue hardship for the property owners and the basement is not susceptible to frequent flooding.
- 6.13 All service lines shall include a vertical riser pipe extended to grade from a tee in the pipe. The riser pipe shall be of the same diameter and material as the service line and shall be located within 5 feet of the point of connection to the sewer system. The pipe shall extend at least to finished grade and furnished with a screw-on cap to circumvent inflow and/or vandalism. The cap shall be

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protected by a cast iron framed cover approved by the Authority. Also, a running trap must be installed within twenty (20) feet of building. Buildings located in a floodplain must have vertical riser pipe extended above the first floor to prevent flood water inflow.

- 6.14 Unless otherwise authorized by the Authority, or its representative, cleanouts shall be provided in each House Connection and at intervals to permit complete rodding with a 100 feet (100') long auger or tape. Cleanouts shall be constructed using a sanitary tee fitting in the run of the pipe with a sanitary tee and riser to the ground surface. The riser pipe shall be provided with a standard 4" screw type ferrule. Any cleanouts in a load bearing area shall be protected by a cast iron framed cover.
- 6.15 All hotels, restaurants, boarding houses, and public eating places shall install grease tanks on the Service Lines. The grease tanks shall be of type and size as described elsewhere in these Rules and Regulations. All service stations, garages, factory buildings, or commercial establishments handling oils, petroleum products, washing cars, trucks, or other machinery shall install grease tanks or separator tanks of a size and type meeting the Authority's requirements.
- 6.16 Connections to the lateral sewer shall be made with an approved adaptor, coupling, reducing fitting or combination thereof. All fittings, couplings and adapters shall be installed and joined in accordance with the pipe manufacturer's recommendations. Piping from residence shall be connected to service lateral using a Schedule 40 to SDR 35 adapter. No manhole shall be cored to make a connection less than ten (10) feet deep.
- 6.17 Projecting the smaller pipe in the larger and sealing will not be permitted.
- 6.18 All connections to Sewers shall be made at curb line, right-of-way or easement unless specifically authorized by the Authority. Where no Sewer Connection has previously been constructed, the connection to the Sewer main and the construction of the Lateral Sewer from the Sewer main to the curb line shall be made by the Authority unless other specific authorization is given by the Authority.
- 6.19 All construction, reconstruction and alterations of Sewer Connections and appurtenances shall be performed in a competent workmanlike manner in accordance with recognized standards of the plumbing trade and the specifications currently on file with the Authority. The Authority shall stop or require reconstruction of any work not forming to these standards or specifications.

**SECTION 7 PROPERTIES REQUIRING SEWAGE GRINDER PUMPS**

- 7.01 It may be determined that sewage grinder pumps are required to convey wastewater from certain properties to the Authority's sewer system. Prior to installation of a grinder pump unit, written approval of the Authority is required. Upon requesting approval to utilize a grinder pump, the Owner shall demonstrate to the Authority's satisfaction that alternate gravity service is not feasible and/or cost effective.

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- 7.02 Upon notice from the Authority that a sewage grinder pump is necessary or appropriate, the Owner shall provide two (2) copies of detailed information for the Authority's review regarding the size, location and type of grinder pump unit, the pressure piping and connection to the Authority's sanitary sewer system. Owner shall provide additional information as required by the Authority to properly evaluate the proposed system.
- 7.03 Upon the Authority's approval of the location, materials and installation methods submitted, the Owner may proceed with purchasing and installing the system. Proper insurance certificates shall be provided before any excavation begins.
- 7.04 Prior to physical connection to the Authority Sanitary Sewer System, the Owner shall execute a document, provided by the Authority, that relieves the Authority of any responsibility for damages caused by a malfunction of any kind, including, but not limited to, check valves installed in the pressure lateral.
- 7.05 Installation and testing of the proposed system shall be subject to inspection by the Authority's designated Inspector. A minimum one (1) week notice of the date to begin the installation shall be provided to the Authority's Inspector.
- 7.06 The Owner shall be responsible for all installation costs, as well as normal operation, maintenance and repair costs for the grinder pump system. The Owner shall be responsible for determining if their existing electrical system is adequate for the pump load.
- 7.07 For grinder pumps to be installed outside the building served, the Building Drain and Service line from the building to the grinder pump shall be installed and tested in accordance with the Authority's Specifications and Standards, as revised. No storm water from any source, such as downspouts, French drains or sump pumps, will be permitted to be connected to the system.
- 7.08 The grinder pump, tank, valves and other related appurtenances shall be provided, installed and tested in conformance with the latest edition of the Authority's General Specifications and with the manufacturer's recommendations.
- 7.09 All material exposed to wastewater shall have inherent corrosion protection; i.e., cast iron, fiberglass, stainless steel, PVC. Any exterior steel surfaces are to be suitably protected against corrosion.
- 7.10 The electrical supply line to the pump and alarm shall be installed in conduit and not placed directly above the sanitary sewer pipe.
- 7.11 Grinder Pump Units
- A. The minimum net storage capacity of the grinder pump unit shall be approximately 50 gallons for a single Equivalent Dwelling Unit (EDU). The grinder pump tank should be

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- able to accommodate normal peak flows and emergency storage during a short power failure.
- B. The grinder pump shall have the characteristics which will continue to produce flows of at least eight (8) gpm under all conditions.
  - C. Check and shut-off valves shall be employed to isolate the grinder pump unit from the house service line and the pressure laterals. Redundant check and shut-off valves, accessible from the surface through a curb box, shall also be required on the pressure lateral. Curb box lid shall be marked SEWER.
  - D. The pump shall be constructed with a positively-primed flooded suction configuration. As added assurance that the pump cannot lose prime even under negative pressure conditions in the discharge piping system, the pump shall be equipped with an integral anti-siphoning, air relief valve in the discharge piping just below the main check valve. This valve will automatically close when the pump is running and open when the pump is off.
  - E. Appropriate high water and overflow detection devices such as visual and/or audio alarm shall be provided. The grinder pump control panel shall contain a separate control circuit and breaker for the alarms.
  - F. Provisions shall be made to insure that the grinder pump operates under power load fluctuations and contains integral protection against back siphonage and over pressure.
  - G. The grinder pump unit shall be capable of reducing any material in the wastewater which enters the grinder unit to such size that the material will pass through the pump unit and pressure sewer without plugging or clogging. No screens or other devices requiring regular maintenance shall be used to prevent trashy material from entering the grinder pump.
  - H. If the grinder pump unit is installed outside the residence, provision must be made for access, as well as protection from weather, buoyancy, and vandalism. Inside installations shall be quiet and free from electrical and/or health hazards. All installations shall be certified by nationally recognized independent testing laboratories, such as the Underwriter's Laboratories, Inc., the National Sanitation Foundation, NFPA 70 of the National Electric Code and any applicable local codes.
  - I. The grinder pump unit must be capable of being removed without dewatering the collection tank.
  - J. In situations where the grinder pump will be permitted to discharge to an existing Authority owned force main, the Owner must provide a unit that will be capable of operation under conditions when the force main is pressurized to its maximum possible pressure times 1.25. This maximum pressure varies dependent upon the force main being connected to and the value shall be obtained from the Authority prior to sizing the grinder pump.
  - K. If the grinder pump is expected to convey more than 1,000 gallons of sewage per day, consideration shall be given to installing a duplex grinder pump system. Each pump must be of the same type and model as the pump approved for the simplex units. The pump tank, discharge pumping, valves, electrical controls and other appurtenances relative to the duplex grinder pump system shall be in accordance with the manufacturer's or supplier's recommendations. The pumps should alternate operation to minimize wear on any single pump. Liquid level sensors should be adjusted so that the two pumps do not routinely



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operate simultaneously. The cost of installing a second pump shall be the responsibility of the Owner.

- L. If the Owner chooses to install only one pump in an installation receiving more than 1,000 gallons per day, the Owner shall submit to the Authority a letter or maintenance agreement from a person or company stating that said person or company can provide to the Owner a replacement pump within 24 hours, if it is determined that the Owner's pump must be removed to be repaired or replaced.
- M. Except as provided in this section, a grinder pump or a duplex pump system shall serve only one structure. The Authority, in its sole discretion, may permit multiple structures to be served by one grinder pump or grinder pump system only upon satisfactory proof from the Owner of the following: (1) the structures are under common use and ownership, (2) there is no reasonable likelihood that the structures will ever be severed from common use and ownership by sale, lease or otherwise, (3) there would be an undue hardship on the Owner, and (4) the method and type of connection shall be approved by the Authority's Engineer. An example of such a situation may be an Owner desiring sewage service for a detached garage on the same lot as the Owner's residence. If an exception is granted by the Authority, the Authority reserves the right to withdraw the exception in the event circumstances change so that the criteria set forth above is no longer met.
- N. When installation of a grinder pump is required as part of an Authority sewer extension project the grinder pump assembly shall be supplied by the Authority. The grinder pump assembly shall be installed by a certified contractor at the Owner's expense as per Authority specifications in the Rules and Regulations.
- O. When installation of a grinder pump is required as part of an Authority sewer extension project the grinder pump assembly shall be maintained and repaired by the Authority at the expense of the Authority unless such maintenance or repair is necessary due to negligence or abuse of the Owner which caused the maintenance or repair to be necessary. In such case of negligence or abuse the full amount of the repair will be billed to the Owner.
- P. When installation of a grinder pump is required as part of an Authority sewer extension project the Owner shall sign a Grinder Pump Easement & Maintenance Agreement with the Authority.

7.12 Pressure Laterals

- A. No pressure sewer less than one (1) inch inside diameter shall be provided. The required size shall be determined to maintain low frictional losses in the system and a minimum scouring velocity of two feet per second at all points in the system.
- B. All piping, fittings and associated materials to be used shall have a rated capacity in excess of the maximum pressure anticipated in the lateral. HDPE pipe with a pressure rating that exceeds the maximum pressure to be encountered is acceptable piping material.
- C. The pressure lateral piping shall be buried at a depth of a minimum of four (4) feet.
- D. Thrust blocks shall be provided for all fittings and at all locations where horizontal and/or vertical deflections are made.
- E. Pressure and vacuum release valves shall be employed at appropriate locations. Pressure laterals should be constructed on a gradually ascending slope to minimize air binding.

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- F. The pressure lateral shall be color taped or coded to distinguish between sanitary sewer and water main, and the direction of flow should be indicated on all pressure sewers inside the buildings.
- G. Bedding and backfill shall be in accordance with Authority specifications and manufacturer's recommendations, whichever is more stringent.
- H. Earth dams shall be provided in the pressure lateral trench at locations required by the Authority's Inspector.
- I. Pressure lateral testing shall be in accordance with Authority requirements.
- J. All pressure laterals shall have a redundant check valve installed within the lateral to prevent backflow from the sewer main or force main.
- K. The check valve shall be the same size as the pressure lateral and of the gravity-operated flapper type. The check valve will provide a full-ported passageway when open and shall introduce a friction loss of less than 6 inches of water at a maximum rated flow. A non-metallic hinge shall be an integral part of the flapper assembly providing maximum degrees of freedom for assured seating at a very low back pressure.

7.13 Connection to Sanitary Sewer System

- A. A pressure Connection to a gravity sewer shall terminate in a manhole; or be made with a service saddle, and corporation stop. A curb stop and curb box complete with stationary rod and lid shall be located at the property line. The curb box shall have an asphalt based coating and be labeled Sewer.
- B. All Connections to a Sewage Force Main that are of less than two (2) inches in diameter shall utilize a corporation stop. All connections to polyvinyl chloride (PVC) Force Main of any size, and ductile iron pipe of less than six (6) inches in diameter, shall also utilize a saddle. The saddle shall have a single strap and be of bronze construction with corporation stop threads. The corporation stop shall have a bronze body with AWWA C-800 thread dimensions and AWWA taper inlet threads and be equipped with compression connection for pressure service lateral material used. If the connection is two inches or greater in diameter, a tee and gate valve shall be used.
- C. All Pressure Service Lines less than 2 inches in diameter shall be equipped with a curb stop and box; located at the property line and with the top mounted flush with the ground surface. The curb stop shall be of bronze construction with check, without drain, and be equipped with compression connections for pressure service lateral. The curb boxes shall be complete with stationary rod and lid, or equal, with asphalt based paint coating and labeled Sewer.

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**SECTION 8 - GREASE INTERCEPTOR REQUIREMENTS FOR THE SANITARY SEWER SYSTEM**

8.01 Definitions

- A. Unless otherwise expressly stated or the context clearly indicates a different intention, the following terms shall, for the purpose of this chapter, have the meanings indicated in this section:
1. "Building discharge line system" means a sewer line or lines maintained and controlled by private persons for the purpose of conveying sewage from the waste producing location to the sanitary sewer collection system, also referred to as "service line".
  2. "C.U.F." or "categorical use factor" means a number used as a weight factor in the calculation of grease interceptor sizing. The categorical use factor is based on the type of facility and what activities that facility is involved in.
  3. "Common grease interceptor" means an interceptor to which grease wastes are directed from more than one facility having different operators or type of operations, such as in a food court.
  4. "Director" means the director or manager of the Authority, or designee, who has been given the administrative authority to enforce this chapter.
  5. "Food courts" mean areas predominantly found in shopping centers or amusement parks and festivals where several food preparation establishments having different owners may be sharing seating space and/or plumbing facilities.
  6. "Food service facility" means any facility which cuts, cooks, bakes, prepares or serves food, or which disposes of food-related wastes.
  7. "Garbage grinder" means a device which shreds or grinds up solid or semisolid waste materials into smaller portions for discharge into the sanitary sewer collection system.
  8. "Generator" means a user, by site, who produces wastes from the user's process operations. The generator is responsible for assuring that the produced waste is disposed of in accordance with all federal, state and local disposal regulations.
  9. "Grease" means a material composed primarily of fatty matter from animal or vegetable sources or from hydrocarbons of petroleum origins. The terms "oil and grease" or "oil and grease substances" shall be deemed as grease by definition.
  10. "Grease interceptor" means a device so constructed as to separate and trap or hold, oil and grease substances from the sewage discharged from a facility in order to keep oil and grease substances from entering the sanitary sewer collection system. "Under the sink" grease interceptors shall not be construed as meeting the grease interceptor definition in this chapter.
  11. "NPDES" means National Pollution Discharge Elimination System under which the Bedford Borough Wastewater Treatment Plant is permitted.
  12. "POTW" means publicly owned treatment works or "treatment works" as defined by Section 212 of the Clean Water Act (33 U.S.C. Section 1292) which is owned or operated in this instance by the Municipal Authority of the Borough of Bedford.

