

laterals.
(building
sewer).

Allen Township

Northampton County, Pennsylvania

Sewer System Rules and Regulations

*Establishing uniform requirements and regulations
of discharges to the sewer system
and providing for sewer rentals, charges, and fees*

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Adopted:

- D. **Installation and Maintenance** - Prior to the installation of any flow meter or other measuring device described in Section 3.03.A, Section 3.03.B, or Section 3.03.C above, the Owner of said Improved Property shall submit complete plans, drawings, and specifications for each proposed flow meter or other measuring device to the Township for its review and approval. Any costs associated with the preparation of the plans, drawings, and specifications and the installation of said flow meter or other measuring devices shall be paid for by the Owner of the Improved Property. All flow meters or other measuring devices shall be maintained, repaired, or replaced at the sole cost of the Owner. Upon receipt of a written request from the Township, the Owner of said flow meter or other measuring devices shall have it inspected, tested, and repaired as required, and the results of said inspection, testing, and repair submitted to the Township in writing. The cost of such inspection, testing, and repair shall be paid by the Owner of the meter. The Township also reserves the right to observe and record information from said flow meter or other measuring devices at all reasonable times. Should the Owner of an Improved Property not maintain, repair, replace, or test said meter or other measuring devices, the Township may undertake same and bill the Owner accordingly.

Section 3.04. Collection of Sewer Rentals and Charges

- A. **Due Date** - All sewer rentals and other sewer charges shall be due as of the billing date, as may be established by the Township.
- B. **Responsibility for Payment** - The Owner of any Improved Property shall be responsible for payment of all sewer rental and other sewer charges. Multiple Owners of any Improved Property shall be jointly and severally liable for any such sewer rentals and other sewer charges.
- C. **Penalty for Late Payment** - The sewer rental, rate, charge or surcharge shall be payable within thirty (30) days of the mailing of the bill. In the event of any default in payment after the due date of such bill, a penalty of nine percent (9%) of the total of such outstanding sewer rental, rate, charge, or surcharge will be added to all such amounts due and interest at the rate of 1½% per month on the total of such outstanding sewer rental, rate, charge or surcharge will be added to all such amounts due. A service charge of \$20 shall be imposed on any check, or similar sight order for the payment of money, not honored by the drawee. In any enforcement proceeding, the Township shall be entitled to recover its reasonable attorney's fees, costs, and other necessary expenses, in addition to any other relief which may be awarded.

- D. **Liens for Sewer Rentals and Charges** - Sewer rentals or charges imposed by these Rules shall be a lien on the Improved Property connected to and served by the Sewer System; and any such sewer rentals or charges which are not paid within ninety (90) days after each due date applicable to the particular Improved Property may be filed as a lien against the Improved Property so connected to and served by the Sewer System, which lien shall be filed in the Office of the Prothonotary of Northampton County, Pennsylvania, and shall be collected in the manner provided by law for the filing and collecting of municipal claims.
- E. **Payment of Sewer Rentals and Charges on Vacant or Unoccupied Improved Property** - Sewer rental and charges shall accrue and be payable for all periods during which an Improved Property has its Building Sewer connected to the Sewer System, irrespective of occupancy. Provided, however, that after the Improved Property has remained vacant and unoccupied for one (1) full quarterly billing period, the Township may relieve the Owner of the Improved Property from further sewer rental and charges during continuance of vacancy or non-use, if all water connections and sources from which water is used on the Improved Property shall be shut off and sealed or otherwise secured against use during such period to the satisfaction of the Township.
- F. **Reoccupied Improved Property** - When a vacated Improved Property is reoccupied, the Owner shall give written notice to the Township of re-occupancy and the date water to the Improved Property was turned on. Sewer rental charges for such reoccupied Improved Property shall be determined from the date of actual re-occupancy or the date the water is turned on.
- G. **Failure to Pay Sewer Rentals and Charges** - Upon the failure of any person to pay in full any sewer rental, rate, charge, or surcharge within ninety (90) days after the due date for such bill, the Township shall have the right to terminate water and/or sewer service to the Improved Property. After payment of all delinquent bills against such Improved Property, service may be restored upon payment of all expenses which have been incurred by the Township in terminating and restoring such service.

Section 3.05. Tapping, Connection, and Customer Facility Fees.

The following tapping, connection, and customer facility fees are hereby imposed upon all Users of the Sewer System for each new Building Sewer connected to the Sewage Collection System. No Person shall connect any Dwelling Unit and/or Improved Property to any part of the Sewer System without first making application for and securing a permit, in writing, from the Township.

SEWER SYSTEM RULES AND REGULATIONS

TABLE OF CONTENTS

ARTICLE I.	PURPOSE AND OBJECTIVES	1
<i>Section 1.01</i>	<i>Purpose</i>	1
<i>Section 1.02</i>	<i>Definitions</i>	1
ARTICLE II.	GENERAL REGULATIONS OF DISCHARGES TO THE SEWER SYSTEM	10
<i>Section 2.01</i>	<i>Regulated Discharges</i>	10
A.	Discharge of Stormwaters	10
B.	Storm Sewers	10
C.	Discharge Limitations	10
D.	Prohibited Discharges	10
E.	Unauthorized Discharges	10
F.	Categorical Standards	12
G.	State Requirements	13
H.	Local Limits	13
I.	Prohibition on Dilution	13
J.	Slug Loads and Spills	14
K.	Drainage of Water Filtration Systems	15
L.	Trucked and Hauled Wastes	15
M.	Grease and Sand Traps	15
N.	Garbage Grinders	15
O.	Notification Requirements/Hazardous Wastes and Hazardous Substances	16
P.	Additional Costs or Penalties/Fines	17
ARTICLE III.	SEWER RENTALS, CHARGES, AND FEES	18
<i>Section 3.01</i>	<i>Sewer Rentals</i>	18
A.	Water-metered Sewer System Users	18
B.	Non-water-metered Sewer System Users	18
C.	Metered Water Not Discharged to Sewer System	18
<i>Section 3.02</i>	<i>Sewage and Industrial Waste Surcharges</i>	19

Section 3.03	Privately Owned Flow Measuring Devices	19
A.	Non-metered Water Service; Industrial Waste	19
B.	Optional Flow Meter	19
C.	Required Private Water Meter	19
D.	Installation and Maintenance	20
Section 3.04	Collection of Sewer Rentals and Charges	20
A.	Due Date	20
B.	Responsibility for Payment	20
C.	Penalty for Late Payment	20
D.	Liens for Sewer Rentals and Charges	22
E.	Payment of Sewer Rentals and Charges on Vacant or Unoccupied Improved Property	21
F.	Reoccupied Improved Property	21
G.	Failure to Pay Sewer Rentals and Charges	21
Section 3.05	Tapping, Connection, & Customer Facility Fees	21
A.	Tapping Fee	22
B.	Connection Fee and Customer Facility Fee	22
C.	Due Date for Tapping, Connection, and Customer Facility Fees	23
Section 3.06	Industrial Pretreatment Requirement Fees	23
ARTICLE IV.	SANITARY SEWER SERVICE	25
Section 4.01	Connection to Sewage Collection System	25
Section 4.02	Construction of Sewers and Connections	26
Section 4.03	Construction of Building Sewer to Sewage Collection System	28
A.	Construction Requirements	28
B.	Connection Sewer Available	28
C.	Connection Sewer Not Available	28
D.	Unlawful Connections	28
Section 4.04	Customer Facility Construction and Design Standards	29
ARTICLE V.	SPECIFIC REGULATION OF INDUSTRIAL WASTE DISCHARGES TO THE SEWER SYSTEM	36
Section 5.01	Discharge Permits	36
A.	Industrial Users and Significant Industrial Users	36
B.	Permit Applications	36
C.	Confidentiality of Applications	36
D.	Permit Conditions	36
E.	Permit Transfer	36

Section 5.02	Compliance Schedule	36
A.	Compliance Schedule	36
B.	Compliance Schedule Reports	37
Section 5.03	Monitoring Facilities, Sampling, & Analysis	37
A.	Monitoring Facilities Location	37
B.	Monitoring Facilities Construction and Maintenance	37
C.	Detailed Plans	37
D.	Sampling and Analysis	37
E.	Reporting and Resampling of Discharge Limit Violations	38
Section 5.04	Administrative Appeals	38
A.	Appeal of Wastewater Discharge Permit	38
B.	Continuation of Permit During Appeal	38
Section 5.05	Inspections, Pretreatment Facilities, Changes	39
A.	Inspections	39
B.	Pretreatment Facilities	39
C.	Change in Operations	39
Section 5.06	Reports	40
A.	Baseline Monitoring Reports	40
B.	Categorical Compliance Report	41
C.	Periodic Compliance Reports	41
Section 5.07	Confidential Information	42
A.	Availability of Information	42
B.	Industrial User Notification	42
C.	Storage of Records	42
Section 5.08	Enforcement	43
A.	Right to Refuse	43
B.	Revocation of Permit	43
C.	Suspension of Permit	43
D.	Notice of Violation	44
E.	Hearings and Appeals	44
F.	Administrative Orders	44
G.	Right of Appeal of Enforcement Actions	45
H.	Civil Actions	45
I.	Injunctive Relief	45
Section 5.09	Penalties and Costs	45
A.	Civil Penalties	45
B.	Falsifying Information	46

ARTICLE VI. RULES AND REGULATIONS FOR CONSTRUCTION OF PUBLIC SEWER FACILITIES 47

Section 6.01	Permit Requirements of Owner/Developers	47
A.	Reserved Capacity and Permits	47

Section 6.02	Sewer Plan Requirements and Approvals	47
A.	Township Sewered Area	47
B.	Design and Specifications	47
C.	Professional Fee Escrow	48
Section 6.03	Construction of Sewer Facilities	48
A.	Cost of Improvements	48
B.	Construction and Inspection of Improvements	48
C.	Dedication and Maintenance of Improvements	48
ARTICLE VII.	MISCELLANEOUS	50
Section 7.01	Serverability	50
Section 7.02	Conflict	50
Section 7.03	Additional Resolutions Authorized	50
Section 7.04	Effective Date	50

Allen Township

Northampton County, Pennsylvania

These Rules and Regulations are adopted by Allen Township, setting forth uniform requirements and regulations of discharges to its Sewer System; providing for sewer rentals, charges, and other fees necessary for the operation, maintenance, and administration of the Sewer System; and establishing specific requirements and regulations of discharges of industrial waste to the Sewer System.