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This definition includes any sewers that convey wastewater to the Bedford Borough Wastewater Treatment Plant.

13. "Pretreatment administrator" means an individual representing the Authority who is charged with the responsibility of administering the provisions of the pretreatment program to ensure compliance by users with applicable laws, rules, regulations, resolutions and ordinances relative to the concentration(s) of substances found in the waste stream of facilities connected to the POTW.
14. "Sewage" means the liquid and water-carried domestic or industrial wastes from dwellings, commercial establishments, industrial facilities and institutions, whether treated or untreated. The terms "waste" and "wastewater" shall be deemed as sewage by definition.
15. "Transporter" is a user who transfers waste from the site of a generator to an approved site for disposal or treatment. The transporter is responsible for assuring that all federal, state and local regulations are followed regarding waste transport.
16. "Under the sink grease interceptor" means a device placed under, or in close proximity to, sinks or other facilities likely to discharge grease in an attempt to separate, trap or hold oil and grease substances to prevent their entry into the sanitary sewer collection system. Such "under the sink grease interceptors" are not "grease interceptors" for purposes of this chapter because they are generally undersized and located too close to the grease discharging source to effectively prevent substantial amounts of grease from entering the sanitary sewer collection system.
17. "User" means the owner or operator of a facility meeting or coming under the herein-described food service categories.
18. "Waste" means the liquid and water-carried domestic or industrial wastes from dwellings, commercial establishments, industrial facilities and institutions, whether treated or untreated. Wastes may include but not be limited to discharges from scullery sinks, pot and pan sinks, dishwashing machines, soup kettles and floor drains located in areas where grease-containing materials may exist. The terms "sewage" and "wastewater" shall be deemed as waste by definition.

8.02 General Criteria - Waste Discharge Requirements.

- A. Waste which contains grease may be discharged into the sanitary sewer collection system only under the conditions of this chapter.
- B. When grease containing materials are processed through garbage grinders, the waste from said garbage grinders shall be directed to the grease interceptor.
- C. Toilets, urinals, and other similar fixtures shall not discharge through the grease interceptor unless specifically approved, in writing, by the Authority, or its designee.
- D. All waste shall enter the grease interceptor through the inlet pipe only.

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8.03 General Criteria - Design.

- A. Grease interceptors shall be constructed in accordance with the design(s) approved by the Authority and shall have a minimum of two compartments with fittings designed for grease retention. Other grease removal devices or technologies not meeting the grease interceptor definition in Section 23.1 shall be subject to the written approval of the Authority. Such approval shall be based on demonstrated removal efficiencies of the proposed technology. "Under the sink" grease interceptors shall not be approved.
- B. There shall be an adequate number of access points for cleaning all areas of the grease interceptor. Covers shall be gas tight in construction.
- C. In areas where additional weight loads may exist, the grease interceptor shall be designed to have adequate load-bearing capacity.

8.04 General Criteria - Location.

Each grease interceptor shall be so installed and connected that it shall be at all times easily accessible for inspection, cleaning and removal of the intercepted grease. A grease interceptor may not be installed in any part of a building where food is handled. Location of the grease interceptor shall meet the approval of the Authority.

8.05 General Criteria - Grease Interceptor Size.

- A. Each food service facility shall be served by an approved grease interceptor(s). "Food courts" shall be considered a single facility for the purpose of this chapter.
  - 1. The grease interceptor capacity for food service facilities with seating or beds (including restaurants, cafeterias, hospitals, schools, institutions, care facilities, clubs, bars and dance halls) shall be calculated according to the formula:

$$\text{Size} = \text{T.O.R.} \times \text{C.U.F.} \times 2.5 \times \text{S.C.}$$

Where:

- Size = Total volume (in gallons) of the grease interceptor
- T.O.R.= Turnover rate which averages two meals (place settings) per table per hour
- C.U.F. = Categorical use factor
- 2.5 = The average water (in gallons) used per place setting
- S.C. = Seating capacity in subject facility (or bed usage for care facilities)

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2. The grease interceptor capacity for food service facilities without seating or beds (including deli stores with meat cutting, super markets with meat cutting, bakeries and butcher shops) shall be calculated according to the formula:

$$\text{Size} = \text{H.O.} \times \text{C.U.F.} \times 10$$

Where:

Size = Total volume (in gallons) of the grease interceptor

H.O. = Number of hours of operation per day

C.U.F.= Categorical use factor

3. All grease interceptors shall have a capacity of not less than seven hundred fifty gallons nor exceed a capacity of three thousand gallons. If the size calculated using the formulas of this chapter exceed three thousand gallons, then multiple units installed in parallel shall be used.

8.06 Specific Criteria - Determination of Grease Interceptor Size.

- A. Food service categories were devised based on the type of kitchen facilities in use and the type of facility.

1. Category A - Restaurants/Cafeterias

Full or limited service with the capability to serve or prepare one hundred or more meals per day.

- Plumbing fixtures: pot sinks, two or three compartment sinks, hand sinks, mop sinks, floor sinks and one dishwasher, all connected or to be connected to the grease interceptor.
- Equipment: A minimum of one grill or one fryer and one to three ovens.
- Formula:  $2.0 \times \text{C.U.F.} \times 2.5 \times \text{seating}$
- C.U.F. = 1.0;  $2.0 \times 1.0 \times 2.5 \times \text{seating}$

2. Category A-1

Same criteria as the previous category with the following additions listed:

- Plumbing fixtures: Garbage grinder connected to the grease interceptor.
- Equipment: Same as Category A.

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- Formula:  $2.0 \times \text{C.U.F.} \times 2.5 \times \text{seating}$
- C.U.F. = 1.25;  $2.0 \times 1.25 \times 2.5 \times \text{seating}$

3. Category A-2

Same criteria as Category A-1 with the following additions and differences listed:

- Plumbing fixtures: For each additional garbage grinder and dishwasher there will be a factor of .25 added to the categorical use factor (C.U.F.).
- Equipment: For each additional "wok" stove, deep fryer and grill there will be a factor of .50 added to the categorical use factor.
- Formula:  $2.0 \times \text{C.U.F.} \times 2.5 \times \text{seating}$

4. Category B

This category is for hospitals, schools, institutions and care facilities.

- Formula: Hospitals/schools:  $2.0 \times \text{C.U.F.} \times 2.5 \times \text{bed usage or seating}$
- C.U.F. = 0.75;  $2.0 \times 0.75 \times 2.5 \times \text{bed usage or seating}$
- Institutions/care facilities:  $2.0 \times \text{C.U.F.} \times 2.5 \times \text{bed usage/seating}$
- C.U.F. = 1.0;  $2.0 \times 1.0 \times 2.5 \times \text{bed usage/seating}$

5. Category C

This category is for clubs, bars and dance halls with limited food service facilities.

- Formula:  $0.25 \times \text{C.U.F.} \times 2.5 \times \text{seating}$
- C.U.F. = 1.0;  $0.25 \times 1.0 \times 2.5 \times \text{seating}$

Note: The formulas for categories A through C will be adjusted by the following when necessary:

- A value of .25 will be added to the categorical use factor for each dishwasher or garbage grinder directed to the grease interceptor above the number of one each.
- A value of .50 will be added to the C.U.F. for each additional deep fryer or grill above the number of one each.

6. Category D

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This category encompasses deli stores with meat cutting facilities, supermarkets with meat cutting or bakery capabilities, retail and wholesale bakery facilities, and butcher shops.

- Formula: (Hours of operation) x C.U.F. x 10
- C.U.F. = 4.0; (Hours of operation) x 4.0 x 10

For each of the following conditions a factor of .50 is to be added to the C.U.F. value of 4.0 when dealing with meat cutting:

- More than one floor drain;
- Complete cooking of meats.

When dealing with retail type bakeries or supermarkets that have bakery facilities in addition to a deli and/or meat cutting, the bakery shall be sized separately using the same formula as above with the depletion of the .50 adjustment for the complete cooking of meats. There is an adjustment of an addition of 1.5 to the C.U.F. when dealing with bakeries that are wholesale only or are of the industrial classification.

### 7. Category E

This category is for food courts or "common" grease interceptors.

Common grease interceptors shall be sized by separating each of the potential contributors by category, then calculating a grease interceptor size for each separate food court tenant, and then combining the calculations to determine the total common grease interceptor size. When seating is shared among several tenants, the seating capacity for each facility shall be calculated by dividing the total number of seats by the number of facilities.

### 8. Category F

This category is for all other types of food manufacturing. It shall include but not be limited to commissaries, commercial kitchens and caterers. Grease interceptors must be sized on an individual case by case basis. Whenever a manufacturing operation is evaluated, it must be noted that a manhole for monitoring purposes will be required in addition to a minimum of a one thousand five hundred gallon grease interceptor.

### 9. Category G

This category shall include all apartment complexes or areas of intensified dwelling which are found by the Authority to be contributing an excessive amount of grease



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to the sanitary sewer collection system. When such an area is found to be contributing grease in quantities sufficient to cause main line stoppages or necessitate increased maintenance on the sanitary sewer collection system in order to keep main line stoppages from occurring, said user(s) shall be directed to cease discharging grease and/or be required to install a grease interceptor. For grease interceptor sizing, each case shall be evaluated separately.

**8.07 Installation Requirements.**

- A. **New Facilities.** On or after the effective date of the rules and regulations in this chapter, all facilities likely to discharge grease, which are newly proposed or constructed, or existing facilities which shall be expanded or renovated to include a food service facility where such facilities did not previously exist, shall be required to install an approved, properly operated and maintained grease interceptor.  
Sizing calculations shall be in accordance to the formulas listed herein and shall be installed prior to the opening or reopening of said facilities.
- B. **Existing Facilities.** On or after the effective date of these Rules and Regulations, all existing food service facilities shall be required to install an approved, properly operated and maintained grease interceptor when any of the following conditions exist:
  - 1. The facilities are found by the Authority to be contributing grease in quantities sufficient to cause sanitary sewer line stoppages or necessitate increased maintenance on the sanitary sewer collection system in order to keep main line stoppages from occurring. The compliance date under this subsection will be determined by the Authority.
  - 2. Remodeling of the food preparation or kitchen waste plumbing facilities which are subject to issuance of a building permit. The compliance date under this subsection will be determined by the Authority.
- C. **Extensions.** Any requests for extensions to these required installation dates must be made in writing to the Authority, at least seven days in advance of the compliance date. The written request shall include the reasons for the user's failure or inability to comply with the compliance date set forth, the additional time needed to complete the remaining work, and the steps to be taken to avoid future delays.

**8.08 Grease Interceptor Maintenance.**

- A. **Pumping.** All grease interceptors shall be maintained by the user at the user's expense. Maintenance shall include the complete removal of all contents, including floating materials, wastewater, and bottom sludges and solids. Decanting or discharging of removed waste back into the interceptor from which the waste was removed or any other grease interceptor, for the purpose of reducing the volume to be disposed, is prohibited.
- B. **Pumping Frequency.** Grease interceptors must be pumped out completely a minimum of once every three months, or more frequently as needed to prevent carry over of grease into the sanitary sewer collection system, unless it can be demonstrated to the Authority that the pumping frequency can be extended past the three-month period.

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- C. Disposal of Grease Interceptor Pumpage. All waste removed from each grease interceptor must be disposed of at a facility permitted by regulating authorities to receive such waste in accordance with the provisions of this chapter. In no way shall the pumpage be returned to any private or public portion of the sanitary sewer collection system or the sewage treatment plant, without prior written approval from the Authority.
- D. Additives. Any additive(s) placed into the grease interceptor or building discharge line system on a constant, regular or scheduled basis shall be reported to the Authority. Such additives shall include, but not be limited to, enzymes, commercially available bacteria or other additives designed to absorb, purge, consume, treat or otherwise eliminate grease and oils. The use of additives shall in no way be considered as a substitution to the maintenance procedures required herein.

8.09 Permit Requirements.

- A. Permit. It is unlawful for any facility producing grease to discharge waste into the sanitary sewer collection system without authorization from the Authority. Authorization shall be given in the form of a "grease discharge permit." Application for a permit shall be made to the Authority. If, after examining the information contained in the grease discharge permit application, it is determined by the Authority that the proposed discharge does not conflict with the provisions of this chapter and any applicable permit fee is paid, a permit shall be issued allowing the discharge of such wastes into the sanitary sewer collection system. Each grease discharge permit shall be issued for a time not longer than five years from the date of the permit. The user shall apply for permit reissuance a minimum of ninety days prior to the expiration of the user's existing permit. The terms and conditions of the permit may be subject to modification by the Authority during the term of the permit as limitations or requirements as identified in this chapter are modified or other just causes exist. The user shall be informed of any proposed changes in the issued permit at least thirty days prior to the effective date of the change(s). Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

As a condition precedent to the granting of a permit, the permittee under this section will agree to hold harmless the Authority and the Authority's employees from any liabilities arising from the permit holder's operations under this permit.

- B. Fees.
  - 1. Permit Fees. Fees for grease discharge permits shall be set by the Authority. The fees shall be established to insure full cost recovery and shall include but not be limited to the cost of field, administrative, engineering and clerical expenses involved.
  - 2. Every food service facility which does not have an approved grease interceptor or other approved grease removal system shall be subject to an annual permit fee. The

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fees cover the costs associated with grease removal expenses incurred by the Authority.

3. Annual permit fee shall be applied to the permittee's quarterly sewer service bill and be paid in accordance with the schedule set forth in the billing document. See Fee Schedule for current permit fees.

**8.10 Administrative Requirements.**

- A. **Manifest.** All pumpage from grease interceptors must be tracked by a manifest which confirms pumping, hauling and disposal of waste. This manifest shall contain the following information:

1. **Generator information:**

Name

- Address
- Volume pumped
- Date and time of pumping
- Signature of generator verifying generator information

2. **Transporter information:**

- Company name
- Address
- Driver name and signature verifying transporter information

3. **Receiving facility information:**

- Facility name
- Address
- Date and time of receiving signature verifying receipt of waste

Upon receipt of the waste, the receiving facility shall send one copy of each manifest to the following address: Bedford Township Municipal Authority, 1007 Shed Rd, Ste 102, Bedford, PA 15522.

- B. **Maintenance Log.** A log indicating each pumping for the previous twelve months shall be maintained by each facility required to install a grease interceptor. This log shall include the date, time, amount pumped, hauler and disposal site, and shall be kept in a conspicuous location for inspection. Said log shall be made immediately available to any representative of the Authority upon request.
- C. **Reporting.** The reporting periods shall be January 1<sup>st</sup> through March 31<sup>st</sup>; April 1<sup>st</sup> through June 30<sup>th</sup>; July 1<sup>st</sup> through September 30<sup>th</sup>; and October 1<sup>st</sup> through December 31<sup>st</sup> of each year. Reports, along with a copy of service receipt, shall be submitted to BTMA by 3:30

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pm on April 10<sup>th</sup>, July 10<sup>th</sup>, October 10<sup>th</sup> and January 10<sup>th</sup> each year. Failure to submit a quarterly report with proof of service may result in the suspension of water service until proper documentation is submitted.

**8.11 Unapproved Grease Traps and Grease Collection Systems**

- A. Any facility that currently does not have an approved grease interceptor system installed shall collect used grease/oil in a grease trap or containers and utilize the services of a disposal company for removal of used grease/oil from the premises.
- B. Quarterly reports shall be submitted as per section 8.10 for all used grease and oil removed from the premises.
- C. Grease traps must be inspected and cleaned regularly to avoid grease/oil being discharged into the public sewer system. A service log shall be kept and a copy submitted as part of the quarterly report.
- D. If any unapproved grease trap/collection system is found to be deficient the Authority shall require the installation of a grease interceptor system as per Section 8.07.

**8.12 Monitoring, Inspection and Entry.**

- A. **Monitoring.** When required for the purposes of this chapter, the user shall provide, operate and maintain, at user's expense, safe and accessible monitoring facilities (such as a suitable manhole) at all times to allow observation, inspection, sampling and flow measurement of the building sewer or internal drainage systems. There shall be ample room in or near such monitoring facility to allow accurate sampling and preparation of samples for analysis. When the physical location and hydraulic conditions are suitable, a manhole or similar facility existing on the sanitary sewer collection system may be utilized as the user's manhole when agreed to by both the user and the Authority.
- B. **Inspection and Entry.** Authorized personnel of the Authority, bearing proper credentials and identification, shall have the right to enter upon all properties subject to this chapter, at any reasonable time and without prior notification, for the purpose of inspection, observation, measurement, sampling, testing or record review, in accordance with this chapter.

**8.13 Emergency Suspension of Services.**

- A. The Authority may suspend water or sewer service when such suspension is necessary, in the opinion of the Authority, in order to stop an actual or threatened discharge which:
  - 1. Presents or may present an imminent or substantial endangerment to the health or welfare of persons or the environment;
  - 2. Causes stoppages or excessive maintenance to be performed to prevent stoppages in the sanitary sewer collection system.
  - 3. Causes interference to the POTW; or
  - 4. Causes the Authority to violate any condition of its NPDES permit.

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Any person notified of a suspension of the water or sewer service shall immediately stop or eliminate the discharge. In the event of a failure of the person to comply voluntarily with the suspension order, the Authority shall take such steps as deemed necessary, including immediate termination of water or sewer service, to prevent or minimize damage to the POTW system or sewer connection or endangerment to any individuals. The Authority shall reinstate the water or sewer service when such conditions causing the suspension have passed or been eliminated. A detailed written statement submitted by the user describing the cause(s) of the harmful discharge and the measure(s) taken to prevent any future occurrence shall be submitted to the Authority within fifteen (15) days of the date of occurrence.

### 8.14 Violation.

It is unlawful for any user to discharge into the sanitary sewer collection system in any manner which is in violation of this chapter or of any condition set forth in this chapter.

### 8.15 Enforcement.

- A. The Authority shall have the administrative authority to enforce this chapter. Whenever the Authority finds that any user has violated or is violating this chapter, or any prohibition, limitation, or requirements contained herein, the Authority will implement the Authority's enforcement response plan. Enforcement response necessary to initiate corrective action may include but not be limited to the following:
1. Notice of Violation. The Authority may serve upon any user a written notice stating the nature of violation. Within thirty (30) days of the date of notice, a plan for the satisfactory correction thereof shall be submitted to the Authority by the user.
  2. Administrative Order. When the Authority finds that a user has violated or continues to violate the provisions set forth in this chapter, or the order issued thereunder, the Authority may issue an order for compliance to the user responsible for the discharge. Orders may contain any requirements as might be reasonable, necessary and appropriate to address the noncompliance, including but not limited to the installation of pretreatment technology, additional self-monitoring and management practices.
  3. Consent Order. The Authority is empowered to enter into consent orders, assurances of voluntary compliance or other similar documents establishing an agreement with the user responsible for noncompliance. Such orders will include specific action to be taken by the user to correct the noncompliance within a time period specified by the order. Consent orders shall have the same force and effect as administrative orders issued pursuant to subsection 2 of this section.

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**8.16 Administrative Penalty.**

Notwithstanding any other remedies or procedures available to the Authority, any user who is found to have violated any provision of this chapter, or any order issued hereunder, may be assessed an administrative penalty of not to exceed one thousand dollars (\$1,000.00) three per violation. Each day on which noncompliance shall occur or continue shall be deemed a separate and distinct violation. Such assessment may be added to the user's next scheduled sewer service charge and the Authority shall have such other collection remedies as are available at law.

**8.17 Request for Hearing and Appeal.**

- A. Hearing. Any person affected by a penalty, order or directive of the Authority issued pursuant to this chapter may, within ten (10) days of the issuance of such penalty, order, or directive, request a hearing before the Authority to show cause why such should be modified or made to not apply to such person. Such request shall be in writing and addressed to the Authority. The Authority or a designee shall hold the requested hearing as soon as practical after receiving the request, at which time the person affected shall have an opportunity to be heard. At the conclusion of the hearing, the Authority shall issue a written response to the person requesting the hearing affirming, modifying or rescinding the penalty, order, or directive at issue.
- B. Appeal. Any person aggrieved by the decision of the Authority may appeal such decision in accordance with the laws of the Commonwealth of Pennsylvania and the County of Bedford.

**8.18 Criminal Penalties.**

Any person who shall be convicted of violating any provision of this chapter or any permit or order issued hereunder shall be deemed guilty of a summary offense and shall be punished by a fine of not more than one thousand dollars (\$1,000.00) per violation. Each day that any such violation occurs shall constitute a separate offense and shall be punishable as a separate violation. If upon trial of any person found guilty of an offense hereunder, it shall appear to the court that the violation complained of is continuing, the court shall enter such order as it shall deem appropriate to cause the violation to be abated. The provisions of this section are independent of and in addition to any administrative or other legal action that may be taken by the Authority under the provisions of this chapter.

**8.19 Separability.**

If any part or parts of this chapter shall be held to be invalid, such invalidity shall not affect the remaining parts of this chapter. The governing body declares that it would have passed remaining parts of this chapter if it had known that such part or parts thereof would be declared invalid.

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**SECTION 9 EXTENSION OF WASTEWATER SYSTEM**

- 9.01 Any Developer shall comply with the provisions of this section.
- 9.02 A request for service which would require the Authority to operate and maintain additional pumping facilities (which would be an additional operation and maintenance cost for the Authority) will be discouraged.
- 9.03 The Developer shall secure appropriate planning approval from the Department of Environmental Protection for the proposed project in accordance with Act 537. Upon request, the Authority will supply letters stating the availability of water and wastewater service, and execute those portions of a planning module dealing with wastewater collection and conveyance capacity. The Developer is cautioned that approvals are required from agencies other than the Authority.
- 9.04 The Developer shall submit three (3) copies of plans for any proposed extension of the Wastewater System to the Authority for review comments, recommendations and approval on 24" x 36" sheets showing plan views to a scale of not less than 1" = 50' and profiles to a scale of not less than 1" = 5' vertically and 1" = 50' horizontally, a north point, a suitable title block date and the name of the Developers' Engineer and imprint of his registration seal and signature.
- 9.05 Prior to final acceptance of any Wastewater System extension by the Authority, the Developer shall furnish to the Authority "Record Drawings" showing the location of all Wastewater Mains, manholes, cleanouts, and Laterals relative to permanent landmarks such as buildings, trees, utility poles or property corners; including the angle and distance between manholes or cleanouts, the top and invert elevation of each manhole and cleanout.
- 9.06 Easements for Wastewater Mains and Laterals, constructed outside of dedicated street rights-of-way shall be recorded in the name of the Authority. Permanent easements shall be twenty (20) feet wide with vehicle access from street for maintenance purposes. It is recommended that a temporary construction easement five (5) feet wide on each side of the permanent easement be obtained to accommodate modern construction equipment.
- 9.07 All construction shall comply with the General Specifications on file with the Authority.
- 9.08 Construction of wastewater facilities extensions will not be permitted until proper Municipal approvals, Commonwealth permits and easements (if necessary) have been obtained in the name of the Authority by and at the sole cost and expense of the Developer. The Developer must also submit three (3) copies of Shop Drawings for Authority review and approval prior to initiating construction. A copy of approved shop drawings shall be kept on site at all times. No materials shall be installed without prior shop drawing approval.
- 9.09 Depending on the layout of existing wastewater collection system and/or potential for future development beyond the area in question, the required size of a Wastewater Main extension could vary, based upon Engineer review and recommendations.

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- 9.10 Laterals shall be installed while Wastewater Main extension is being constructed. All connections to a new Wastewater Main shall utilize a polyvinyl chloride (PVC) wye conforming to ASTM D3034 or equal. Minimum pipe size shall be 8" for a wastewater main extension. Minimum pipe size shall be 6" for all service laterals to property line.
- 9.11 The Wastewater Mains and all appurtenances shall be subject to full time inspection by the Authority's representative at the sole cost of the Developer. If the installation of the Wastewater Mains or appurtenances has been properly made, written approval will be furnished to the Developer or his designated representative. If the work is not satisfactory, the Authority's representative shall advise what must be done to meet the Authority's requirements.
- 9.12 No Wastewater Main extension constructed by a Developer will be approved for use and service by the Authority until the Wastewater Main is formally approved in writing, by the Authority, all connections, charges, tapping fees and inspection fees have been paid, the Wastewater Main extension has been legally dedicated to the Authority and as-built drawings have been submitted to the Authority and approved.
- 9.13 The Developer shall be responsible for all necessary repairs to the extension for a one-year period from the date of formal approval by the Authority.
- 9.14 Any extensions of the Wastewater System or connections to any Building not located in the Township shall not be made until the Owner of such Building shall obtain written consent of the host Municipality and the Authority.

**SECTION 10 MAINTENANCE, REPAIR AND INSPECTION**

- 10.01 The Authority shall retain ownership of and have the ultimate responsibility for the use, operation, maintenance, and repair of the Wastewater System from the terminal point of the interceptors up to and including property line or easement line of each user. The owners of any Building connected to the Wastewater System shall notify the Authority of any condition on his property which threatens the proper operation and integrity of the Wastewater System.
- 10.02 The Building Sewer shall be the responsibility of the Owner and shall be maintained and repaired by the Owner at his own cost. Any repairs of the building Sewer shall be subject to the direction, approval, and inspection of the Authority.
- 10.03 The Authority reserves the right at any time to excavate or allow the excavation of any Wastewater System component.
- 10.04 The Authority shall in no event be responsible for the maintenance of, or any damage resulting from wastewater escaping from the Building Sewer.



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- 10.05 The Owner shall maintain the Building Sewer in good condition at all times. Should a break or other accident occur in the Owner's property which would threaten the Authority's Wastewater System or its capacity, the Authority reserves the right to discontinue service without notice until such time as the condition is corrected.
- 10.06 In the case of leakage, either into, or out of the sewers, the location of which is not readily apparent, the Authority will upon request of the user excavate in and about the point of connection for the purpose of determining the responsibility for the leak. The Authority shall assume the costs of work if it's found that the leak is located between the point of connection and the sewer main. If the leak is determined to be between the point of connection and the building, the owner shall reimburse the Authority for actual costs of the work repaired to determine responsibility.
- 10.07 The Authority may at any time require User to install in connection with his service pipes, such vents, traps, gates, or other apparatus as may be, in the opinion of the Authority, required for the safeguarding and protection of the Authority's or Owner's property. The building sewer shall be installed according to the specifications and details provided by the Authority.
- 10.08 When the Owner desires to replace or relocate any Building Sewer, the cost of such change shall be borne entirely by the Owner, and shall be subject to the prior written consent of the Authority. If existing service line is abandoned, pipe must be excavated and capped at the property line. The owner will be charged an inspection fee and possibly an additional service fee if flows increase.
- 10.09 Duly authorized employees or representatives of the Authority shall have the right to enter on the premises of any person, firm, corporation or other entity connected to the System for the purpose of inspection, observation, measurement, sampling, testing, inspection of connections or fixtures, for a disconnection of service, for enforcement of these Rules and Regulations and for other such purposes for the protection of public health and property and the effective, orderly operation of the Sanitary Sewer System. Authority employees or representatives shall bear proper credentials and identification and display the same when requested. By virtue of being connected to and receiving service from the Authority's System, each person, firm, corporation or other entity receiving said services acknowledges and authorizes Authority employees or representatives to enter upon their premises for the aforesaid purposes, including closed circuit televising (CCTV) of all buried and under slab piping of the premises and any type of testing including air pressure, water pressure and smoke testing.
- 10.10 Closed circuit televising, or video inspection, may be performed for the purpose of locating a line obstruction or blockage. If it is determined that the location of such obstruction is within the Customer's Sewer Lateral or Building Drain, the cost of the video inspection and all work necessary to remove such obstruction, including work performed by any sub-contractor, shall be the responsibility of the property Owner.
- 10.11 Video inspection may be performed to determine or expose the release of grease, oil or fats into the Authority's System. In the event of a blockage in the Authority's System caused by the failure of an establishment to provide or maintain a Grease and/or Oil separation device within its

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facilities, the cost of correcting, repairing and eliminating such System blockage shall be the responsibility of the establishment or establishments causing the back up or blockage.