The Allen Township Board of Supervisors, Allen Township, Northampton County, Pennsylvania hereby resolves as follows:

ARTICLE I. PURPOSE AND OBJECTIVES

Section 1.01. Purpose

These Rules and Regulations set forth the following uniform requirements for Users of the Sewer System and enables the Township to regulate the use of the Sewer System and to comply with the requirements of the Clean Water Act and other applicable State and National laws and regulations.

Section 1.02. Definitions

The following words, terms, and phrases will hereinafter have the meanings set forth in this section, unless the context clearly requires a different meaning:

Act or "The Act" - The Federal Water Pollution Control Act, also known as the "Clean Water Act", as amended, 33 U.S.C. 1251, et. seq.

Approval Authority - The Administrator or the Regional Administrator of the Department of Environmental Protection.

Authorized Representative (of Industrial User) - An Authorized Representative of an Industrial User may be: (1) A principal executive officer of at least the level of Vice-president, if the Industrial User is a corporation; (2) A general partner or proprietor, if the Industrial User is a partnership or proprietorship, respectively; (3) A principal executive officer or director having responsibility for the overall operation of the discharging facility, if the Industrial User is a governmental entity, charitable organization, or other such unincorporated entity; (4) A duly Authorized Representative of the individual designated above in (1), (2), or (3), if such representative is responsible for the overall operation of the facilities from which the Discharge originates.

If an authorization under Clause (4) of this definition is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or

overall responsibility for the environmental matters for the company, a new authorization satisfying the requirements of Clause (4) of this definition must be submitted to the Township prior to or together with any reports to be signed by an Authorized Representative.

Biochemical Oxygen Demand (BOD) - The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five (5) days at 20E Centigrade (64E Fahrenheit) expressed in terms of weight and concentration [milligrams per liter (mg/L)].

Building Sewer - A Sanitary Sewer conveying Wastewater to the Lateral.

Categorical Industrial User - An Industrial User subject to Categorical Standards.

Categorical Standards - National Categorical Pretreatment Standards.

Certified Professional - A Registered Professional Engineer under the laws of the Commonwealth of PA.

Clean Streams Law - The Act of June 22, 1937, P.L. 1987, as amended, 35 P.S. Sections 691.1 to 691.702.

Color - Color of light transmitted through a waste after removal of all suspended matter, including pseudo-colloidal particles, and measured in platinum-cobalt units.

Compliance - Adherence to conditions or requirements of these Rules, including Industrial Pretreatment Requirements, any written directions issued by the Township, or any Wastewater Discharge Permit or other permit issued under the provisions of these Rules.

Compliance Schedule - A schedule submitted by an Industrial User and approved by the Township setting forth the time within which an Industrial User shall be in compliance with provisions of these Rules.

Connection Fee - A fee, as defined and designated as a Connection Fee, as set forth in Act of June 19, 2001, P.L. 287, No. 22 [53 PA c.s.t. 5601 et seq] as amended, commonly known as the Municipal Authorities Act.

Customer Facilities Fee - A fee, as defined and designated as a Customer Facilities Fee, as set forth in Act of June 19, 2001, P.L. 287, No. 22 [53 PA c.s.t. 5601 et seq] as amended, commonly known as the Municipal Authorities Act.

Customer Facility - That portion of the Sewer System serving the connected property from line or curb stop to the proposed dwelling or building to be served.

D.E.P. - The Pennsylvania Department of Environmental Protection or, where appropriate, it shall also mean any duly authorized official of said agency.

Discharge, Discharges, or Discharged - The conveyance of any water or Wastewater into the Sewer System.

Domestic Wastes - Normal household wastes from kitchens, water closets, lavatories and laundries, or any waste from a similar source and possessing the same characteristics.

Dwelling Unit - Any room, group of rooms, house trailer or other enclosure occupied or intended for occupancy as separate living quarters by a family or other group of Persons living together or by Persons living alone, excluding, however, college and institutional dormitories.

E.P.A. - The U. S. Environmental Protection Agency, or where appropriate, the term may also be used as a designation for the Administrator or other duly authorized official of said agency.

Garbage - Solid or semi-solid wastes resulting from preparation, cooking, and dispensing of food, and from handling storage and sale of produce.

Grab Sample - A sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and within a period of 15 minutes or less.

Groundwater - Water which is contained in or passing through the ground.

Holding Tank Waste - The liquid and/or solid material from a septic tank, cesspool, or similar Domestic Waste Treatment or Containment System, or waste from holding tanks such as those found in vessels, chemical toilets, campers, or house trailers.

Improved Property - Any property within the Sewered Area upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure Sanitary Sewage or Industrial Wastes shall or may be Discharged.

Industrial Pretreatment Requirements - The sum of the provisions of these Rules and applicable Ordinances or Rules of the Sewage Treatment Plant Operator, amendments thereto, and any activities authorized by these Rules as regards the regulation and control of Industrial Users.

Industrial User - Any Person who Discharges Industrial Waste into the Sewer System.

Industrial Waste - Any solid, liquid, or gaseous substance, or form of energy, which is produced as a result, whether directly or indirectly, of any industrial, manufacturing, trade, or business process or activity, or in the course of developing,

recovering, or processing of natural resources and which is Discharged into the Sewer System; but not Cooling Water or Sanitary Sewage. Any Wastewater which contains Industrial Waste and which is Discharged from an industrial, manufacturing, trade, or business premises is considered Industrial Waste for the purposes of these Rules.

Infectious Waste - Any substance which is Discharged, and which consists of or is contaminated by pathogens or other etiologic agents, and which has not been sterilized, neutralized, or otherwise rendered harmless. Infectious Waste includes, but is not limited to: contaminated blood, blood products or other bodily fluids (excepting excreta discharged by normal bodily functions); wastes, including excreta, from patient isolation areas; laboratory samples or test materials; animal wastes and bedding; body parts; pathology and autopsy wastes; and glassware, hypodermic needles, surgical instruments, and other sharps.

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 a Sewage Treatment Plant or the Sewage Collection System, or the processing, use or disposal of sludge; or
2. Is a cause of a violation of any requirement of the Township or Sewage Treatment Plant'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 provisions and regulations or permits issued thereunder (or more stringent State or Local regulations): Article 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (Including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State Sludge Management Plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, the Toxics Substances Control Act, 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.

Lateral - That part of the Sewer System extending from a sewer main to the curb line or, if there is no curb line, to the property line, or, if no such lateral shall be provided, then "lateral" shall mean that portion of, or place in, a sewer main which is provided for connection of any building sewer.

Local Limits - Numerical limitations on the concentration, mass or other characteristics of Wastewaters or Pollutants Discharged, or likely to be Discharged, by Industrial Users, and which are developed by the Township or the applicable Sewage Treatment Plant Operator.

mg/L - Milligrams per liter - A measure of concentration of water borne substances.

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

New Source - Any building, structure, facility, or other source from which there is or may be a Discharge of Pollutants, the construction of which commenced after the publication of proposed Categorical Standards under Section 307 (C) of the Act which will be applicable to such source if such Categorical Standards are thereafter promulgated in accordance with that Section. Determination of the applicability of New Source standards shall be made as provided in the Act and 40 CFR '403.3.

Noncompliance - Not in compliance.

Normal Production Day - For the purposes of sampling Wastewater, a Normal Production Day is that period of time during which Wastewater is Discharged and production, clean-up, and other activities that normally produce Wastewater or Industrial Waste are occurring. If a sample is specified to be collected during a Normal Production Day, it should not include aliquots taken during periods that are not representative of normal activities, or during times when Wastewater is not being Discharged.

Operator - Any Person having charge, care, control, or management of a Pretreatment Facility for Industrial Wastes or of a truck or trucks used in the removal, transport, or disposal of Wastewater, Industrial Wastes, or Holding Tank Waste.

Owner - Any Person vested with ownership, legal or equitable, sole or partial, of an Improved Property.

Pass Through - Discharge of Pollutants by the POTW to the Waters of the State, so as to cause or contribute to Pollution, either alone or in conjunction with other Discharges, or cause or contribute to a violation of an applicable 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.

Person - Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents, or assigns. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context.

pH - The logarithm (Base 10) of the reciprocal of the concentration of hydrogen ions expressed in moles per liter of solution.

Pollutant - Any substance, including but not limited to, dredged spoil, solid waste, incinerator residue, Sewage, Garbage, Sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste, or having certain characteristics such as Biochemical Oxygen Demand, Suspended Solids, Ammonia-Nitrogen, Phosphorus, Color, pH or toxicity, which, when discharged into water, results in Pollution or increases Pollution.

Pollution - The contamination of any Waters of the State such as will create or is likely to create a nuisance or to render such waters harmful, detrimental or injurious to public health, safety or welfare, or to domestic, municipal, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life; or contamination of the air, soil, or of the environment so as to produce or is likely to produce similar deleterious effects.

POTW - A publicly owned treatment works as defined by Section 212 of the Act (33 U.S.C. 1292). The term includes the Sewage Collection System and any applicable Sewage Treatment Plant, to which the Township's Sewage Collection System may discharge into.

Pretreatment - The reduction of the amount of Pollutants, the elimination of Pollutants, or the alteration of the nature of Pollutant properties in Wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such Pollutants into a Sewer System. The reduction or alteration can be obtained by physical, chemical or biological processes, or by means of other process changes except as prohibited by 40 CFR '403.6(d).

Pretreatment Coordinator - Agent of the Township designated to administer the Industrial Pretreatment Requirements of these Rules.

Pretreatment Requirements - Any substantive or procedural requirement, other than a Categorical Standard, imposed on an Industrial User by Section 303(b) and (c) of the Act, the State or these Rules. It shall also include any pretreatment requirements of the POTW ultimately receiving the Sewage as industrial waste (for example, Northampton Borough or North Catasauqua Borough).