- 10.12 Video inspection may be performed to document the existence of Inflow and Infiltration (I&I) entering the System through a Customer's Sewer Lateral or Building Drain.
- 10.13 Any Customer, found to be in violation of the Authority's Rules and Regulations, by allowing any quantity of Inflow and Infiltration into the Sanitary Sewer System, shall be required to bring all buried pipelines into compliance. The Customer shall be notified, by certified mail, to correct said condition.
- 10.14 Within thirty (30) days of the date of the notification, a corrective action plan must be presented to the Authority. This plan shall include a signed contract with a prospective contractor as well as the specific date of repair. The scope of work must be significant, as determined by the Authority. All such repairs must be completed, and the system brought into compliance, within ninety (90) days from the date of the original notification.
- 10.14 Compliance must be proven at the time of inspection by an air pressure test as outlined (currently as Section 312) of the International Plumbing Code. If a portion(s) of the said system fails to meet compliance standards, additional repairs must be completed and tested until the entire system has been determined to be in compliance; all within the original ninety (90) day time frame. Failure to bring all buried pipelines into compliance within the ninety (90) day time frame shall be deemed a violation of these Rules and Regulations. In such circumstances, the Authority shall take one or more of the following enforcement actions.
- A. The Authority may file a civil action in order to enforce the penalty clause of the applicable Ordinance.
  - B. The Authority may apply a surcharge of thirty-five (35%) percent to the customer's service charge until such time that required repairs are made.
  - C. The Authority may discontinue water service to the property, and disconnect the non-compliant Sewer Lateral from the Sewer Main.
  - D. The Authority may enter the property to correct the condition(s) and collect the cost of such correction(s) plus ten (10%) percent of all costs. The Authority, in such event, shall have the right and power to enter upon the offending premises to accomplish the foregoing.

**SECTION 11 UNLAWFUL USE OF WASTEWATER SYSTEM**

- 11.01 No person connected to the Authority's Wastewater System shall discharge or cause to be discharged into the Wastewater System any storm water surface drainage, ground drainage, roof runoff, subsurface drainage, cooling water, spring water, or foundation drainage, or connect or cause to be connected to the Wastewater System in any way, any pipe, tile, or other conduit which has the capacity or purpose of conveying such waters.

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- 11.02 No Person shall connect, cause to be connected, or allow any other Person to connect to the Wastewater System any Building or other source of water or wastewater other than that for which the connection permit is or has been issued.
- 11.03 No Person shall connect, cause to be connected, or allow any other Person to connect, in any way to the Wastewater System any cesspool, privy vault, or other depository of wastewater, or cause or allow any discharge from any of the depositories to the Wastewater System, unless otherwise approved in writing by the Authority. Any privy vault, cesspool, sinkhole, septic tank or similar receptacle which has not been designated by the Authority as part of the Wastewater System shall be abandoned, cleaned and filled at the expense of the Owner thereof in the manner to be described by the Inspector or Engineer.
- 11.04 No person shall make, or cause to be made, any cross connection between any pipe, fixture, or other appurtenance connected in any way to the Wastewater System and any public or private component of any potable water system or source whereby, in the opinion of the Authority, the potential exists for vacuums or back siphonage which could permit sanitary wastes to enter a potable water system or source.

**SECTION 12 PROHIBITED WASTES AND REGULATION OF DISCHARGES**

12.01 General Prohibitions

- A. No User shall discharge or cause to be discharged, directly or indirectly, any pollutant or wastewater which causes Pass Through or Interference in the Wastewater System. These general prohibitions apply to all Users of the Wastewater System whether or not they are subject to categorical Pretreatment Standards or any other National, State or local Pretreatment Standards or Requirements.
- B. The discharge of excessive amounts of Unpolluted Water or Waste to the Wastewater System is expressly prohibited. The Authority reserves the right to define the amount it deems excessive in each particular instance.
- C. The discharge of household garbage to the Wastewater System is expressly prohibited.
- D. The discharge of wastewater to the Wastewater System from any property or Building other than for which a permit has been issued in accordance with these Rules and Regulations, is expressly prohibited.

12.02 Specific Prohibitions

No Users shall discharge or cause to be discharged, directly or indirectly, into the Wastewater System any pollutants, substances, or wastewater having the following characteristics:

- A. Any liquid, solid or gas, which by reason of its nature or quantity is, 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 persons, the Wastewater System or its operation.
  - At no time shall two (2) 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 (5) percent nor any single reading over ten (10) percent of the lower explosive limit (LEL) of the meter.

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- At no time shall the closed cup flashpoint of the discharged wastewater be less than one hundred forty (140) degree Fahrenheit (sixty (60) degrees Centigrade) using the test methods specified in 40 CFR 261.21.
  - Prohibited materials include, but are not limited to, the following substances in concentrations which cause exceedance of the above standard: gasoline, kerosene, naphtha, benzene, ethers, alcohols, peroxides, chlorates, perchlorates, bromates and carbides.
- B. Wastes having a pH lower than 6.0 or higher than 9.0 or having any corrosive properties capable of causing damage or hazards to structures, equipment or personnel of the Wastewater System.
- 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 or its designated representative, a suitable device to continuously measure and record the pH of the wastes so discharged. These records shall be made available to the Authority upon request.
- C. Any wastewater having a temperature which will inhibit biological activity in the treatment plant resulting in Interference, but in no case wastewater which causes the temperature at the discharge into the sewer system to exceed one hundred four (104) degrees Fahrenheit (forty (40) degrees Celsius) or is less than thirty-two (32) degrees Fahrenheit (zero (0) degrees Celsius).
- D. Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the Wastewater System. Prohibited substances include, but are not limited to: Wastes greater than one-half (1/2) inch in any dimension, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, hair, chemical or paint residues, greases, lime slurry or any other material that, in the opinion of the Authority, may cause an obstruction to the flow in the sewers or otherwise interfere with the proper operations of the Wastewater System.
- E. Pollutants, including oxygen-demanding pollutants (BOD, etc.) released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause Interference with the Wastewater System.
- F. Petroleum oil, nonbiodegradable cutting oil or products of mineral oil origin in amounts that will cause Interference or Pass Through.
- G. Pollutants which result in the presence of toxic gases, vapors, or fumes within the Wastewater System in a quantity that may cause acute worker health and safety problems;
- H. Trucked or hauled pollutants shall not be accepted.
- I. Wastes containing any noxious or malodorous gas or substance which either singularly or by interaction with sewage or other wastes is, in the opinion of the Authority likely to create a public nuisance or hazard to life, or prevent entry to sewage structures for their maintenance and repair.
- J. Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the Authority's NPDES permit.

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- K. Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations.
- L. Any substance which will cause the Authority to violate its NPDES and/or State Water Quality Management Permit or applicable receiving water quality standards.
- M. Detergents, surface-active agents or other substances causing excessive foaming in the Wastewater System.

Pollutants, substances or wastewater prohibited by this Section shall not be processed or stored in such a manner that they could be discharged to the Wastewater System.

**12.03 National Categorical Standards**

If the categorical standards for a particular industrial user are more stringent than local limits or other requirements imposed under this Section, then the categorical standards shall apply. The Categorical Pretreatment Standards, which are found in 40 CFR Chapter 1, Subchapter N, Part 405-471 are hereby incorporated into the industrial pretreatment program as program requirements for those industrial users subject to such categorical standards.

No person shall discharge or cause to be discharged to any Wastewater System, wastewaters containing substances subject to an applicable federal categorical pretreatment standard promulgated by EPA in excess of the quantity prescribed in such applicable pretreatment standards except as otherwise provided in this section. Compliance with such applicable treatment standards shall be within three years of the date the standard is promulgated; provided however, compliance with a categorical pretreatment standard for new sources shall be required upon promulgation.

**12.04 State Requirements**

State requirements and limitations on discharges shall apply in any case where they are more stringent than National Requirements and limitations or those established under this Section.

**12.05 Local Requirements**

The Authority may establish and review, from time to time, local limits regulating the discharge of specific pollutants by industrial users. Local limits development to prevent pass through or interference, or to implement prohibitive discharge standard shall be approved by the approval authority.

- A. Local limits may be established for any substance which is discharged, or is likely to be discharged, to the sewer system.
- B. Local limits may limit concentration, mass or a combination of the two, as defined by the Authority.

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- C. The procedure for the calculation of local limits may be as recommended by the approval authority or otherwise considered appropriate by the Authority.
- D. Local limits shall be calculated for pollutants, as deemed necessary, to prevent interference and pass through. In addition, local limits may be calculated to prevent the discharge of toxic materials in amounts that pose a threat to worker health and safety, or have the potential to cause physical, chemical or biological damage to the Wastewater System; or such other factor as deemed appropriate by the Authority.
- E. Local limits are applicable to all significant industrial users and may be included in wastewater discharge permits. Local limits may be imposed on discharges from other users as deemed appropriate by the Authority.
- F. Discharging any pollutant in excess of a local limit established for that pollutant shall constitute an unauthorized discharge.
- G. The following local limits for pollutants have been established by the Authority to protect against Pass Through or Interference. No person shall discharge wastewater containing any of the following substances in solution or in suspension in concentrations exceeding those shown in the following table, as measured by an acceptable method:

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**Summary of Local Limits and Recommendations  
For Industrial Users**

Pollutant	Proposed Local Limits (mg/l)
<b>Metals</b>	
Aluminum	10.00
Arsenic	0.05
Cadmium	0.01
Chromium	0.10
Copper	0.25
Cyanide (T)	0.10
Iron	7.00
Lead	0.30
Mercury	0.002
Molybdenum	0.11
Nickel	0.51
Selenium	0.01
Silver	0.05
Zinc	0.50
<b>Other</b>	
Ammonia	65.00
BOD	300.00
Oil and Grease	100.00
Phenolics	1.00
Phosphorus (T)	10.00
Sodium	175.00
TDS	850.00
TSS	350.00
<b>pH</b>	
pH	6-9 S.U.

The above limits apply at the point where the wastewater is discharged into the Wastewater System. All concentrations for metallic substances are for total metal unless indicated otherwise. The Authority may impose mass limitations in addition to the concentration-based limitations above.

Should the Authority determine that any Person is contributing to the Wastewater System any of the above substances, the Authority shall notify the Person of the violation, and develop effluent limitations for such person to correct the interference with the Wastewater System.

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Any expenses incurred by the Authority for treatment or cleanup due to improper disposal will be the responsibility of the Person.

12.06 Prohibition on Dilution

No User shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable Pretreatment Standard or Requirement. The Authority may impose mass limitations on Users who are using dilution to meet applicable Pretreatment Standards or Requirements, or in other cases when the imposition of mass limitations is appropriate.

12.07 Right of Revision

The Authority reserves the right to establish, by ordinance or in individual wastewater discharge permits, more stringent Standards or Requirements on discharges to the Wastewater System consistent with the purpose of this ordinance.

- Nothing in this section shall be construed as preventing any special agreement or arrangement between the Authority and any User of the Wastewater System whereby the wastewater of unusual strength or character is accepted into the system and specially treated subject to any payments or user charges as may be applicable.

12.08 Penalties

Any User in violation of these rules and regulations shall be subject to the fees outlined in the Fee Schedule. Any User who fails to pay applicable fees or recurring violations shall be subject to discontinuation of service as defined in Section 18.

Any User causing the Authority to be in violation of any Agreement or Permits shall pay any and all costs, fees, surcharges or penalties imposed against the Authority under such Agreement within thirty (30) days after a written demand there for sent by the Authority to such User.

**SECTION 13 PRETREATMENT OF WASTEWATER**

13.01 Pretreatment Facilities

Users shall provide wastewater treatment as necessary to comply with these Rules and Regulations and shall achieve compliance with all categorical Pretreatment Standards, Local Limits, and the prohibitions set out in Section 12 of these Rules and Regulations within the time limitations specified by EPA, the State, or Authority, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the User's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the Authority for review, and shall be acceptable to the Authority before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the



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User from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the Authority under the provisions of these Rules and Regulations.

13.02 Additional Pretreatment Measures

- A. Whenever deemed necessary, the Authority may require Users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewer, relocate and/or consolidate points of discharge, separate sewage waste streams from industrial waste streams, and such other conditions as may be necessary to protect the Wastewater System and determine the User's compliance with the requirements of these regulations.
- B. The Authority may require any person discharging into the Wastewater System to install and maintain, on their own property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. An individual wastewater discharge permit may be issued solely for flow equalization.
- C. Grease, oil and sand interceptors shall be provided when, in the opinion of the Authority, they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil, or sand; except that such interceptors shall not be required for residential users. All interception units shall be of a type and capacity approved by the Authority, shall comply with Section 8 of these regulations, and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned and repaired in accordance with Section 8 of these Rules and Regulations by the User at their expense.
- D. Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

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13.03 Change in Operations

- A. Any industrial user contemplating or planning a substantial change in the manufacturing process, raw materials, auxiliary processes, pretreatment processes or other changes which may result in substantial changes to wastewater character, composition, volume or rate of flow, shall notify the Authority in writing at least thirty (30) days prior to making such a change, or, if the change is not planned thirty (30) days or more in advance, immediately upon the decision to make such a change. If a change in wastewater characteristics occurs without the knowledge of the industrial user, the industrial user shall report the change immediately upon becoming aware of it. The report shall include all information necessary to determine the effect on the wastewater from the change. The Authority may require the industrial user to undertake a compatibility study to demonstrate to the satisfaction of the Authority that the wastewater to be discharged is compatible with the sewer system, will not affect any requirements imposed upon the Authority (including sludge disposal requirements) and will not otherwise adversely affect the Wastewater System.
- B. The Authority may, on receipt of such a report:
  - (1) Continue an existing wastewater discharge permit in effect.
  - (2) Require application for a new wastewater discharge permit.
  - (3) Modify an existing wastewater discharge permit to reflect the changed nature of the waste.
  - (4) Rescind and reissue an existing wastewater discharge permit in order to make substantial changes in wastewater discharge permit conditions.
  - (5) Revoke an existing wastewater discharge permit or require the industrial user to cease or prevent the discharge.
  - (6) Take such other action as it deems appropriate.