Prohibited Discharge - Any discharge which is prohibited under Section 2.01.D of these Rules including discharges prohibited by a Sewage Treatment Plant Operator.

Prohibitive Discharge Standard - Any regulation developed under Section 307(b) and (c) of the Act (33 USC 1317) and 40 CFR '403.5.

Sanitary Sewage - The normal water-carried Domestic Wastes from any Improved Property, but excluding: effluent from septic tanks or cesspools; rain, snow or Stormwater; groundwater; or other collected water from roofs, drains or basements.

Sanitary Sewer - A Sewer carrying only Sanitary Sewage or Industrial Wastes, and to which storm, surface, or ground waters are not intentionally admitted.

Sewage Collection System - All facilities owned and operated by the Township, as of any particular time, used or usable for collecting, transporting, pumping, and disposing of Wastewater, which facilities are ultimately connected to and served by a Sewage Treatment Plant.

Sewage Treatment Plant - That portion of the Sewer System which is designed to provide treatment of Wastewater and discharge of treated effluent to the environment.

Sewage Treatment Plant Operator - The Municipality or Township having charge, care, control, management, or ownership of a Sewage Treatment Plant connected to and serving any portion of the Township Sewer Collection System.

Sewered Area - That portion of the community in which there shall be located a municipal Sewer System as from time to time constructed and extended by the Township or others.

Sewer - A pipe or conduit for conveying Wastewater or Stormwater.

Sewer Main - The principal or primary pipe or conduit which is used for collecting and transporting Sanitary Sewage and/or Industrial Waste.

Sewer System - The Sewage Collection System, Sewage Treatment Plant, and any Sewers that convey Wastewater to a POTW. For the purposes of these Rules, "Sewer System" shall also include any Sewers that convey Wastewater to any Sewage Treatment Plant from Persons who are, by contract or agreement with the Township, Users of the Sewer System.

Shall is Mandatory; **May** is Permissive.

Significant Industrial User - An Industrial User who (1) has a Discharge flow of 25,000 gallons or more of Industrial Waste per average work day; (2) Discharges an organic load, in pounds of BOD per average work day, of 5% or more of the average daily organic loading of a Sewage Treatment Plant; (3) is regulated by Categorical Standards; or (4) is determined by the Township to have the potential of adversely affecting the operation of the POTW, causing Interference or Pass Through, or of violating any Pretreatment Requirement.

Significant Noncompliance - A Noncompliance which meets or exceeds standards of Significant Noncompliance determined by the Township or the applicable Sewage Treatment Plant Operator.

Slug or Slug Load - Any Prohibited Discharge.

Spill - Any Discharge of a non-routine, episodic nature, including but not limited to an accidental Spill or a non-customary batch Discharge, or the control or cleanup activities associated with such an occurrence; an accidental Spill may result from the spilling, overflowing, rupture, or leakage of any storage, process or transfer container.

SPCC Plan - A Spill prevention, control and countermeasure plan prepared by an Industrial User to minimize the likelihood and intensity of a Slug Load or Spill and to expedite control and cleanup activities should a Slug Load or Spill occur.

Standard Methods - The latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the Water Pollution Control Federation (Water Environment Federation), the American Public Health Association and the American Waterworks Association.

State - Commonwealth of Pennsylvania.

Storm Water - Any flow of water occurring during or following any form of natural precipitation and resulting therefrom.

Storm Sewer - A Sewer designed and constructed for the purpose of carrying Stormwater, and to which Sanitary Sewage or Industrial Wastes are not intentionally admitted. Stormwater Sewers are not part of the Sewage Collection System.

Suspended Solids - The total suspended matter that floats on the surface of, or is suspended in, water, Wastewater, or other liquids, and which is removable by laboratory filtering.

Tapping Fee - A fee as defined and designated as a Tapping Fee as set forth in Act of June 19, 2001, P.L. 287, No. 22 [53 PA c.s.t. 5601 et seq] as amended, commonly known as the Municipal Authorities Act.

Total Toxic Organics - The sum of all quantifiable values of various organic Pollutants as determined by the Township or, for certain Categorical Industrial Users, as defined in the applicable Categorical Standard.

Township - The Township of Allen, Northampton County, Pennsylvania. A municipal corporation existing under the laws of the Commonwealth of Pennsylvania, and its agents and officials.

Toxic Organic Management Plan - A plan submitted in lieu of testing for Total Toxic Organics in which an Industrial User specifies methods of control to assure that Total Toxic Organics do not routinely enter the Sewer System.

Toxic Pollutants - Any Pollutant or combination of Pollutants listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the provision of Section 307(A) of The Act, or other acts, or is present in

sufficient quantity, either singly or in combination with other Wastewater, so as to present risk of causing Interference or Pass Through, causing harm to humans, animals or plants, or creating a hazard to Persons or property, either in the Sewage Collection System, a Sewage Treatment Plant, or the environment into which it is released.

Unauthorized Discharge - Discharge of an Unauthorized Waste, or a discharge which otherwise is not in compliance with the requirements of these Rules.

Unauthorized Waste - Any substance which is discharged into the Sewage Collection System which is not in compliance with the provisions of these Rules.

User - Any Person who contributes, causes or permits the Discharge of Wastewater into the Sewer System.

Wastewater - Industrial Wastes or Domestic Wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any groundwater, surface water, and Stormwater that may be present, whether treated or untreated, which enters the Sewer System.

Waters of the State - All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State or any portion thereof.

Wastewater Discharge Permit - As set forth in these Rules.

ARTICLE II. GENERAL REGULATION OF DISCHARGES TO THE SEWER SYSTEM

Section 2.01. Regulated Discharges

- A. **Discharge of Stormwaters** - No Person shall Discharge or cause or permit to be Discharged any Stormwater, surface water, groundwater, roof water, subsurface drainage, or building foundation drainage into any Sanitary Sewer.
- B. **Storm Sewers** - No Person shall, at any time, Discharge any Wastewater, Sanitary Sewage or Industrial Waste into any Storm Sewer in the Sewered Area; nor shall any Person construct or utilize existing private Storm Sewers for such purposes.
- C. **Discharge Limitations** - No Improved Property nor Industrial User shall Discharge Sewage and/or Industrial Waste, directly or indirectly, into the Sewer System, subject to the provisions of these Rules, which contains Pollutants in excess of the Daily Maximum limits as set by the Ordinances and/or Rules and Regulations of the Sewage Treatment Plant Operator.
- D. **Prohibited Discharges** - No User shall Discharge or cause to be Discharged, directly or indirectly, any Pollutant or Wastewater which will interfere with the operation or performance of the Sewer System. These general prohibitions apply to all Users whether or not the Users are subject to Categorical Standards or any other Pretreatment Requirements. No User may Discharge any of the following substances to the Sewer System:
1. Any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the Sewer System or to the operation of the Sewer System. At no time, shall two successive readings on an explosion hazard meter, at the point of Discharge into the system (or at any point in the system) be more than five percent (5%) nor any single reading over ten percent (10%) of the Lower Explosive Limit (LEL) of the meter. At no time shall the closed cup flashpoint of the Wastewater be less than 140° Fahrenheit (60° Centigrade). 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.
 2. Solid or viscous substances which may cause obstruction to the flow in a sewer or other Interference with the operation of the Sewer System, such as, but not limited to: grease, Garbage with

particles greater than one-half inch ($\frac{1}{2}$ ") in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining, or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes.

3. Any Wastewater having a pH less than 6.0 or higher than 9.0, or Wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment and/or personnel of the Sewer System.
4. Any Wastewater containing Toxic Pollutants in sufficient quantity, either singly or by interaction with other constituents of the Wastewater, to injure or interfere with any Wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the Sewage Treatment Plant, or to exceed the limits referenced in an applicable Categorical Standard.
5. Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other substances normally present in the Sewer System are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the Sewer System for maintenance and repair.
6. Any substance which results in the formation or release of toxic gasses, vapors or fumes in a quantity that may cause acute worker health and safety problems.
7. Any petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or Pass Through, but in no case exceeding 20 mg/L.
8. Fats, oils, greases or waxes of animal or vegetable origin in amounts which exceed 100 mg/L.
9. Any substance which may cause the Sewage Treatment Plant's effluent or any other product of the Sewage Treatment Plant such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance Discharged to the Sewer System cause the Sewage Treatment Plant to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations affecting sludge use or disposal developed

pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State and Federal criteria applicable to the sludge management method being used.

10. Any substance which will cause the Township or Sewage Treatment Plant to violate its NPDES and/or State Water Quality Management Permits or applicable receiving water quality standards.
11. Any Wastewater with objectionable Color which will Pass Through the Sewage Treatment Plant, such as, but not limited to, dye wastes and vegetable tanning solutions.
12. Any Wastewater having a temperature which will inhibit biological activity in the Sewage Treatment Plant resulting in Interference, but in no case Wastewater with a temperature at the Discharge into the Sewer System which exceeds 40E C (104E F).
13. Any Pollutants, including oxygen demanding Pollutants (BOD, etc.) released at a flow rate and/or Pollutant concentration which will cause Interference to the Sewage Treatment Plant or interfere with the operation of the Sewer System.
14. Any Wastewater containing any radioactive wastes or isotopes of such halflife or concentration as may exceed limits established by the Sewage Treatment Plant Operator or applicable State or National regulations.
15. Any trucked Wastewater or Pollutants or Hauled Waste.
16. Any Wastewater which is incompatible with treatment processes in use at the Sewage Treatment Plant so as to cause or contribute to Interference or Pass Through.
17. Any Wastewater containing any compounds or salts of aldrin, dieldrin, endrin, lindane, methoxychlor, toxaphene, dichlorophenoxyacetic acid, trichlorophenoxypropionic acid, or other persistent herbicides, pesticides or rodenticides.
18. Any Infectious Waste.
19. Any other substances which are prohibited by the Sewage Treatment Plant Operator.

E. **Unauthorized Discharges** - Discharge of any prohibited substance listed under Section 2.01.D of this Article shall be considered an Unauthorized Discharge and the Township may take whatever steps are necessary to halt such a Discharge, as set forth in these Rules.

- F. **Categorical Standards** - If the Categorical Standards for a particular Industrial User are more stringent than Local Limits or other requirements imposed under these Rules, then the Categorical Standards shall apply. The Township shall notify in writing all affected Industrial Users of the applicable reporting requirements under 40 CFR '403.12. The National Categorical Pretreatment Standards are hereby incorporated into these Rules as requirements for those Industrial Users subject to such Categorical Standards.
- G. **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 these Rules.
- H. **Local Limits** - The Township and/or Sewage Treatment Plant Operator may establish, and review from time to time, Local Limits regulating the Discharge of specific Pollutants by Industrial Users.
1. Local Limits may be established for any substance which is Discharged, or is likely to be Discharged, to the Sewer System.
 2. Local Limits may limit concentration, mass, or a combination of the two.
 3. The procedure for the calculation of Local Limits should be as recommended by the Approval Authority.
 4. Local Limits may be calculated to prevent Interference; Pass Through; the Discharge of toxic materials in toxic amounts; threats to worker health and safety; and physical, chemical or biological damage to the Sewer System.
 5. Local Limits may be applied to all Significant Industrial Users and may be included in all Wastewater Discharge Permits. Local Limits may be applied to other Industrial Users if deemed appropriate by the Township.
 6. Discharging any Pollutant in excess of a Local Limit established for that Pollutant shall constitute an Unauthorized Discharge. Such a Discharge is subject to the actions and penalties set forth herein.
 7. Discharge of any Pollutants prior to the establishment of any Local Limits shall not give any Industrial User any rights to continue such Discharge in violation of the Local Limits.
- I. **Prohibition on Dilution** - No Industrial User shall, in any way, attempt to dilute a Discharge as a partial or complete substitute for adequate Pretreatment to achieve compliance

with the limitations contained in applicable Categorical Standards, or in any other Pollutant-specific limitation, including Local Limits, developed by the Township or State.

- J. **Slug Loads and Spills** - Each User shall provide protection from Spills or accidental Discharges that 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.
1. **Notification** - In the case of a Spill or Slug Load or other Unauthorized Discharge, it is the responsibility of the Industrial User to immediately telephone and notify the Township and Sewage Treatment Plant Operator of the incident. The notification shall include location of Discharge, type of waste, concentration and volume, corrective actions being taken or planned, and expected duration.
 2. **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.
 3. **Written Notice** - Within five (5) days following a Spill, Slug Load, or other Unauthorized Discharge, the Industrial User shall submit to the Township and Sewage Treatment Plant Operator 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 by these Rules, Ordinances or Rules of the applicable Sewage Treatment Plant Operator or other applicable laws.
 4. **SPCC Plans** - The Township reserves the right to require all Industrial Users to complete and obtain approval of a Spill Prevention Control and Countermeasure (SPCC) plan, or provide acceptable evidence that such a plan is not necessary for their facility. Such plans shall, at a minimum, contain the elements specified in 40 CFR '403.8(F)(2)(V)(a)B(d). SPCC plans shall be submitted to the Township for review, and shall be approved by the Township before implementation of the plan or construction of any

required facilities. Review and approval of such plans, facilities and operating procedures by the Township shall not relieve the Industrial User from the responsibility to modify its facility as necessary to meet the requirements of these Rules. The Township may, in the alternative, require the Industrial User to apply directly to and obtain approval from the applicable Sewage Treatment Plant Operator.

- K. **Drainage of Water Filtration Systems** - Discharge of filter backwash water to the Sewer System shall be regulated as follows:
1. Granular media filter backwash water may be Discharged to the Sewer System, subject to all of the applicable provisions of these Rules or the applicable Sewage Treatment Plant Operator.
 2. Diatomaceous earth filter backwash, if Discharged to the Sewer System, shall be connected to the Sewer System through settling tanks with no less than three (3) months storage capacity of spent diatomaceous earth, which tanks shall be accessible for removing solid waste for disposal.
- L. **Trucked and Hauled Wastes** - The Discharge of trucked, hauled or Holding Tank Wastes to the Township Sewage Collection System shall not be allowed.
- M. **Grease and Sand Traps** - Grease, oil, and sand interceptors or traps shall be provided by a User when the Township determines that such devices are necessary for the proper handling of Wastewaters containing greases, oils, or settleable solids. Interceptors and traps shall be installed, operated, maintained and cleaned properly, so that they will consistently remove the grease, oil or settleable solids. Interceptors and traps shall be properly designed to accommodate the maximum flow rate expected to occur, and shall be located as to be readily and easily accessible for cleaning and inspection.
- N. **Garbage Grinders** - The use of mechanical Garbage grinders producing a finely divided mass, properly flushed with an ample amount of water, shall be permitted in the kitchen of a Dwelling Unit. If approved by the appropriate Sewage Treatment Plant Operator, such devices shall also be permitted in food preparation areas of commercial or industrial establishments upon the registration of each such device with the Township and Sewage Treatment Plant Operator. Each existing Garbage grinder requiring registration shall be registered within thirty (30) days of receipt by the Owner thereof from the Township of the requirement of such registration as set forth herein.

O. **Notification Requirements - Hazardous Wastes and Hazardous Substances**

1. All Industrial Users shall notify the Township, the applicable Sewage Treatment Plant Operator, the EPA Regional Waste Management Division Director, and the Pennsylvania Department of Environmental Protection, Bureau of Waste Management, in writing, of any Discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR, Part 261. Such notification shall include the name of the hazardous waste, as set forth in 40 CFR, Part 261, the EPA hazardous waste number, and the type of Discharge (continuous, batch, or other). Notifications must meet all the requirements of the applicable Sewage Treatment Plant Operator.
2. Industrial Users that commence Discharge after the effective date of these Rules shall submit the report within 180 days of first Discharge of the hazardous waste, except as may be required by the applicable Sewage Treatment Plant Operator.
3. The required report need be submitted only once for each hazardous waste Discharged. Industrial Users regulated under Categorical Standards which have already submitted such information in baseline monitoring reports or periodic compliance reports do not have to report this information again.
4. Industrial Users that Discharge less than fifteen (15) kilograms of hazardous wastes in a calendar month do not have to comply with these reporting requirements, unless otherwise required by the applicable Sewage Treatment Plant Operator. This exemption does not apply to acute hazardous wastes as specified in 40 CFR §261.30(d) and 261.33(e).
5. An Industrial User shall notify the Township and applicable Sewage Treatment Plant Operator within 5 days of becoming aware of any Discharges of reportable quantities of listed or unlisted hazardous substances, as defined at 40 CFR ' 302.4 (CERCLA Hazardous Substances). This notification shall include the time of release; the name of the substance; the identifying CAS number, if known; and the approximate quantity Discharged. If the Discharge constitutes a Spill, change in Wastewater constituents, or Slug Load, other reporting requirements of these Rules and of the applicable Sewage Treatment Plant Operator may also apply.
6. Each notification required by this Section shall include a statement certifying that the Industrial User has a program in place to reduce the volume

and/or toxicity of the Discharged wastes to the extent that it is economically practical. This statement shall be signed by the Authorized Representative of the Industrial User.

- P. **Additional Costs or Penalties/Fines** - Any User, whose activities cause an additional cost, fee, penalty, etc., to be levied on the Township by any agency, Sewage Treatment Plant, Operator, Governmental Agency, etc., shall be responsible for this cost plus a five percent (5%) administrative fee, in addition to any penalty prescribed by these regulations.

ARTICLE III. SEWER RENTALS, CHARGES, AND FEES

Section 3.01. Sewer Rentals

There are hereby imposed upon all Township Users of the Sewer System the following sewer rentals:

A. *Water-Metered Sewer System Users*

1. Sewer rental charges for all Users who have a metered water supply, except as may be specifically provided for elsewhere in these Rules, shall be at the Rates established by Resolution of the Township in effect at the time of billing, which billing rates may from time to time be changed, amended, or adjusted, as established by the Township.

B. *Non-Water-Metered Sewer System Users*

1. All Users who do not have a metered water supply shall provide and install at their own expense a privately owned flow measuring device or devices as specified in Section 3.03 of these Rules. Sewer rental charges shall then be determined as described in Section 3.01.A.
2. In the case of a User from a Dwelling Unit, the Township may, at their own option, establish a sewer rental charge, equal to not less than eighty percent (80%) of the average quarterly charge of Dwelling Units whose sewer rental charge is calculated as described in Section 3.01.A.

C. *Metered Water not Discharged to Sewer System*

1. Whenever an Industrial User with a metered water supply uses water that is not Discharged into the Sewer System, the quantity of water so used and not Discharged into the Sewer System shall be excluded in determining the sewer rental charge of said Improved Property. Provided, however, that the quantity of water so used and not Discharged into the Sewer System is measured by a privately owned flow measuring device as specified in Section 3.03 of these Rules; and provided that such Discharge does not violate any other provisions of these Rules.
2. The sewer rental charge to such Improved Property shall be computed by deducting the water not Discharged to the Sewer System from the total water meter readings. If, in the opinion of the Township, it is not practical to install a privately owned flow measuring device to continuously determine the quantity of water not Discharged into the Sewer System, an estimated amount or percentage of water not

discharged into the Sewer System may be made by the Township. Any dispute as to the estimated amount or percentage shall be submitted, in writing, to the Township within 30 days after notice of the estimate, whose decision on the matter shall be final and binding for the current year.

Section 3.02. Sewage and Industrial Waste Surcharges

The Township shall impose upon a User any surcharge required by the applicable Sewage Treatment Plant Operator.