13.04 Slug Loads and Spills

Each industrial user shall provide protection from spills or accidental discharges that may result in unauthorized discharges or slug load discharges. Facilities to prevent spills and slug loads shall be provided and maintained at the owner or industrial user's own cost and expense.

- A. NOTIFICATION:  
In the case of a spill or slug load or other unauthorized discharge, it is the responsibility of the industrial user to, immediately upon discovery of the spill, slug load or other unauthorized discharge, telephone or notify the Authority of the waste (concentration and volume), corrective actions being taken or planned and expected duration.
- B. NOTICE TO EMPLOYEES:  
A notice shall be permanently posted on the industrial user's bulletin board or other prominent place advising employees whom to call in the event of a spill or other unauthorized discharge. Employers shall insure that all employees who may cause or suffer such a discharge to occur are advised of the emergency notification procedure.

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C. WRITTEN NOTICE:

Within five (5) days following a spill, slug load or other unauthorized discharge, the industrial user shall submit to the Authority a detailed written report describing the cause of the discharge and the measures to be taken by the industrial user to prevent similar future occurrences. Such notification shall not relieve the industrial user of any expense, loss, damage or other liability which may be incurred as a result of damage to the sewer system, fish kills or any other damage to person or property; nor shall such notification relieve the industrial user of any fines, civil penalties or other liability which may be imposed in accordance with Section 14 and 15 of these Rules and Regulations or applicable law. This notice requirement may be waived by the Authority for an industrial user which is not required to submit a plan under subsection (D), below.

D. SPILL PREVENTION CONTROL AND COUNTERMEASURE (SPCC) PLAN:

- (1) All significant industrial users existing at the time of the enactment of these regulations shall complete and submit for approval a SPCC Plan, or provide acceptable evidence that such a plan is not necessary for their facility, within **nine (9) months** of the enactment of these regulations.
- (2) No significant industrial user who commences discharge to the sewer system after the effective date of these regulations shall be permitted to introduce pollutants into the sewer system until it has completed and submitted for approval an SPCC plan or provided acceptable evidence that such a plan is not necessary for their facility. The Authority, at its discretion, may require an SPCC Plan for any other industrial user.
- (3) SPCC plans for significant industrial users shall, at a minimum, contain the following elements:
  - a. Description of discharge practices, including non-routine batch discharges;
  - b. Description of stored chemicals;
  - c. Procedures for immediately notifying the Authority of any accidental or Slug Discharge, as required by Section 6.6 of this ordinance; and
  - d. Procedures to prevent adverse impact from any accidental or Slug Discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.
- (4) SPCC plans shall be submitted to the Authority for review and shall be approved by the Authority before implementation of the plan or construction of any required facilities. Review and approval of such plans, facilities and operating procedures by the Authority shall not relieve the industrial user from the responsibility to modify its facility as necessary to meet the requirements of the industrial pretreatment program, nor shall such a review and approval be deemed to constitute any assurance or warrant on the part of the Authority as to the effectiveness or safety of the SPCC plan.

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**SECTION 14 WASTEWATER DISCHARGE PERMITS**

14.01 Requirement for Wastewater Discharge Permits

- A. All industrial dischargers shall file with the Authority, a complete wastewater discharge permit application. The application shall contain wastewater information on the nature, characteristics or any other aspect deemed necessary by the Authority for determination of compliance with these Rules and Regulations, NPDES permit conditions, and state and federal law.
  - The Authority reserves the right to require periodic updates to the wastewater information.
  - Information requested and designated by the discharger as confidential is subject to the conditions of confidentiality – SEE SECTION 14.20.
  - The Authority reserves the right, at its sole discretion, to deny the issuance of a wastewater discharge permit, or to issue such a permit conditionally.
- B. Where a User owns, operates or occupies properties designated as an industrial discharger at more than one location, separate information shall be required for each location as may be required by the Authority.
- C. The Authority may require other Users to obtain wastewater discharge permits as necessary to carry out the purposes of these regulations.
- D. Discharge of any industrial waste to the Wastewater System without a wastewater discharge permit or any violation of the terms and conditions of a wastewater discharge permit shall be deemed an unauthorized discharge subject to the penalties provided herein.
- E. Obtaining a wastewater discharge permit does not relieve a permittee of its obligation to comply with all Federal and State Pretreatment Standards or Requirements or with any other requirements of Federal, State, and local law.

14.02 Industrial Tier Classifications

14.03

Industrial Users shall be classified as the following:

- A. Tier 1: Industrial User meets any definition of Significant Industrial User (SIU) as defined by these Rules and Regulations.
- B. Tier 2: Industrial User does not meet SIU requirements. Facility segregates industrial flows for haul off, but intermittently discharges of wastes with potential for pass through or interference.
- C. Tier 3: Industrial User does not meet SIU requirements and primarily hauls off waste streams of concern. Regular water stream presents minimal risk for pass through interference.

14.03 Wastewater Discharge Permitting: Existing Conditions

Any User required to obtain a wastewater discharge permit who was discharging wastewater into the Wastewater System prior to the effective date of these Rules and Regulations and who wishes to continue such discharges in the future, shall, within **forty-five (45) days** after said date, apply to

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the Authority for a wastewater discharge permit in accordance with Section 14.05 of these regulations, and shall not cause or allow discharges to the Wastewater System to continue after **ninety (90) days** of the effective date of these regulations unless a wastewater discharge permit has been issued by the Authority.

### 14.04 Wastewater Discharge Permitting: New Connections

Any User required to obtain a wastewater discharge permit who proposes to begin or recommence discharging into the Wastewater System must obtain such permit prior to the beginning or recommencing of such discharge. An application for this wastewater discharge permit, in accordance with Section 14.05 of these regulations, must be filed at least **ninety (90) days** prior to the date upon which any discharge will begin or recommence.

### 14.05 Wastewater Discharge Permitting: Permit Application Contents

- A. All Users required to obtain a wastewater discharge permit must submit a permit application. The Authority may require Users to submit all or some of the following information as part of a permit application:
- (1) Identifying Information.
    - a. The name and address of the facility, including the name of the operator and owner.
    - b. Contact information, description of activities, facilities, and plant production processes on the premises;
  - (2) Environmental Permits.
    - a. A list of any environmental control permits held by or for the facility.
  - (3) Description of Operations.
    - a. A brief description of the nature, average rate of production (including each product produced by type, amount, processes, and rate of production), and standard industrial classifications of the operation(s) carried out by such User. This description should include a schematic process diagram, which indicates points of discharge to the Wastewater System from the regulated processes.
    - b. Types of wastes generated, and a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the Wastewater System;
    - c. Number and type of employees, hours of operation, and proposed or actual hours of operation;
    - d. Type and amount of raw materials processed (average and maximum per day);
    - e. Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge;
  - (4) Time and duration of discharges;
  - (5) The location for monitoring all wastes covered by the permit;
  - (6) Flow Measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the Wastewater System from regulated

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process streams and other streams, as necessary, to allow use of the combined waste stream formula set out in 40 CFR 403.6(e).

- (7) Measurement of Pollutants.
  - a. The categorical Pretreatment Standards applicable to each regulated process and any new categorically regulated processes for Existing Sources.
  - b. The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the Standard or by the Authority, of regulated pollutants in the discharge from each regulated process.
  - c. Instantaneous, Daily Maximum, and long-term average concentrations, or mass, where required, shall be reported.
  - d. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Section 14.17 of these Rules and Regulations. Where the Standard requires compliance with a BMP or pollution prevention alternative, the User shall submit documentation as required by the Authority or the applicable Standards to determine compliance with the Standard.
  - e. Sampling must be performed in accordance with procedures set out in Section 14.17 of these regulations.
- (8) Any other information as may be deemed necessary by the Authority to evaluate the permit application.
- B. Incomplete or inaccurate applications will not be processed and will be returned to the User for revision.

### 14.06 Application Signatories and Certifications

- A. All wastewater discharge permit applications, User reports and certification statements must be signed by an Authorized Representative of the User and contain the certification statement in Section 14.22.
- B. If the designation of an Authorized Representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new written authorization satisfying the requirements of this Section must be submitted to the Authority prior to or together with any reports to be signed by an Authorized Representative.

### 14.07 Wastewater Discharge Permit Decisions

The Authority will evaluate the data furnished by the User and may require additional information. Within **forty-five (45) days** of receipt of a complete permit application, the Authority will determine whether to issue a wastewater discharge permit. The Authority may deny any application for a wastewater discharge permit.

### 14.08 Wastewater Discharge Permit Issuance

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A. WASTEWATER DISCHARGE PERMIT DURATION

A wastewater discharge permit shall be issued for a specified time period, not to exceed **five (5) years** from the effective date of the permit. A wastewater discharge permit may be issued for a period less than **five (5) years**, at the discretion of the Authority. Each wastewater discharge permit will indicate a specific date upon which it will expire. The industrial user shall apply for reissuance of the wastewater discharge permit a minimum of **ninety (90) days** prior to the expiration of the industrial user's existing wastewater discharge permit.

B. WASTEWATER DISCHARGE PERMIT CONTENTS

A wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the Authority to prevent Pass Through or Interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the Wastewater System.

1. Wastewater discharge permits must contain:
  - a. A statement that indicates the wastewater discharge permit issuance date, expiration date and effective date;
  - b. A statement that the wastewater discharge permit is nontransferable without prior notification to the Authority in accordance with Section 14.10 of these regulations, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;
  - c. Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards;
  - d. Self-monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants (or best management practice) to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law.
  - e. A statement of applicable civil and criminal penalties for violation of Pretreatment Standards and Requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law.
  - f. Requirements to control Slug Discharge, if determined by the Authority to be necessary.
2. Individual wastewater discharge permits may contain, but need not be limited to, the following conditions:
  - a. Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
  - b. Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works;
  - c. Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or nonroutine discharges;

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- d. Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the Wastewater System;
- e. The unit charge or schedule of User charges and fees for the management of the wastewater discharged to the Wastewater System;
- f. Requirements for installation and maintenance of inspection and sampling facilities and equipment, including flow measurement devices;
- g. A statement that compliance with the wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State Pretreatment Standards, including those which become effective during the term of the individual wastewater discharge permit; and
- h. Other conditions as deemed appropriate by the Authority to ensure compliance with these Rules and Regulations, and State and Federal laws, rules, and regulations.

### 14.09 Modifications of Wastewater Discharge Permits

- A. The Authority may modify an individual wastewater discharge permit for good cause, including, but not limited to, the following reasons:
  - 1. To incorporate any new or revised Federal, State, or local Pretreatment Standards or Requirements;
  - 2. To address significant alterations or additions to the User's operation, processes, or wastewater volume or character since the time of the individual wastewater discharge permit issuance;
  - 3. A change in the Wastewater System that requires either a temporary or permanent reduction or elimination of the authorized discharge;
  - 4. Information indicating that the permitted discharge poses a threat to the Authority's Wastewater System, Authority personnel, or the receiving waters;
  - 5. Violation of any terms or conditions of the wastewater discharge permit;
  - 6. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
  - 7. Revision of or a grant of variance from categorical Pretreatment Standards pursuant to 40 CFR 403.13;
  - 8. To correct typographical or other errors in the individual wastewater discharge permit; or
  - 9. To reflect a transfer of the facility ownership or operation to a new owner or operator where requested in accordance with Section 14.10.

### 14.10 Transfer of Wastewater Discharge Permits

Wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least ninety (90) days advance notice to the Authority and the Authority approves the transfer of the wastewater discharge permit. The notice to the Authority must include a written certification by the new owner or operator which:



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- A. States that the new owner and/or operator has no immediate intent to change the facility's operations and processes;
- B. Identifies the specific date on which the transfer is to occur; and
- C. Acknowledges full responsibility for complying with the existing individual wastewater discharge permit.

14.11 Revocation of Wastewater Discharge Permits

The Authority may revoke a wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- A. Failure to notify the Authority of significant changes to the wastewater prior to the changed discharge;
- B. Failure to provide prior notification to the Authority of changed conditions pursuant to Section 13 of these Rules and Regulations;
- C. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- D. Falsifying self-monitoring reports and certification statements;
- E. Tampering with monitoring equipment;
- F. Refusing to allow [the Superintendent] timely access to the facility premises and records;
- G. Failure to meet effluent limitations;
- H. Failure to pay fines;
- I. Failure to pay sewer charges;
- J. Failure to meet compliance schedules;
- K. Failure to complete a wastewater survey or the wastewater discharge permit application;
- L. Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- M. Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or these regulations.

Wastewater discharge permits shall be voidable upon cessation of operations or transfer of business ownership. All wastewater discharge permits issued to a User are void upon the issuance of a new individual wastewater discharge permit to that User.

14.12 Reissuance of Wastewater Discharge Permits

A User with an expiring wastewater discharge permit shall apply for wastewater discharge permit reissuance by submitting a complete permit application, in accordance with Section 14.05 and 14.08 of these regulations, a minimum of ninety (90) days prior to the expiration of the User's existing wastewater discharge permit.

If a User has applied for reissuance in accordance with this Section, and the wastewater discharge permit is not renewed on or before the expiration date through no fault of the User, then the existing wastewater discharge permit shall remain in effect pending a decision on the

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application for reissuance by the Authority.