Section 3.03. Privately Owned Flow Measuring Devices

- A. **Non-Metered Water Service; Industrial Waste** - A flow meter or other measuring device shall be installed for the purpose of measuring Wastewater Discharged to the Sewer System from any Improved Property receiving non-metered water service from a public water supplier, or any Improved Property which Discharges unmetered water from a private source to the Sewer System.
- B. **Optional Flow Meter** - Any Owner of an Improved Property which Discharges Wastewater to the Township Sewer System may notify the Township, in writing, of his, her, or its desire to have a Wastewater flow meter or other measuring device installed and to have the sewer rental charge and surcharges, if applicable, calculated as set forth in Article III of these Rules based upon the flow passing through such Wastewater flow meter, or other measuring device rather than the water consumed upon the Improved Property. Township shall have the right to reject any request or application by any Owner for use of a Wastewater flow meter, if the Township determines that the Wastewater from the Improved Property is either insufficient for accurate measurements by a Wastewater flow meter, or of a type inappropriate for measurement by a Wastewater flow meter. If at any time after installation, Township determines that a Wastewater flow meter cannot accurately measure the Wastewater Discharge, Township shall have the right to require removal of such Wastewater flow meter.
- C. **Required Private Water Meter** - If the Township rejects any request or application by any Owner for use of a Wastewater flow meter as outlined in Section 3.03.B above, the Owner of the Improved Property shall be required to furnish and install a private water meter, which shall be the property of the Owner. If the Owner of an Improved Property fails to install a private water meter, the Township shall have the right to enter upon the premises of the Improved Property and install a water meter, the cost of said water meter and installation thereof being paid for by the Owner of the Improved Property.

A. Tapping Fee

1. The Township shall have the power to establish by resolution adopted by the Township a Tapping Fee upon the Owner of each Dwelling Unit and/or Improved Property (other than such Owner who is subject to contractual or special agreements providing for the payment of certain sums in lieu of a Tapping Fee) whose Building Sewer is connected to the Sewage Collection System, regardless of whether such connection is direct or indirect, including changing the type of use of the Improved Property previously connected or connecting one or more new uses of the type hereinafter referred to through an existing connection, and regardless of whether such Improved Property is connected through one or more Building Sewers or that the Building Sewer is owned by the Township or by any Owner other than the Township.
2. The Tapping Fee shall be established by resolution of the Township.
3. Each Dwelling Unit shall be charged separately, even though two or more Dwelling Units are or will be connected through one Building Sewer to the Sewage Collection System.
4. Every other Improved Property shall be charged a Tapping Fee at the established rate multiplied by the ratio of the estimated or actual flow of water per day for the Improved Property divided by two hundred sixty (260) gallons of water per day. Whenever actual Sewage or Wastewater flows exceed estimates, an additional Tapping Fee shall be charged.
5. Where any Dwelling Unit and/or Improved Property connected to the Sewage Collection System shall be converted, enlarged or remodeled, or additional buildings shall be constructed on the Improved Property and connected directly or indirectly to the Sewage Collection System, so as to create or establish additional uses as classified in Section 3.05.A.1 hereof, an additional Tapping Fee determined in accordance with this Section for each such additional use shall be payable to the Township by the Owner of said Dwelling Unit and/or Improved Property.

B. Connection Fee and Customer Facility Fee

1. In addition to the Tapping Fee, the Township reserves the right to establish and charge a Connection Fee and/or a Customer Facility Fee. The Connection Fee shall relate to any costs to the Township relative to the Lateral, while the Customer Facility Fee shall relate to any costs to the Township relative to the Building Sewer.

2. The Connection Fee shall be established by resolution of the Township.
3. The Owner must install the Building Sewer. If the Township is forced to install the Building Sewer, the Customer Facility Fee shall be equal to the Township's cost of installing said Building Sewer, unless otherwise set by the Township.

C. Due Date for Tapping, Connection, and Customer Facility Fees

1. Any Tapping Fee, Connection Fee, and/or Customer Facility Fee shall be due and payable at the time application is made to the Township for a permit to connect to the Sewage Collection System, or upon the date any other permit application is made to the Township to convert, enlarge or remodel any Dwelling Unit or Improved Property or for any additional buildings to be constructed on an Improved Property.
2. Should any Dwelling Unit and/or Improved Property not connect to the Sewage Collection System as required by these Rules, or any other applicable regulations of the Township, then the Tapping Fee, Connection Fee, and/or Customer Facility Fee is due and payable when said connection is made by the Township. Any other fees and charges as a result of the Township making this connection are also due and payable at this time.
3. Payment of Tapping Fees, Connection Fees and/or the Customer Facility Fees charged by the Township pursuant to these Rules shall be enforced by the Township in any manner appropriate under law at the time in effect.
4. The Township reserves the right to adopt modifications of or changes to its Tapping Fees, Connection Fees, and Customer Facility Fees.

Section 3.06. Industrial Pretreatment Requirement Fees

- A. In addition to the sewer rental charges, and the Tapping, Connection, and Customer Facility Fees, the Township reserves the right to provide for the recovery of costs from Industrial Users for the implementation of the Industrial Pretreatment Requirements established by these Rules or the ordinances or rules of the Sewage Treatment Plant Operator. The Township may, by resolution, adopt charges and fees to include the following:
1. Fees for reimbursement of costs of setting up and operating the Industrial Pretreatment Requirements;
 2. Fees for monitoring, inspections and surveillance procedures;

3. Fees for reviewing accidental Discharge procedures (SPCC plans) and construction;
4. Fees for Wastewater Discharge Permit Applications;
5. Fees for filing appeals;
6. Fees for consistent removal (by the Sewage Treatment Plant) of Pollutants otherwise subject to Categorical Standards; and
7. Other fees as the Township may deem necessary to carry out the requirements contained herein.

ARTICLE IV. SANITARY SEWER SERVICE

Section 4.01. Connection to Sewage Collection System

- A. Pursuant to Allen Township Ordinance 2002-01, as amended or supplemented, the Owners of any Improved Property located within the Township which is accessible to and whose principle building is within one hundred fifty feet (150') of the Township Sewer System facilities shall be required to connect said Improved Property to the Sewage Collection System, within sixty (60) days of receiving written notice from the Township to make such connection.
- B. Notwithstanding the provisions of Section 4.01.A above, the Township shall not require any Industrial User to connect to the Sewer System when such Industrial User is operating a Sewer Treatment Plant under the mandate of any agency of the Federal or State Government. This exemption shall last as long as such Sewer Treatment Plant continues to meet the specifications and standards mandated by such Federal or State Agency and for forty-five (45) days thereafter. If, during the days immediately subsequent to the day such Sewer Treatment Plant is determined to be below Federal or State Mandates, and repairs cannot be made to restore the system to satisfactory condition, the Township may require such Industrial User to connect to the Sewer System. In such a situation, the full costs of connection to, and any necessary refurbishing of, the Sewer System shall be borne by such Industrial User. The Industrial User must comply with all requirements for Industrial Users as defined and set forth in these Rules.
- C. The exemption provided in Section 4.01.B shall not be available in any situation where the Industrial User seeking to use it had actual or constructive notice, prior to the construction of its own Sewer Treatment Plant, or Township's intention to require that Industrial User to connect with the Sewer System.
- D. All Sanitary Sewage and Industrial Wastes from any Improved Property required to connect to the Sewer System shall be conducted into such Sewer System, subject to such limitations and restrictions as may be established herein or otherwise may be established by the Township.
- E. No Person shall place, deposit, or permit to be placed or deposited any Sanitary Sewage or Industrial Waste upon public or private property with the Township in violation of these Rules. No person shall discharge or permit to be discharged to any natural outlet within the Township in violation of these Rules.
- F. No privy vault, cesspool, sinkhole, septic tank, or similar receptacle shall be used or shall be maintained at any time upon any Improved Property that has been connected to a

* Sewer as required by these Rules and Township Ordinance 2002-01. Every such privy vault, cesspool, sinkhole, septic tank, or similar receptacle in existence on an Improved Property connected to the Sewer System shall be abandoned, shall be cleansed and filled under the direction and supervision of the Township at the sole expense of the Owner of such Improved Property. Any such privy vault, cesspool, sinkhole, septic tank or other similar receptacle in existence which is not in compliance with the provisions of the these Rules or Township Ordinance 2002-01 shall constitute a public nuisance, and may be abated as provided by law, at the sole expense of the Owner of such Improved Property.

- G. No privy vault, cesspool, sinkhole, septic tank, or similar receptacle shall, at any time, be connected to the Sewer System.
- H. No Person shall make connection of roof downspouts, exterior foundation drains, area way drains, sump pumps, or other sources of surface runoff or ground water to the Sewage Collection System or to a Building Sewer which in turn is connected directly or indirectly to the Sewage Collection System.
- I. Any notice by the Township requiring Owner of an Improved Property to connect to the Sewer System shall include a reference to Township Ordinance 2002-01, including any amendments and/or supplements thereto, and shall include written notification requiring said connection in accordance with the provisions of said ordinance and specifying that such connection shall be made within the time limitations described therein. Such notice may be given or served at any time after a Sewer is in place that can receive and convey Sanitary Sewage and/or Industrial Waste for treatment and disposal from the particular Improved Property. Such notice shall be served by personal service or by registered mail.

Section 4.02. Construction of Sewers and Connections

- A. No person shall uncover, use, connect to, or otherwise alter or disturb in any manner, any Sewer or portion of the Sewer System without first obtaining a written permit from the Township.
- B. Application for the permit required in Section 4.02.A shall be made by the Owner of the Improved Property served or to be served by the Sewer System, or by the Authorized Agent of said Owner.
- C. No Person shall make or cause to be made a connection of any Improved Property with a Sewer until such Person has fulfilled the following conditions:

1. Such Person shall have notified the Township or other designated representative of the desire to connect such Improved Property to the Sewer.
 2. Such Person shall have applied for and received a permit as required by Section 4.02.A.
 3. Such Person shall give the Township or other designated representative at least twenty-four (24) hours notice of the time when such connection will be made, in order that the Township's inspector may supervise and inspect said connection and perform any necessary or required testing.
 4. Such Person shall have furnished, if applicable, satisfactory evidence to the Township or other designated representative that any required Tapping Fee, Connection Fee, or other required fee or charge that may be imposed by the Township has been paid in full.
- D. Except as otherwise provided herein, each Improved Property shall be connected separately and independently with a Building Sewer and Lateral. Grouping of more than one Improved Property on one Lateral shall not be permitted, except under special circumstances and for good sanitary reasons or other good cause shown, but, in any event, only after the permission of the Township shall have been obtained in writing and subject to such rules, regulations and conditions as may be prescribed by the Township.
- E. All costs and expenses of construction of a Building Sewer and all costs and expenses of connecting said Building Sewer to the Sewer System, including the costs and expenses of acquiring and installing a grinder pump or similar apparatus approved by the Township, shall be borne by the Owner of the Improved Property to be connected, and such Owner shall indemnify and save harmless the Township from all loss or damage that may be occasioned, either directly or indirectly, as a result of the construction of a Building Sewer or Lateral or its connection to a Sewer.
- F. A Building Sewer shall be connected to a Sewer at the place designated by the Township and where, if applicable, the Lateral is located. The Owner of each Improved Property shall provide the Township with any information requested pertaining to the existing or proposed location of a Building Sewer. The invert of a Building Sewer at the point of connection shall be at the same or higher elevation as the invert of the Sewer. A smooth, neat joint shall be made and the connection of the Building Sewer to the Lateral or the designated point of connection, shall be made secure and watertight.

- G. If the Owner of an Improved Property located within the Sewered Area who is required to connect to the Sewer System fails to make such a connection after the expiration of sixty (60) days from receiving written notice from the Township to do so, the Township may enter upon such Improved Property and construct said connection and may collect from such Owner the costs and expenses thereof in the manner permitted by law.

Section 4.03. Construction of Building Sewer to Sewage Collection System

- A. **Construction Requirements** - All Building Sewers and Laterals shall be constructed in accordance with the requirements of these Rules, or other applicable Ordinances and Regulations of the Township.
- B. **Lateral** - If the Lateral is in place and available for use, the Owner of the Improved Property shall construct or have constructed the Building Sewer and connect it to the Lateral. The Township shall be notified prior to such connection to provide for inspection of the Building Sewer and the connection. All cost associated with the construction of the Building Sewer and the connection are the responsibility of the Owner of the Improved Property. Said Owner is also responsible for all other fees of the Township relative to these Rules.
- C. **Lateral Not Available** - If the Lateral is not in place, the Township may construct the Lateral or require that the Owner of the Improved Property construct the Lateral along with the Building Sewer. If the Township constructs the Lateral, said Owner will be responsible for all fees provided for said Lateral in addition to all fees as provided by these Rules. The provisions for notification and inspection and the payment of all cost and fees associated with the construction undertaken by said Owner shall be as set forth in these regulations.
- D. **Unlawful Connections** - If any Owner or tenant of an Improved Property should make any connection to the Building Sewer or the Sewage Collection System without a permit from the Township, or allow any Pollutant to be Discharged into a Building Sewer or the Sewage Collection System except as provided by these Rules and the requirements of the applicable Sewage Treatment Plant Operator or violate any of the provisions with respect to these Rules, and shall after ten (10) days of receipt of written notice from the Township fail or neglect to abate such condition, the Township may, at its option, enter upon the Improved Property and abate the condition, charging the cost thereof to the Owner of the Improved Property; or the Township may by appropriate legal action proceed to compel said Owner of said Improved Property to abate such condition. In addition to any other remedies available, the Township, upon failure or neglect of

said Owner to comply with any provisions of these Rules, may enter the Improved Property and at the Owner's cost, disconnect the said Improved Property from the Sewage Collection System and may require the payment of a fee for reconnection and all cost and expenses as a condition for reconnection. The Township may file a Municipal Lien against the Improved Property for any and all costs incurred by the Township in abating such condition, together with such additional charges as may be permitted by applicable law.

Section 4.04. Building Sewer and Lateral Construction and Design Standards

- A. Where an Improved Property is served by its own sewage disposal system or device at the time connection to the Sewer System is required under the provisions of these Rules, the existing house sewer line may be partially utilized. The line shall be broken on the structure side of such sewage disposal system or device and attachment made, with proper fittings, to continue such house sewer line as a Building Sewer in the manner approved by the Township.
- B. No Building Sewer shall be covered until it has been inspected and approved by the Township. If any part of a Building Sewer or Lateral is covered before being inspected and approved as required, it shall be uncovered for inspection at the sole cost and expense of the Owner of the Improved Property.
- C. Every Building Sewer of any Improved Property shall be maintained in a sanitary and safe condition by the Owner of said Improved Property.
- D. Every excavation for a Building Sewer or Lateral shall be guarded adequately with barricades and lights to protect all Persons from bodily harm and injury. Any public street, sidewalk or other property disturbed in the course of the installation of a Building Sewer or Lateral shall be restored, at the sole expense of the Owner of the Improved Property being connected, in a manner satisfactory to the Township.
- E. If any Person shall fail or refuse, upon receipt of written notice from the Township, to remedy any unsatisfactory condition with respect to a Building Sewer within sixty (60) days of receipt of such notice, the Township may refuse to permit such Person to discharge Sanitary Sewage and Industrial Waste into the Sewer System until such unsatisfactory condition has been remedied to the satisfaction of the Township.
- F. Building Sewers and Laterals shall be subject at all times to the inspection and approval of the Township Inspector.

- G. Gravity Building Sewers and Laterals shall be installed in accordance with all these regulations, including:
1. *Size* - Building Sewers shall in no case be less than four (4) inches in diameter. Where a flow rate of greater than anticipated from a single domestic establishment is to be permitted to be received from a single Building Sewer, then the Building Sewer shall be a least six (6) inches in diameter. An approved adapter connecting the Building Sewer to the Lateral must be used. The Lateral may end in a bell or may end in a spigot, and the plumber shall provide the appropriate manufactured adapter connection in either case so as to form a watertight permanent connection. Manufacturer's compatible O-ring "donut" connectors are not acceptable for this connection.
 2. *Material* - Pipe used for Building Sewers shall conform to one of the following:
 - a. *Service Weight Cast Iron Pipe* - This pipe shall be HS-67 service weight or heavier bell and spigot pipe with an internally locked compression gasket push-on joint. Fitting weights and joints shall conform to the same requirements as the pipe.
 - b. *PVC Plastic Pipe* - Schedule 40 solid wall PVC pipe or heavier with an integral bell, gasketed joint or with solvent welded joints. Fittings schedule and joints shall conform to the same requirements as the pipe. Any solution cements used shall conform to the ASTM standards for the material being used. PVC pipe and fittings meeting the requirements of ASTM Code Section D3034, SDR35 (extra strength) are also acceptable for building sewer material.
 - c. *Adapters* - Proper manufactured adapters shall be used when joining dissimilar materials or sizes.
 3. Building Sewers shall be laid on a grade of not less than one-quarter of an inch per foot. Additionally, Building Sewers in general shall be at least thirty (30) inches below grade from the ground level to the top of pipe. If the Building Sewer must be more shallow than that because of particular grading problems and slope problems, the plumber shall provide insulation over the bedding material to the satisfaction of the Township Inspector.
 4. The Building Sewers alignment must be as direct as possible. The following fittings shall be used where a change in direction of the Building Sewer is required:

Changes in direction are to be made with "Ys" and 1/8 bends with a clean-out up gradient from the "Y" on the projection of the down gradient leg of the "Y".

5. Ditches shall be promptly backfilled after inspection and approval by the Inspector. Care shall be taken to prevent damage to the pipe in backfilling and to secure a well compacted firm trench.
6. The Building Sewers shall be vented, trapped, and provided with clean outs in accordance with the following specifications, and the attached Exhibit "A" to these Rules.
 - a. *Vents* - A vent shall be placed along the Building Sewer, on the house side of the trap, no more than ten (10) feet from the building or structure. The vent riser shall be minimum of four (4) inches in diameter, and shall be ended with a returned bend and protected with an insect screening or perforated cap.
 - b. *Trap* - A standard building trap shall be provided immediately after the vent. The trap size shall be full size of the Building Sewer.
 - c. *Clean-outs* - Clean-outs shall be provided at the building trap in accordance with Exhibit "A", and clean-out shall be placed immediately downstream from the building trap and at the connection to the Lateral. The clean-out shall consist of a line size "Y" branch with a riser of not less than four (4) inches extending to the surface where it is to be provided with a ferrule and plug for cleaning purposes. In addition, clean-outs will be required every one hundred (100) feet along the Building Sewer.
7. *Bedding of Building Sewer*
 - a. The Building Sewer pipe shall be bedded in first class bedding material consisting of limestone, crushed aggregate meeting the PennDOT grading and utility specifications for 2A Type C Coarse Aggregate. Except in areas of high water table, as identified by the plumber, in which case the Building Sewer shall be bedded in good quality, suitable earth backfill, free of stones, rocks, organic material, frozen material, topsoil, or other suitable bedding material.
 - b. This bedding shall consist of at least four (4) inches of bedding material below the Building Sewer, and at least six (6) inches of bedding material on each side of the Lateral and one top of the Building Sewer.

- c. For cast iron Building Sewers, 100% good quality, suitable earth bedding, and initial backfill may be used if it is free of stones, rocks, organic material, frozen material, topsoil, or other poor quality fill.
8. *Backfill Above Bedding Material of Building Sewers* - All backfill material above the bedding material shall be free of tree stumps, roots, large stones or rock over six inches (6") in dimension, and any other material which may be injurious to the Building Sewer.
9. *Testing* - Either of the following tests may be selected by the Plumber.
- a. *Air Test* - The system shall be tested to ensure it will hold a uniform gauge pressure of three and one half pounds per square inch (PSI) without introduction of additional air for a period of at least three minutes.
 - b. *Water Test* - The system shall be filled with water under a head of not less than ten (10) feet. The water level at the top of the test head shall not drop for a least fifteen (15) minutes.
 - c. *Tests* - The plumber shall provide the appropriate test tees, if necessary, and temporary plugs and all equipment necessary to conduct the test in the presence of the Township Inspector. The plumber shall also conduct the test under the observation and inspection of the Township Inspector.
10. *Inspection* - The following inspections are required on the installations of all Building Sewers:
- a. Pipe installed and bedded but not covered.
 - b. Air or Water Test after the stone covering is applied but before backfilling.
 - c. Where it is necessary to connect to the Sanitary Sewer Main, inspection of the Lateral connection to the main.
11. *Lateral Construction and Construction of Connections to Sewer Mains* shall be subject to all the same specifications as required for Building Sewers except for the following additional requirements:
- a. *Materials* - The following materials are approved for use in sewer laterals:

- (i) Cast iron as authorized for the Building Sewer, but of a minimum inside diameter of six (6) inches such cast iron shall be heavy duty.
- (ii) PVC pipe and fittings meeting the ASTM criteria of D3034, SDR35 (extra strength), compression gasket, bell, and spigot type pipe of a minimum diameter of six (6) inches.
- (iii) Connections to the Sewer Main
 - (i) The use of saddle connections is only permitted where there is no existing Lateral installed. All hardware must be stainless steel.
 - (ii) Materials used shall be compatible with existing pipe and subject to prior approval of the Township Inspector.
- (iv) Backfilling of Laterals and Connections to Sewer Mains: Backfill of Laterals and connection to Sewer Main shall be placed in eight-inch to ten-inch (8" to 10") lifts, tamped in place and PennDOT 2A Type C or similar crushed stone coarse aggregate shall be used.
- (v) The final surface replacement of materials over the Lateral or Connection to Sewer Main shall be provided in accordance with conditions of the surface prior to excavation or to the Requirements of the Excavation or Road Encroachment Permit, whichever is applicable.
- (vi) If a road encroachment is being made as part of the construction of the Lateral or Connection to Sewer Main, then inspections are required during surface restoration. A permit for the opening of the road must be obtained by the Township.