14.13 Baseline Monitoring Reports

- A. Where an industrial user, subject to a newly promulgated categorical pretreatment standard (i.e., an existing source), has not previously submitted an application for a wastewater discharge permit, as required by Section 14.05 of these regulations, the industrial user shall, within one hundred eighty (180) days after the promulgation of the applicable categorical standard:
  - 1. Apply for a wastewater discharge permit.
  - 2. Provide the baseline monitoring information required by 40 CFR §403.12 (b) (this information may be incorporated into the application for a wastewater discharge permit).
  - 3. Provide a compliance schedule for meeting the pretreatment standards as required by 40 CFR §403.12 (c) if such a schedule is required.
- B. An industrial user with an existing wastewater discharge permit shall submit to the Authority within one hundred eighty (180) days after the promulgation of an applicable categorical standard the information required by 40 CFR §403.12 (b).
- C. A new source or industrial user that become a categorical industrial user through a change in facilities or processes, shall submit a report containing the information required by 40 CFR §403.12 (b) at least ninety (90) days prior to commencement of discharge from the regulated process or facility. This information may be incorporated into the application for a wastewater discharge permit submitted in such time frame.
- D. Baseline monitoring reports shall be signed and certified by an authorized representative in accordance with Section 14.22 and 40 CFR §403.12 (I).

14.14 Categorical Compliance Reports

Within **ninety (90) days** following the date for final compliance with applicable categorical standards or, in the case of a new source, following the commencement of the discharge of industrial waste from processes regulated by categorical standards into the sewer system, any industrial user subject to categorical standards shall submit to the Authority a report in accordance with 40 CFR §403.12 (d), including information indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by categorical standards and the average and maximum daily flows for those process units in the industrial user's facility which are limited by such categorical standards. The report shall certify that the information contained therein concerning wastewater constituents and flows is representative of discharges during normal work cycles. The report shall also state whether the applicable categorical standards are being met on a consistent basis and, if not, what additional operation and management practices and/or pretreatment is necessary to bring the industrial user into compliance with the applicable categorical standards, and including a schedule for completion of the required actions in the form described in 40 CFR §403.12 (b)(7). Such a schedule shall not have a compliance date later than that established for the applicable categorical standard. This statement shall be signed by an authorized representative of the industrial user in

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accordance with Section 14.22 and 40 CFR §403.12 (1) and 403.6 (a) (2) (ii) and signed by a certified professional.

**14.15 Periodic Compliance Reports**

- A. All significant industrial users shall report to the Authority on a form prescribed by the Authority, at least twice a year; the date of the report to be determined by the Authority. Reports may be required more frequently as deemed necessary by the Authority.
- B. The report required under the section shall contain the information required by 40 CFR §403.12 (e), 403.12 (g) and/or 403.12 (h) , as applicable including, at a minimum, the measured concentrations of all pollutants regulated by categorical standards or otherwise regulated by wastewater discharge permit, a record of any measured daily flows and a statement of accuracy and completeness signed and certified by the authorized representative of the significant industrial user in accordance with 40 CFR §403.12 (1) and 403.6 (a) (2) (ii). Reports shall also contain any other information as required by the Authority
- C. For significant industrial users subject to categorical standards, if discharge limits are based on mass units per production unit, then production information regarding the regulated processes during the reporting period shall be included in the report, along with flow and concentration values, so that a determination of compliance or noncompliance with categorical standards can be made.
- D. For significant industrial users subject to categorical standards, the report shall contain certification of compliance with those standards, signed by a certified professional.

**14.16 Reporting and Resampling of Discharge Limit Violations**

- A. If, upon receipt of valid sampling and testing results, an industrial user becomes aware that a violation of discharge limits has occurred, the industrial user shall, within 24 hours of becoming aware of the violation, notify the Authority of this fact. Also, except as otherwise approved by the Authority and provided by 40 CFR §403.12 (g)(2)(i) and (ii), the industrial user shall also re-sample and analyze its discharge(s) for each parameter found to be in violation and report the result of the re-sampling and analysis to the Authority within thirty (30) days of becoming aware of the violation.
- B. Each significant industrial user shall have a duty, on receipt of validly obtained sampling and analysis results, of inspecting the results and determining if any wastewater discharge permit condition has been violated. Failure to examine and compare testing results with wastewater discharge permit conditions shall not be a valid defense for failure to comply with these reporting conditions.

**14.17 Sampling and Analysis**

- A. The authority shall perform waste stream sampling and analyses for each industrial user in accordance with its wastewater discharge permit or otherwise required by the Authority. The associated costs of sampling and analyses shall be fully reimbursed by the industrial

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- user.
- B. All sampling and analysis performed by the industrial user in compliance with wastewater discharge permit conditions, to prepare the reports required in subsections (13), (14), (15) and (16) of this Section, or as otherwise required by the Authority, shall be accomplished using techniques specified in 40 CFR, Part 136 or alternative procedures approved by the Authority and the Administrator. Unless otherwise required, all sampling should be performed during a normal production day and should reflect the usual and typical wastewater discharge of the user.
  - C. The industrial user may monitor more frequently than otherwise required by the Authority. If the industrial user monitors any pollutant, subject to effluent limitations at the location designated for compliance monitoring, more frequently than otherwise required by the Authority, using the procedures set forth in 40 CFR, Part 136, or otherwise required, the results of such monitoring shall be included in the calculation and reporting of the data submitted to the Authority.
  - D. Measurements, tests and analyses of the characteristics of wastewater shall be performed by a qualified laboratory, which is certified by the Pennsylvania Department of Environmental Protection. At the request of the Authority, qualifications shall be submitted for review.
  - E. The industrial user shall ensure that all monitoring and analytical equipment it uses to monitor or otherwise analyze the pollutants discharged to the sewer system are periodically calibrated and maintained at intervals which ensure the accuracy of measurements.
  - F. If sampling results indicate that the industrial user has exceeded an effluent limitation, the Authority, as an enforcement response to such violation, may require the industrial user to undertake increased sampling. Upon notification from the Authority, the industrial user shall undertake such additional monitoring as directed.
  - G. Sampling schedules will be set by the Authority and the User may not be made aware of testing schedule.

**14.18 Monitoring Facilities**

- A. The Authority may require an industrial user to provide and operate at the industrial user's own expense, monitoring facilities to allow inspection, sampling and flow measurement of the wastewater or industrial waste discharge. The monitoring facility should normally be situated on the industrial user's premises. The Authority may, when such a location would be impractical or cause undue hardship on the industrial user, allow the facility to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles.
- B. There shall be ample room in or near such sampling manhole or facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the industrial user.
- C. 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.

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- D. Construction shall be completed within ninety (90) days following written notification by the Authority, unless the industrial user can show, to the Authority's satisfaction, that a longer time period is necessary.
- E. The Authority, and its representatives, will have unrestricted access to the facility to inspect the sampling and monitoring equipment.

**14.19 Inspection**

The Authority and its duly authorized representatives, including contractors, may inspect the facilities of any use to ascertain whether the purpose of the section is being met and all requirements are being complied with. Persons or occupants of the premises where wastewater is created or discharged shall allow the Authority or its representatives ready access at all reasonable times to all parts of the premises for the purposes of inspection, sampling, records examination and copying, or in the performance of any of their duties. Areas which are subject to inspection include, but are not limited to, areas which could result in wastewater discharge to the sewer, such as manufacturing areas and chemical storage areas; pretreatment facilities; spill prevention and control facilities; hazardous waste generation areas; industrial self-monitoring facilities and areas where relevant documentation is kept or stored. The Authority and approval authority and their agents 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 onto their premises, the user shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, personnel from the Authority and approval authority will be permitted to enter, without delay, for the purpose of performing their specific responsibilities. It shall not be inferred, however, that the Authority is authorized to enter upon property of any industrial user under this subsection for any purpose in the event such entry is not otherwise allowable under Pennsylvania law.

**14.20 Confidentiality**

- A. Information and data on an industrial user obtained from reports, questionnaires, wastewater discharge permit applications, monitoring programs and from inspections shall be available to the public or any governmental agency without restriction unless the industrial user specifically requests at the time of submission and is able to demonstrate to the satisfaction of the Authority that the release of such information, processes or methods of production are entitled to protection as trade secrets of the industrial user. Wastewater constituents and characteristics shall not be recognized as confidential.
- B. When requested by the person furnishing a report and supported by evidence acceptable to the Authority as to need for protection as confidential material, the portion of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available to the Authority and, upon request, to governmental agencies for uses related to the this Section, the Authority's NPDES permit, any State permit and/or industrial pretreatment program. In addition, such portions of a

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report shall be available for use by the EPA, the State or any State agency in judicial review or enforcement proceedings involving the person furnishing the report.

- C. When information accepted by the Authority as confidential is transmitted to any government agency, a notification to the industrial user may be provided listing the confidential information transmitted and the governmental agency requesting it. The person seeking confidentiality protection of the information shall bear the burden of demonstrating to the governmental agency that such information is entitled to confidential protection.

### 14.21 Records

- A. Users subject to the reporting requirements of these Rules and Regulations shall retain and make available for inspection and copying, all records of information and results obtained pursuant to any monitoring activities required by these Rules and Regulations. Records shall include the date, exact place, method, time of sampling and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used and the results of such analyses. These records shall remain available for a minimum of three (3) years. This period shall be automatically extended for the duration of any litigation concerning compliance with these rules and regulations, or where the industrial user has been notified of a longer retention period by the Authority.
- B. The industrial user shall furnish to the Authority, within a reasonable time, any information which the Authority may request to determine whether cause exists for modifying, reissuing, suspending or revoking a wastewater discharge permit or to determine industrial user compliance. The industrial user shall also furnish to the Authority, upon request, copies of records required to be kept. Where the industrial user becomes aware that it failed to submit any relevant fact in an application for a wastewater discharge permit, or submitted incorrect information in an application for a wastewater discharge permit, report to the Authority or in any other correspondence or communication pertaining to its industrial wastewater discharge, it shall promptly submit such facts or information.

### 14.22 Certification Statements

The following certification statement is required to be signed and submitted by Users submitting permit applications in accordance with Section 14.06; Users submitting baseline monitoring reports under section 14.13 and 40 CFR § 403.12 (l); Users submitting reports on compliance with the Categorical Pretreatment Standard under Section 14.14 and 40 CFR § 403.12 (d); and Users submitting periodic compliance reports required by Section 14.15 and 40 CFR § 403.12 (e) and (h). The following certification statement must be signed by an Authorized Representative as defined in Section 1.

*I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for*

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*gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.*

**14.23 Permit Fees**

- A. Permit and usage fees are designed to provide for the recovery of costs from industrial users of the wastewater system for the implementation of the Industrial Pretreatment Program. Permit and usage fees are comprised of the following:
1. Fees for reimbursement costs of setting up and operating the Industrial Pretreatment Program;
  2. Fees for monitoring, inspections and surveillance procedures;
  3. Fees for reviewing response plans, corrective action plans, construction plans, etc.;
  4. Fees for Industrial Discharge Permit applications;
  5. Fees for filing appeals;
  6. Fees for consistent removal (by Wastewater Treatment Plant) of pollutants otherwise subject to Categorical Standards; and
  7. Other fees as the Authority may deem necessary to carry out the requirements contained herein.

Current permit fees shall be assessed to all permit holder and applicable fees can be found on the Fee Schedule.

**SECTION 15 DISCHARGE ENFORCEMENT, PENALTIES & REMEDIES**

**15.01 Administrative Enforcement Remedies**

- A. Right to Refuse
1. The Authority reserves the right to refuse to accept wastewater or combinations of wastewater, which are discharged in violation of the terms or conditions of the industrial pretreatment program, or any permit or written directions issued by the Authority pursuant to the conditions of the industrial pretreatment program. The Authority may take such steps as it deems necessary, as outlined in the Section, to compel discontinuance of use of the sewer system or to require pretreatment of industrial wastes in order to comply with the provisions of the Section. The Authority may exercise its right of refusal by denial of issuance of a wastewater discharge permit; in such a case the discharge of industrial waste by the industrial user in question is prohibited.
  2. Discharge of any industrial waste to the sewer system by a significant industrial user, or by any other user required to have a permit in accordance with Section 14, without a wastewater discharge permit is an unauthorized discharge and may be subject to the penalties provided herein.

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B. Show Cause Hearing

1. The Authority may direct any industrial user who causes or allows an unauthorized discharge to enter the sewer system, or who violates any condition or requirement of the industrial pretreatment program or its wastewater discharge permit, to show cause before the Authority why the proposed enforcement action should not be taken. A written notice may be served on the industrial 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 industrial user to show cause before the Authority why the proposed enforcement action should not be taken. The notice of the hearing may 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 if the industrial user is a corporation.
2. The Authority may itself conduct the hearing and take the evidence, or may designate any of its members or any representative to:
  - a. Issue in the name of the Authority notices of hearings request 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.
3. At any hearing held pursuant to the Section, testimony taken may 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.
4. After the Authority has reviewed the evidence, it may, in writing, direct the industrial user to take certain actions to correct the unauthorized discharge or to achieve compliance. The action which may be directed include, but are not limited to:
  - a. Installation of pretreatment facilities or equipment.
  - b. Modification or additions to existing pretreatment facilities or equipment.
  - c. Initiation of management practices which are required to alter the nature of the industrial waste being discharged.
  - d. Development or implementation of SPCC plans or other measures.
  - e. Other measures found to be necessary to correct the unauthorized discharge or other noncompliance.
  - f. The direction may be in the form or a schedule of compliance, setting date by which certain actions shall be taken.
  - g. Failure of an industrial user to comply with written direction issued pursuant to a heading constitutes a violation of this Section.



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**C. Revocation of Permit**

1. Any industrial user who violates the following conditions of the Section, or applicable State or Federal regulations, is subject to having its wastewater discharge permit revoked.
  - a. Failure of an industrial user to factually report the wastewater constituents and characteristics of its discharge in any application for a wastewater discharge permit, or in any reports required by these Rules and Regulations.
  - b. Failure of the industrial user to report significant changes in operations, or wastewater constituents and characteristic as required in Section 13.03.
  - c. Refusal of reasonable access to the industrial user's premises for the purpose of inspection or monitoring.
  - d. Violation of conditions of the wastewater discharge permit.
2. Any industrial user notified of a revocation of its wastewater discharge permit may be required to immediately stop or eliminate the discharge (even if an appeal of the revocation notice is pending). In the event of a failure of the industrial user to comply voluntarily with the notice of revocation, the discharge shall be considered an unauthorized discharge and the Authority may take such steps as deemed necessary, which may include immediate severance of the connection between the building sewer and the sewage collection system to prevent or minimize damage to the sewer system or endangerment to the environment or any property or person.

**D. Suspension of Permit**

1. The Authority may suspend the wastewater discharge permit when such suspension is necessary, in the opinion of the Authority, in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons or the environment; causes or may cause interference or pass through; or cause or may cause the Authority to violate any condition of an NPDES permit or any other Federal or State law, rule, regulation or permit condition.
2. Any industrial user notified of a suspension of its wastewater discharge permit may be required to immediately stop or eliminate the discharge (even if an appeal of the suspension notice is pending). In the event of a failure of the industrial user to comply voluntarily with the notice of suspension, the discharge shall be considered an unauthorized discharge and the Authority may take such steps as deemed necessary, including immediate severance of the connection between the building sewer and the sewage collection system to prevent or minimize damage to the sewer system or endangerment to the environment or any property or person.
3. If a wastewater discharge permit has been suspended as a result of an unauthorized discharge, which discharge resulted in or contributed to damages to the sewer system or to any person or property, the wastewater discharge permit shall not be reinstated until such time as all such damage claims have been satisfied.
4. The Authority may reinstate the wastewater discharge permit upon submission of proof by the industrial user of the elimination of the unauthorized discharge or

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correction of the noncompliance for which the suspension was imposed.

E. Notice of Violation

Whenever the Authority finds that any industrial user has violated or is violating these Rules and Regulations, its wastewater discharge permit or any prohibition, limitation or requirements contained herein, the Authority may serve upon such industrial user a written notice stating the nature of the violation and requiring a response within a specified time. Responses required of industrial users may include, but are not restricted to, actions, plans, compliance schedules or written explanation.

F. Administrative Orders

The Authority may issue written directions as described in Section 15.01 (B)(4) without a show cause hearing if the Authority determines that such directions are necessary to correct conditions or remedy continuing violations of these rules and regulations or any wastewater discharge permit or other requirements of the industrial pretreatment program, the Authority, or Federal or State regulations. Failure of an industrial user to comply with written directions requiring compliance with provisions under these rules and regulations, National Categorical Pretreatment Standards or a duly authorized wastewater discharge permit constitutes a violation of these rules and regulations.

G. Surcharge for Certain Abnormal Wastes

Please refer to the Fee Schedule, as adopted by resolution from time to time.

H. Right of Appeal

1. An industrial user may appeal the enforcement actions enumerated above in subsections C and D of this section, the denial of a wastewater discharge permit or conditions contained in a wastewater discharge permit. An appeal is subject to the following requirements.
  - a. The appeal must be made in writing to the Authority.
  - b. The appeal must be made in thirty (30) calendar days from the date of receipt of the wastewater discharge permit, or notice of denial, suspension, modification or revocation of a wastewater discharge permit being appealed by the industrial user.
  - c. The appeal must state the specific provisions of a wastewater discharge permit or the specific directions or actions of the Authority which are being contested.
  - d. The appeal must state the reasons for the appeal of each provision.
  - e. The appeal may suggest alternate or revised provisions to replace those appealed.
  - f. An appeal of a wastewater discharge permit may include a request to stay specific permit conditions pending the outcome of the appeal. Any such request shall include all factual and legal justification for such a request. Filing of a request does not stay any condition of a wastewater discharge permit. Such a stay must be approved by the Authority, as provided in subsection (4) below.

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2. Provisions specifically mandated by Federal or State regulations (ex. compliance with categorical standards) shall not be appealed. Conditions which, in the opinion of the Authority, would constitute a hazard or pose a potential threat of pollution, if stayed, shall not be stayed during an appeal.
3. An appeal shall be made to the Authority and may be reviewed by the Authority or, at its sole discretion, may be reviewed by any designated representative(s) of the Authority, provided:
  - a. The reviewer shall not be the Authority Manager.
  - b. The reviewer shall not be the Authority Chairman.
  - c. The reviewer(s) reviewing the appeal shall report in writing to the Authority the results of the review. The report should contain, at a minimum:
    - I. A summary of each item appealed, the appellant's reasons for appeal and appellant's proposed remedies, if any.
    - II. The finding of merit for each point, and the reason(s) for finding.
    - III. For each point found to be with merit, a proposed remedy, and a finding that the proposed remedy is allowable under these Rules and Regulations, and all applicable Federal, State and Local rules, regulations and laws.
4. The Authority or a board appoint by the Authority for the purpose, shall review the appeal and any report prepared as provided by subsection (3) and, at one (1) or more regular or special public meetings, take any additional testimony offered by the appellant, the reviewer, the Authority Manager or other interested party. The Authority may, within a reasonable time, decide to:
  - a. Grant a stay or wastewater discharge permit conditions pending a decision on the merits of a permit appeal.
  - b. Grant the appeal or portions of the appeal, applying such remedies as it deems proper.
  - c. Deny the appeal.The decision by the Authority constitutes final administrative action.
5. If the Authority or any hearing board appointed by the Authority shall have as a member any person who has a financial, legal or other proprietary interest in the industrial user bringing the appeal, such person shall recuse himself from any vote which shall determine the decision of the body in regard to the appeal.

**I. Civil Actions**

1. If any person violates the provisions of the industrial pretreatment program, including local, national or State pretreatment requirements, categorical standards or any wastewater discharge permit or written directions issued by the Authority, the Authority may commence an action for appropriate legal and/or equitable relief in the Court of Common Pleas of Bedford County or any other appropriate forum.

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**J. Injunctive Relief**

1. If any person:
  - a. Causes or permits an unauthorized discharge to occur.
  - b. Otherwise violates the conditions imposed by these Rules and Regulations or any wastewater discharge permit, schedule or written directions issued by the Authority or any National or State pretreatment requirement.
  - c. Discharges wastewater or industrial waste which otherwise presents or may present an endangerment to the environment or which threatens to interfere with the operations of the Wastewater System.

The Authority may commence an action in the Court of Common Pleas of Bedford County or any other appropriate forum for injunctive relief to stop the discharge or violation, or to require compliance with the applicable condition.

**K. Enforcement Response Plan**

1. The Authority Chairman and the Authority Manager may be guided by the Enforcement Response Plan when reviewing industrial user reports, inspection results and other compliance information, and when taking enforcement action or recommending to the Authority enforcement action in response to noncompliance.

**L. Significant Violators**

The Authority shall publish annually, in the local daily newspaper of highest circulation within the service area, a list of industrial users that were found to be in significant noncompliance during the previous calendar year. Significant noncompliance shall be determined using measures of rate, magnitude and type of noncompliance, as determined below:

1. Chronic violations of local limits, prohibitive discharge standards, categorical standards or other numerical limitations on discharges of industrial waste. A chronic violation occurs if the violation occurs in sixty-six (66) percent or more of all measurements taken during a six-month period for the same pollutant(s).
2. Technical review criteria (TRC) violations of local limits, prohibitive discharge standards, categorical standards or other numerical limitations on discharges of industrial waste. A TRC violation occurs if thirty-three (33) percent or more of all of the measurements for each pollutant in a six (6) month period equal or exceed the product of the daily maximum limit of the average limit and the applicable TRC. For conventional pollutants (BOD, TSS, and Fats, Oils and Grease) the TRC equals one and four tenths (1.4); for all other pollutants except Ph, the TRC equals one and two-tenths (1.2).
3. Any violation of local limits, prohibitive discharge standards, categorical standards or other narrative or numerical limitations on discharges of industrial waste which the Authority determines has caused pass through or interference, or has endangered the health or safety of Authority personnel or the public.
4. Any discharge that has caused imminent endangerment to human health, welfare or the environment, or has caused the Authority to exercise its emergency Authority under Section 15.01 subsections A, C, D and G.
5. Failure to meet, within ninety (90) days after the schedule date, a compliance schedule milestone contained in a wastewater discharge permit or submitted in

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response to written directions of the Authority, for starting construction, completing construction or attaining final compliance.

6. Failure to provide, within thirty (30) days after the due date, any required reports including, but not limited to, baseline monitoring reports, periodic compliance reports, reports on compliance with compliance schedule or reports on a change in operations.
  7. Failure to accurately report any noncompliance.
  8. Any other violation, noncompliance or group of violations or noncompliance which the Authority determines will adversely affect the operation of implementation of the industrial pretreatment program. The Authority, subject to its discretion, may, as an enforcement response, publish notification of industrial user noncompliance on a more frequent basis than annually or if the level of industrial user noncompliance does not meet the significant noncompliance standard.
- M. **Responsible Officials**  
Except as may be otherwise provided herein, the Authority Chairman shall administer and enforce the provisions of these Rules and Regulations. The Authority Chairman may delegate any or all power granted by these Rules and Regulations to the Authority Manager or to others as he or she deems appropriate.

### 15.02 Penalties

- A. Any person who violates any provision of these Rules and Regulations or the permits issued hereunder may be subject to a civil monetary penalty pursuant to applicable law. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. In addition to the penalties provided herein – see Fee Schedule, the Authority may recover reasonable attorney’s fees, court costs, court reporters’ fees and other expenses of litigation by appropriate suit at law against the person found to have violated these Rules and Regulations of the orders and permit issued hereunder. Except for a violation which has been subject to a civil or criminal penalty by the Authority, nothing shall be deemed to preclude the Authority from commencing an action for penalty of twenty-five thousand (\$25,000) dollars per day for each violation pursuant to 35 Pa. C. S. §752.1 et seq. (Publicly Owned Treatment Works Penalty Law, Act of March 26, 1992, P.L. 23, No. 9), subject to the appeal procedures as specified in Title 2, Pa. C. S.
- B. In addition to any applicable civil or criminal penalty, the user is liable for:
  1. All damage which its discharge causes to the sewer system or WWTP if that damage is caused, in whole or in part, by the industrial user’s noncompliance with its wastewater discharge permit or with any applicable law, ordinance, regulation, rule or pretreatment requirement.
  2. Any penalty imposed upon the Authority (whether by judicial or administrative penalty action) where the violation of the Authority was caused or increased in severity by the industrial user, either alone or in conjunction with discharge(s) from other source(s).

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15.03 Remedies Not Exclusive

The enumeration of remedies in subparts of this section does not restrict their application and shall not be deemed to preclude any other Authority remedies, enforcement responses or other causes of action including those available under common law. Nothing in these Rules and Regulations, the Enforcement Response Plan or any other provision of the Authority's pretreatment program shall be intended to limit the enforcement discretion of the Authority to enforce pretreatment requirements as otherwise provided for by law.

15.04 Special Agreements and/or Waiver or Pretreatment Requirements

- A. Nothing contained in these Rules and Regulations shall be construed as prohibiting special agreements between the Authority and a person discharging industrial wastes or wastewaters to the sewer system, or for the Authority to otherwise waive requirements hereunder, when conditions and circumstances making such special agreements or waiver advisable and/or necessary, in the opinion of the Authority are present; provided, however, that:
1. National categorical pretreatment standards and prohibitive discharge standards (including the general and specific prohibitions set forth at 40 CFR §403.5 (a) and (b)) shall not be waived, unless such waiver is granted by mechanisms established under the Federal pretreatment regulations (40 CFR §403 et seq).
  2. In no case shall a special agreement or waiver of local limits allow for an industrial user to discharge any pollutant which, along or in combination with other regulated industrial user discharges, would reasonably be expected to exceed the mass loadings determined by the Authority as acceptable to the sewage treatment plant based upon considerations of, among other things, interference, pass through and sludge contamination. The Authority may consider other factors (e.g. effect of the discharge on the WWTP, future expansion, etc.), as it deems appropriate. In no event shall special agreement or waiver allow the sum of the loadings allocated to industrial loadings to exceed the values set forth in any local limits analysis completed by the Authority.
  3. The Authority may require an industrial user requesting a special agreement or waiver adjusting effluent limitations to submit supporting documentation indicating why the industrial user cannot reasonably expect to meet the effluent limitation contained in its wastewater discharge permit, setting forth an expeditious schedule for achieving compliance with such limitations, and including such other information as the Authority may require. In granting any special agreement or waiver the Authority may impose time limitations upon any reduced requirements and provide a compliance schedule for achieving compliance. In granting any special agreement or waiver, the Authority may impose any other conditions deemed necessary to implement the purposes of these Rules and Regulations.
  4. If granting a special agreement or waiver would result in increased costs to the Authority (e.g. treatment monitoring, sludge disposal costs), the Authority may condition the special agreement or waiver upon the agreement of the industrial user

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to pay those costs, and to provide security adequate in the judgment of the Authority to assure payment of said costs.

**SECTION 16 BILLING**

- 16.01 Failure to receive a bill from the Authority shall not exempt the User from the responsibility to make prompt payment. The presentation of a bill to the User is only a matter of accommodation.
- 16.02 Whenever ownership of a Building is transferred, the new Owner must notify the Authority in writing for the continuation of the service as provided for in Section 21. Failure to do so will result in the discontinuance of the wastewater service.
- 16.03 The Owner of each Building is ultimately responsible for the payment of all wastewater bills. Only an Owner will be furnished a bill for services rendered. An Owner may allow a Tenant or other user to remit payment.
- 16.04 Billings shall be rendered on a monthly basis for large users or customers and on a quarterly basis for all others. Upon written request and approval, a customer who is billed on a quarterly basis may be switched to billing on a monthly basis.
- 16.05 Billing shall begin when connection is made and/or meter is installed.
- 16.06 A minimum bill shall be generated for any structure for which service is connected regardless of residence status or usage. In the event that service has been shut off by the Authority for non-payment or at the request of the property owner, a minimum bill shall continue to be generated for the account.
- 16.07 Wastewater usage will be calculated based on water usage through an Authority water meter. If a meter ceases to provide a reading and after two unanswered attempts by the Authority to contact the Owner to correct the issue the Owner will be billed the average previous usage or 10,000 gallons, whichever is greater.
- 16.08 If a meter malfunction is the result of negligence on the part of the Owner (i.e. meter freezing and breaking, destruction of meter) then the Owner shall be charged for the meter replacement.