12. Each lateral constructed for a non-residential customer shall include a standard four-foot (4') diameter sanitary sewer manhole at the end of the lateral, and as part of the lateral, for the purposes of sampling wastewater, monitoring flows if necessary, and/or plugging the private sewer if necessary. This requirement, however, shall be automatically waived for non-residential customers generating less than 400 gallons per day, average daily flow, of domestic waste and no process flows, or commercial kitchen waste and/or other non-residential flows.

- H. *Non-Gravity Connections* - Building Sewers and/or Laterals that are to be constructed as pumped systems shall be individually designed by a professional retained by the Owner. Five (5) copies of that design shall be submitted to the Township for review and approval prior to approval of a permit application for connection to the sewer collection system. Such a Building Sewer or Lateral shall be subject also to the Allen Township Ordinance 2002-01.

These pump systems remain private and all cost for maintenance, repair, replacement, etc., shall be borne by the individual property Owner. The property Owner is required to enter into a Maintenance Agreement with the Township which outlines these private responsibilities.

- I. *Registration Required for Installers* - It shall be unlawful for any Person to engage in the business of constructing a Building Sewer, that is, shall, or may be physically connected to the Sewage Collection System or to construct any other Sewer plumbing within an Improved Property within the jurisdiction of the Township without first being registered by the Township to engage in said business.
1. *Registration Fee* - The Township reserves the right to establish and charge a registration fee for such Person engaged in the business of construction a Building Sewer or any other Sewer plumbing within an Improved Property within the jurisdiction of the Township.
 2. *Annual Registration Requirement* - Any such registration validly obtained, and not otherwise revoked for cause as specified elsewhere in this Resolution, shall expire at the end of one (1) calendar year. Such registration may be renewed by appropriate endorsement or reissued provided that the Person holding a valid registration makes application or such renewal by not later than November 30th, and provided further that the registration holder has demonstrated past performance that he is qualified and capable of performing work covered in accordance with good plumbing practice and the provisions of this Resolution or any other applicable regulations of the Township. [Registration Form at Exhibit B.]
 3. *Revoking of Registration* - Any registration provided for in this Resolution may at any time be revoked for incompetency, fraudulent use thereof, giving false witness, or any violation of this Resolution, or any other applicable regulations of the Township relative to constructing a Building Sewer or Sewer plumbing after a full and fair hearing by the Township Board of Supervisors. After revocation for cause, no registration shall be issued to such Person until at least six (6) months shall have elapsed.

4. *Non-Transferability of Registration* - A registration issued under the provisions of this Resolution shall not be transferable to any successor business.
 5. *Bond/Insurance Requirement* - No registration as described in this Section shall be issued until the Person applying therefore shall have given a bond in the sum of One thousand (\$1,000.00) Dollars, and produce to the Township evidence that he is completely covered by insurance in connection with his construction work for property damage and public liability and Workman's Compensation. The public liability coverage shall not be less than Fifty thousand (\$50,000) Dollars for injury to any one person, and One hundred thousand (\$100,000.00) Dollars total for any accident, and the coverage for property damage shall not be less than Twenty-five thousand (\$25,000.00) Dollars to indemnify and save harmless the Township, from any and all claims and suits for damages to persons or property arising from the negligence of any Person, firm, or corporation registered under the provision of this Section or by agents, employees, or workmen of such registrations. Such registrations, with good and sufficient surety to the satisfaction of the Township, will pay the full costs of restoration and repair for any and all damage which may happen or be caused to any tree, street, pavement, sidewalk, or sewer belonging to said Township, or to any telegraph, telephone, or electric light pole or wire of any public service company, whether said damages or injury shall be inflicted by said registree or by agents, employees, or workmen of the registree, and conditioned also that said party shall save an indemnify and keep harmless said Township against all liability, judgment, damages, costs, and expenses which may, in any case, secure against said Township in consequences of the granting of such registree, and will fully and completely restore to its original condition, to the satisfactory of the Township, and all streets, pavements, and Sanitary Sewer which may be opened or disturbed by said party, and will in all things, strictly comply with the conditions and provisions of this Resolution and with the conditions of any permit issued pursuant thereto.
- J. *Exception to Registration Requirement* - Nothing therein shall prevent a property owner from personally constructing the Building Sewer (in compliance with these Regulations) on and/or their property, without using a Contractor.

ARTICLE V. **SPECIFIC REGULATION OF INDUSTRIAL WASTE DISCHARGES TO THE SEWER SYSTEM**

Section 5.01. Discharge Permits

- A. *Industrial Users and Significant Industrial Users* - All Industrial Users, including Significant Industrial Users, proposing to connect to or Discharge to the Sewer System are required to comply with all other provisions of these Rules and the Ordinances, rules and other requirements of the Sewage Treatment Plant Operator. If required by the Sewage Treatment Plant Operator, such Users shall obtain a Wastewater Discharge Permit from the Sewage Treatment Plant Operator before connecting to or discharging to the Sewer System.

- B. *Permit Applications* - Industrial Users and Significant Industrial Users required to obtain a Wastewater Discharge Permit from the Sewage Treatment Plant Operator shall file a copy of its application with the Township concurrently with its filing with the Sewage Treatment Plant Operator.

- C. *Confidentiality of Applications*
 - 1. If information regarding raw materials, processes, production rate or other manufacturing information is regarded as confidential by the Industrial User, each page of such confidential information shall be marked "Confidential" on the application form.

 - 2. Confidentiality shall not apply to information regarding the flow of or the constituents in the Industrial Wastewater Discharge.

 - 3. Information accepted by the Township as confidential shall be handled as detailed in Section 5.07.

- D. *Permit Conditions* - Industrial Users and Significant Industrial Users required to obtain a Wastewater Discharge Permit from the Sewage Treatment Plant Operator shall be expressly subject to all provisions of said Permit and all applicable Ordinances and regulations, charges and fees established by the Sewage Treatment Plant Operator.

- E. *Permit Transfer* - Wastewater Discharge Permits issued to a specific Significant Industrial User for a specific operation shall not be reassigned or transferred or sold to a new Owner, new User, different premises, or a new or changed operation without the approval of the Sewage Treatment Plant Operator.

Section 5.02. Compliance Schedule

- A. *Compliance Schedule* - If a Compliance Schedule is required to be contained or included with the application for a Wastewater Discharge Permit, or if required by the Sewage

Treatment Plant Operator under any other circumstances, a copy of the Compliance Schedule shall be concurrently filed with the Township.

- B. *Compliance Schedule Reports* - If an Industrial User or Significant Industrial User is required to obtain a Wastewater Discharge Permit from the Sewage Compliance Schedule is required to submit to the Sewage Treatment Plant Operator periodic Compliance Schedule reports, a copy shall be concurrently filed with the Township.

Section 5.03. Monitoring facilities, sampling and analysis

- A. *Monitoring Facilities Location* - The Township or Sewage Treatment Plant Operator may require an Industrial User or Significant Industrial User to provide and operate, at the User's own expense, monitoring facilities to allow inspection, sampling, and flow measurement of the Discharge from the User. The monitoring facility should normally be situated on the Industrial User's or Significant Industrial User's premises, but the Township may, when such a location would be impractical or cause undue hardship on the 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. *Monitoring Facilities Construction and Maintenance* - Whether constructed on public or private property, the monitoring facilities shall be provided in accordance with the Township's requirements and all applicable local construction standards and specifications. There shall be ample room in or near the monitoring facility to allow accurate sampling and preparation of samples for transport. The monitoring facility shall be maintained at all times in a safe and proper operating condition at the expense of the Industrial User or Significant Industrial User.
- C. *Detailed Plans* - Detailed plans showing the intended facilities shall be submitted to the Township and Sewage Treatment Plant Operator for review concurrently with a submission to the Township for a Building Permit, and shall be acceptable to the Township and Sewage Treatment Plant Operator before construction of the facility. The Township and Sewage Treatment Plant Operator shall notify the User in writing when the detailed plans are acceptable for construction. Approval of the detailed plans does not relieve the Industrial User or Significant Industrial User of responsibility to make modifications or alterations, should such be necessary.
- D. *Sampling and Analysis* - All sampling and analysis performed in compliance with Wastewater Discharge Permit conditions or to prepare the reports required by the Sewage Treatment Plant Operator shall be accomplished using techniques specified in 40 CFR. Part 136, or alternative procedures approved by the Administrator, or using procedures described

in Standard Methods if no EPA-approved procedure exists. 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.

E. *Reporting and Resampling of Discharge Limit Violations*

1. If an Industrial User or Significant Industrial User becomes aware that a violation of Discharge limits has occurred, the Significant Industrial User shall notify the Township of this fact within 24 hours of becoming aware of the violation. This requirement does not relieve the User of complying with all reporting requirements of the Sewage Treatment Plant Operator. If the Industrial User or Significant Industrial User is required to sample and analyze its Discharge(s) following a violation and report the results of the re-sampling and analysis to the Sewage Treatment Plant Operator, a copy shall be concurrently filed with the Township.
2. Each Industrial User or Significant Industrial User shall have a duty, on receipt of validly obtained sampling and analysis results, to inspect the results and determine 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.