**SECTION 17 LATE PAYMENTS**

- 17.01 The Authority shall set a due date for monthly customers no less than 21 days from the bill date; no less than 30 days from the bill date for quarterly customers. Payment must be received in the Authority office by 3:30pm on the due date to avoid a late penalty.
- 17.02 Charges for service shall be subject to a ten percent (10%) penalty if not received in the office by 3:30pm on the due date. If not paid within thirty (30) days after the due date the bill amount plus the penalty shall bear interest from the due date at a rate of one and one half percent (1.5%) per

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month or fraction thereof until paid.

- 17.03 The Authority shall have the right to terminate water service (if provided by the Authority) to the delinquent premises no less than 20 days after the due date for monthly customers; no less than 30 days after the due date for quarterly customers. The Authority shall not restore service to the delinquent premises until all delinquent balances against the same and the service termination and restoration fees have been paid in full by cash or money order.
- 17.04 In the case of a tenant, service termination will be in compliance with the Utility Service Tenants Rights Act (USTRA), which requires at least 37 days' notice to the landlord and at least 30 days' notice to the tenant before shut off can occur. As per Pennsylvania Statute the property owner is responsible for charges incurred from municipal services rendered. The same provision for penalties, interest and service shut off fees apply.

**SECTION 18 DISCONTINUANCE OF SERVICE**

- 18.01 Application for wastewater service may be canceled or wastewater service and/or water service disconnected for any of the following reasons:
- A. Failure of User to pay wastewater bill and other charges when due.
  - B. Tampering with any service pipe or permitting tampering by others.
  - C. Use of wastewater service by a User for any purpose other than described in the application.
  - D. Use of wastewater service by a User at any location other than described in the application.
  - E. Unlawful use of Wastewater System by a User or discharge of prohibited wastes into the Wastewater System by a User.
  - F. Vacancy and demolition of Building.
  - G. Failure of User to maintain Building Sewer in good order.
  - H. Refusal of access to property to authorized representatives of the Authority.
  - I. Failure to comply with any wastewater use restrictions which may be imposed.
  - J. Violation by User of any of the Rules and Regulations.
  - K. Pursuant to any other laws of the Commonwealth of Pennsylvania.
- 18.02 Any damage to the Building Sewer and/or Wastewater Mains caused by careless undermining or by negligent excavating or backfilling of excavation for private drains, sewers, or other purpose shall be chargeable to the person causing damage, and if the charge to repair is not paid, the Authority reserves the right to discontinue wastewater service.
- 18.03 The Authority shall have the right to interrupt wastewater service without notice in case of breakdowns or for other unavoidable causes, or for the purpose of making necessary repair or connections. Reasonable notice will be given when practicable. In no case shall the Authority be liable for any damage or inconvenience suffered.
- 18.04 When two or more buildings are supplied through a single wastewater service, any violation of the Rules and Regulations of the Authority by any one Owner shall be deemed a violation by all, and



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the authority may enforce compliance with this rule by shutting off the entire service, except that action shall not be taken until the non-violating Owner(s) has been given a reasonable notice and opportunity to install separate connection.

**18.05 Disconnection of Service Due to Demolition of Building**

- A. Any person desiring to demolish, or otherwise permanently remove a building from a property served by municipal sewer or otherwise permanently disconnect a building from a property served by municipal sewer must apply to the Authority for permanent disconnection of service.
- B. Written notice of approval of the proposed disconnection will be made by the Authority to the applicant within seven (7) days following a regularly scheduled Authority meeting.
- C. For disconnection of sewer service, the property owner shall physically remove sewer service connection piping from the building served to the property line or edge of right of way. The Authority's lateral shall be plugged with a blank expanding elastomeric plug or satisfactory PVC Plug or Cap. The property owner shall place a 2" X 4" Hemlock stake at the end of each lateral serving the property. Each stake shall be cut off 6" above the ground level and the depth to the sewer lateral shall be noted on the stake. The property owner shall restore the ground surface to its original condition following piping removal and plugging of the lateral connection(s). Plugging activities shall be witnessed by the Authority or their representative before being covered. The structure must then be removed from the property or all plumbing fixtures removed from the structure rendering the structure uninhabitable. This work shall be completed at the Owner's expense. Contractors shall provide current liability insurance certificate prior to excavating.
- D. Reasonable and customary fees may be charged by the Authority to cover Authority expenses incurred for application processing and disconnection inspection services.

**SECTION 19 CHANGING RULES, REGULATIONS AND RATES**

19.01 The Authority reserves the right to change or amend from time to time these Rules, Regulations and Rates for wastewater service, in a manner provided by law.

**SECTION 20 CHARGES PAYABLE UPON CONNECTIONS**

20.01 Upon making application for the issuance of a permit to connect a new Building or to connect an additional use, the Authority will prepare a written estimate of the cost of Authority construction for the installation, connection charge, the tapping fee, the permit fee and the inspection fee.

20.02 A tapping fee (capacity charge) payable to the Authority for purchase of treatment plant capacity and conveyance system capacity shall be due at the time of connection. Calculations of this capacity shall be the number of EDUs times two thousand dollars (\$2,000.00) per EDU for new construction. When connecting to the public system is required as part of an Authority sewer extension project the tapping fee shall be calculated at one thousand dollars (\$1,000) per EDU.

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The tap fee shall be subject to the provisions of any grant awarded for the construction of a sewer extension project.

A capacity surcharge of seven hundred and fifty dollars (\$750.00) per EDU will be calculated, collected and rendered to the Municipal Authority of the Borough of Bedford for every new sewer connection.

- 20.03 A connection fee of \$400.00 will be charged in addition to the tapping fee for each Building Sewer sought, payable at the time of connection. This is only for a 4" or 6" diameter gravity lateral, or a one and one quarter (1.25) inch diameter pressure service line, where the wastewater main fronts directly on the property desiring to be connected and the actual cost of installation of the lateral is less than \$400.00. This fee represents the average cost of the tapping connection which only includes the actual tap or connection to the main (being a wye or saddle connection). The cost of installing the service lateral from the connection shall be borne by the property owner.
- 20.04 An inspection fee of one hundred dollars (\$100.00) is to be paid by the Owner for Connection of a 4" or 6" diameter gravity or a one and one quarter (1.25) inch diameter pressure Service Line serving a single family dwelling. This fee is to cover the Authority's average cost of inspection of the Service Line installed by Owner.
- 20.05 A facilities fee for the necessary equipment to record and bill for usage shall be paid for by the property owner. Such equipment may include a meter, meter pit, MXU, etc. The amount charged to the property owner shall be equal to the amount which was charged to the Authority for the purchase of such necessary equipment.
- 20.06 For a Service Line other than the above, an inspection fee in an amount equal to the actual cost of engineering review and inspection work performed by the Authority will be charged to the Owner. Upon making application for the issuance of a permit for Connection, the Authority will prepare a written estimate of the cost of engineering review and inspection, if requested.
- 20.07 For a Service Line other than the above, a tapping fee in an amount equal to the actual cost of providing capacity to serve the customer will be charged to the Owner. The minimum tapping fee will be two thousand dollars (\$2,000.00). Upon taking application for the issuance of a permit for Connection, the Authority will prepare a written estimate of the cost of the tapping fee in accordance with Act 203, if requested.
- 20.08 The Person desiring wastewater service shall furnish and install the Building Sewer at his sole cost.
- 20.09 The actual building and connection to the sewer system must be made within one year of the payment of the charges and fees specified under this Section. If requested prior to the actual connections being made to the sewer main, the Authority will refund the fees and charges less 10% administrative fee. After one year, a new application must be made with appropriate fees and

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charges paid to the Authority.

20.10 The number of EDU's constituting each type of Building for purpose of calculating the connection charges shall be determined as follows:

<u>Classification</u>	<u>No. of EDUs</u>
1. Single Family Dwelling	1
2. Two Family Dwelling	2
3. Apartment House:	
a. One or two bedroom apartment	1
b. Each additional bedroom	½
4. Mobile Home	1
5. Retail Store	1
6. Business Office or Professional Office:	
a. Five (5) or less employees	½
b. Each additional 5 employees over 5 or fraction thereof	½
7. Business or industry <u>not</u> providing showers for employees:	
a. Ten (10) or less employees	1
b. Each additional 5 employees over 10 or fraction thereof	½
8. Each improved property having a commercial (1.2 horsepower or greater) garbage grinder, for each such grinder	1
9. Hotel or Motel (in addition to restaurant facilities) per rental room	½
10. Restaurant, club, or tavern, per twenty (20) seats or fraction thereof	1
11. Church	1
12. Service Station or automobile repair garage:	
a. Three (3) bays or less (without car wash facilities)	1
b. Three (3) bays or less (with car wash facilities)	2
c. Each additional bay over 3	½
13. School, per 22 pupils or operating personnel	1
14. Laundromat, per five (5) washers or fraction thereof	1
15. Car Washing Establishment:	
a. Per bay (using recycled water)	1

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b. Per bay (not using recycled water)	2
16. Bowling Alley (in addition to restaurant facilities) per six (6) lanes or fraction thereof	1
17. Barber Shop:	
a. Two (2) chairs or less	½
b. Each additional chair	½
18. Beauty Shop:	
a. One (1) chair	1
b. Each additional chair	½
19. Retail store with meat and/or vegetable preparation facilities, per employee food preparation station	1

20.11 The number of Equivalent Dwelling Units applicable to Commercial Establishments and Industrial Establishments shall be computed on the basis of the average daily number of full and part-time employees (including the owner(s) and employer(s) for the calendar quarter preceding the date of connection. The Owners of such facilities shall be responsible for advising the Authority in writing of the number of employees upon connection to the Wastewater System and upon request of the Authority. The Authority will perform a review approximately two (2) years after the date of initial connection and if flows and/or number of employees are significantly higher than the figures presented at the time of the initial service request, the Authority will require that an additional tap fee be paid to correspond with the actual figures. The number of Equivalent Dwelling Units applicable to Schools shall be computed on the highest monthly average daily attendance of pupils (plus faculty, administrators and staff) during the twelve (12) months preceding the date connection. The Owners of such facilities shall be responsible for advising the Authority in writing of the number of pupils, faculty, administrators and staff in attendance as an average daily figure upon connection or upon request of the Authority.

20.12 Establishments that do not fall under any of the above classifications may be asked to provide water records from similar establishments or calculations to determine an EDU value for the establishment.

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**SECTION 21 SCHEDULE OF RATES AND CHARGES**

21.01 Rates

Rates for wastewater service for single family dwellings, individual units in Multiple Dwelling Units, and individual uses in Multiple Use Units are based upon metered water consumption. For structures without public water the domestic well water will be metered. The quarterly charge for wastewater service shall be as follows:

<u>METERED CONSUMPTION</u>	<u>RATE</u>
Up to 6,000 gallons per quarter	\$129.24 per quarter
Up to 2,000 gallons per month	\$ 43.08 per month
Each 1,000 gallons in excess of minimum	\$ 21.54 per 1,000 gallons

21.02 Minimum Charge

The minimum quarterly charge for wastewater service is one hundred twenty-nine dollars and twenty four cents (\$129.24) per quarter. The minimum monthly charge is forty-three dollars and eight cents (\$43.08) A minimum charge will be billed to every structure connected to the public sewer system regardless of in-residence status.

21.03 Returned Check Charge

A charge of \$25.00 will be assessed for any check or ACH debit which has been presented to the Authority for payment on an account that has been returned by the payer bank for any reason. A late fee may also be assessed if proper payment is not made prior to the due date.

21.04 Service Termination or Resumption Rates

Any Owner desiring wastewater service from a previously discontinued service and each new Owner of a Building already connected must submit an Application for service. No service shall be furnished by the Authority to an Owner until all arrears for wastewater service, repairs, or other charges then incurred or previously owed with respect to the Building shall have been paid by cash or money order, or satisfactory arrangement for payment has been made.

Any Owner desiring a temporary or permanent discontinuance of wastewater service shall notify the Authority in writing of this desire for terminating service. The Authority, upon terminating service, shall make a final water meter reading and the final wastewater bill shall be due and payable within ten (10) days of termination of service. In order to be granted a permanent discontinuation of wastewater billing the structure must be rendered uninhabitable by removing all plumbing fixtures from the structure and lateral must be disconnected from the public system. Structure and disconnection must be inspected by a BTMA employee.

Any Owner wanting to reconnect a property that was “permanently” disconnected will be required

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to make a new application and pay applicable facility and inspection fees.

Any Owner desiring to transfer ownership of property and wastewater service shall notify the Authority in writing of this desire and a final water meter reading and wastewater bill will be prepared at no charge to the Owner. The bill shall be due and payable within ten (10) days of transfer.

**21.05 Service Fees**

After hours charges will be based on actual cost for equipment and labor of the Authority for service calls.

**21.06 Normal Business Hours**

Open Monday through Friday

Service Hours 7:00 a.m. to 3:00 p.m.

Office Hours 7:30 a.m. to 3:30 p.m.

**SECTION 22 REPEALER**

- 22.01 In the event any provision, section, sentence, clause or part of the Rates, Rules and Regulations shall be held by any Court or Administrative tribunal of competent jurisdiction to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Resolution, it being the intent of the Authority that such remainder shall be and shall remain in full force and effect.
- 22.02 All parts of these Rates, Rules and Regulations which are inconsistent herewith expressly shall be and are repealed.
- 22.03 These Rates, Rules and Regulations shall supersede any previously adopted Rules and Regulations of the Authority.

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Revised: April 2021 – Updated Section 21.01 Rates to include rates effective January 1, 2021

Revised: September 2021 – Updated Section 12.05(G) Summary of Local Limits and Recommendations for Industrial Users

Revised: December 2021 – Updated Section 20.10 EDU Classifications/No. or EDUs

Revised: September 7, 2022 – Updated Sections 12, 14 & 15 related to Industrial Discharge and Permitting