Section 5.04. Administrative Appeals

- A. *Appeal of Wastewater Discharge Permit - Any Person, including an Industrial User or Significant Industrial User, may petition the Sewage Treatment Plant Operator to reconsider the terms of a Wastewater Discharge Permit within the time period set forth by the Operator. The decision of the Sewage Treatment Plant Operator regarding the appeal will be final.*
1. Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.
 2. The effectiveness of the Wastewater Discharge Permit shall not be stayed pending the appeal.
 3. Aggrieved parties seeking judicial review of the final administrative Wastewater Discharge Permit decision must do so by filing a complaint with the court of competent jurisdiction.
- B. *Continuation of Permit During Appeal - During the process of appeal, the Wastewater Discharge Permit shall remain in effect and shall be enforced with the exception of those conditions specified in writing in the appeal. Conditions imposed by Federal or State Regulations (e.g. Categorical Standards) shall not be waived. Conditions which, in the*

opinion of the Township or Sewage Treatment Plant Operator, would constitute a hazard or pose a potential threat of pollution if waived, shall not be waived during an appeal.

Section 5.05. Inspections, Pretreatment Facilities, Changes

- A. *Inspections* - The Township or its agents may inspect the facilities of any User to ascertain whether the User is in compliance with all requirements of these Rules or the ordinances or Rules of the Sewage Treatment Plant Operator. Persons or occupants of premises where Wastewater is created or Discharged shall allow the inspectors 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 its duties. The Township and its 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 personnel so that upon presentation of suitable identification, personnel from the Township or its agents will be permitted to enter, without delay, for the purpose of performing their specific responsibilities.
- B. *Pretreatment Facilities* - Industrial Users shall provide necessary Wastewater Pretreatment as required by the Sewage Treatment Plant Operator and shall achieve compliance with all applicable Categorical Standards within the time limitations as specified by the applicable Categorical Standards. Any facilities required for Pretreatment shall be provided, operated, and maintained at the Industrial User's expense. Detailed plans showing the Pretreatment facilities and operating procedures shall be submitted to the Sewage Treatment Plant Operator for review, and shall be acceptable to the Sewage Treatment Plant Operator before construction of the facility. The review of such plans and operating procedures will in no way relieve the Industrial User from the responsibility of modifying the facility as necessary to produce a Discharge which complies with the requirements of the Sewage Treatment Plant Operator. Any subsequent changes in the Pretreatment facilities or method of operation shall be reported and be acceptable to the Sewage Treatment Plant Operator prior to the Industrial User's initiation of the changes. The review and acceptance of plans and procedures by the Sewage Treatment Plant Operator shall not be considered as an approval regarding their efficacy, safety, or reliability; such considerations are solely the responsibility of the Industrial User.
- C. *Change in Operations*
1. Any Industrial User contemplating or planning a change in the manufacturing process, raw materials, auxiliary processes, Pretreatment processes or other changes

which may result in changes to Wastewater character, composition, volume or rate of flow, shall notify the Sewage Treatment Plant Operator in writing at least 30 days prior to making such a change, or, if the change is not planned, 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 change of the Wastewater.

2. The Sewage Treatment Plant Operator may, on receipt of such a report:
 - a. Continue an existing Wastewater Discharge Permit in effect;
 - b. Require application for a new Wastewater Discharge Permit;
 - c. Modify an existing Wastewater Discharge Permit to reflect the changed nature of the waste;
 - d. Rescind and re-issue an existing Wastewater Discharge Permit in order to make substantial changes in Wastewater Discharge Permit conditions;
 - e. Revoke an existing Wastewater Discharge Permit or require the Industrial User to cease or prevent the Discharge; or
 - f. Take such other action as it deems appropriate

Section 5.06. Reports

A. *Baseline Monitoring Reports*

1. As soon as possible following the promulgation of a Categorical Standard, the Industrial User subject to such standards shall comply with such Categorical Standard within the time frame prescribed by the Categorical Standard.
2. Where an Industrial User, subject to a newly promulgated Categorical Standard, has not previously submitted an application for a Wastewater Discharge Permit as required by Section 5.01 of these Rules, the Industrial User shall, within the time period required by the Sewage Treatment Plant Operator:
 - a. Apply for a Wastewater Discharge Permit; and
 - b. 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. An Industrial User with an existing Wastewater Discharge Permit shall submit to the Sewage Treatment Plant Operator, with a copy to the Township, within the time period required by the Sewage Treatment Plant Operator the information required by 40 CFR §403.12(b).
 4. A New Source or an Industrial User that becomes 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) to the Sewage Treatment Plant Operator with a copy to the Township within the time period required by the Sewage Treatment Plant Operator.
- B. *Categorical Compliance Report* - Within the time period required by the Sewage Treatment Plant Operator, any Industrial User subject to Categorical Standards shall submit to the Sewage Treatment Plant Operator and the Township a report 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 flow 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 required by the Sewage Treatment Plant Operator. 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, and certified to by a certified professional.
- C. *Periodic Compliance Reports*
1. All Significant Industrial Users shall report to the Sewage Treatment Plant Operator when required by the Operator, the date of the report to be as determined by the Sewage Treatment Plant Operator and contained in the Wastewater Discharge Permit.
 2. The reports required under this section shall contain such information as required by the Sewage Treatment Plant Operator and be authenticated and certified in the manner prescribed by said operator.

Section 5.07. Confidential Information

- A. *Availability of Information* - Information and data on an Industrial User obtained from reports, questionnaires, Wastewater discharge, permit applications, permits and monitoring programs and from inspections shall be available to the public or other governmental agency without restriction unless the Industrial User specifically requests and is able to demonstrate to the satisfaction of the Township that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the Industrial User. When requested by the Person furnishing a report, and supported by evidence acceptable to the Township as to need for protection of confidential material, the portion of the report that might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall nevertheless be made available upon written request to governmental agencies for uses related to all Township Ordinances, an applicable NPDES Permit, any State Disposal System Permit and/or the programs under applicable Categorical Standards or for use by the Sewage Treatment Plant Operator, any State, the United States, or any State of Federal Agency in judicial review or enforcement proceedings involving the Industrial User or the Person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information.
- B. *Industrial User Notification* - Before information accepted by the Township as confidential is transmitted to any governmental agency by the Township, a notification to the Industrial User shall be provided listing the confidential information to be transmitted and the governmental entity requesting such information.
- C. *Storage of Records* - The Township shall maintain a secure place to store records containing confidential information and shall insure that all records marked as confidential are kept secure from casual or public scrutiny.
1. The Township shall keep and maintain all records relating to the administration and enforcement of the Industrial Pretreatment Requirements, including but not limited to Wastewater Discharge Permit applications, investigations and calculations, Wastewater Discharge Permits, inspection reports, Industrial Users reports, sampling results and enforcement activities, for a minimum of three years. In cases of ongoing litigation, records shall be maintained as long as they may be required.
 2. All Industrial Users shall keep and maintain records of monitoring activities and results, Wastewater Discharge Permits, and reports to the Township for a minimum of 3 years. This period shall be

automatically extended for the duration of any litigation concerning compliance with Ordinances or Rules of the Sewage Treatment Plant or where the Industrial Users has been notified of a longer retention period by the Township.

Section 5.08. Enforcement

- A. *Right to Refuse* - The Township grants to the Sewage Treatment Plant Operator the right to refuse to accept Wastewater, or combinations of Wastewater, which are Discharged in violation of the terms or conditions of its ordinances or rules, or any written directions issued by the Sewage Treatment Plant Operator. The Sewage Treatment Plant Operator may take such steps as it deems necessary, and which comply with applicable laws, to compel discontinuance of use of the Sewer System or Pretreatment of Industrial Wastes in order to comply with the provisions of the Industrial Pretreatment Requirements.
- B. *Revocation of Permit*
1. Any User who violates the conditions of the Sewage Treatment Plant Operator, or applicable State and Federal Regulations, is subject to having its Wastewater Discharge Permit revoked, if required under the Ordinances or rules of the Sewage Treatment Plant Operator.
 2. Discharge of any Industrial Waste to the Sewer System by a Significant Industrial User without a Wastewater Discharge Permit is an Unauthorized Discharge, and may be subject to the penalties provided in these Rules or the Ordinances or rules of the Sewage Treatment Plant Operator.
 3. Any User notified of a revocation of its Wastewater Discharge Permit shall immediately stop or eliminate the Discharge. In the event of a failure of the User to comply voluntarily with the notice of revocation, the Discharge shall be considered an Unauthorized Discharge and the Township or, if authorized, the Sewage Treatment Plant Operator, shall take such steps as deemed necessary, which may include immediate severance of the connection between the Building Sewer and the Sewage Collection System, or discontinuance of water service, to prevent or minimize damage to the Sewer System or endangerment to the environment or any Improved Property or Person.
- C. *Suspension of Permit*
1. The Sewage Treatment Plant Operator may suspend the Wastewater Discharge Permit when such suspension is necessary, in the opinion of the Operator, 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, to the environment, causes Interference or Pass Through, or causes the Sewage Treatment Plant to violate any condition of its NPDES permit or any other National or State law, rule, regulation or permit condition.

2. Any User notified of a suspension of its Wastewater Discharge Permit shall immediately stop or eliminate the Discharge. In the event of a failure of the User to comply voluntarily with the notice of suspension, the Discharge shall be considered an Unauthorized Discharge and the Sewage Treatment Plant Operator shall take such steps as deemed necessary, including immediate severance of the connection between the Building Sewer and the Sewage Collection System, or discontinuance of water service to prevent or minimize damage to the Sewer System or endangerment to the environment or any Improved 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 Improved Property, the Wastewater Discharge Permit shall not be reinstated until such time as all such damages have been satisfied.
 4. The Sewage Treatment Plant Operator may reinstate the Wastewater Discharge Permit in conformance with its Ordinances and Rules.
- D. *Notice of Violation* - Whenever the Sewage Treatment Plant Operator finds that any User has violated or is violating the Ordinances or Rules of the Sewage Treatment Plant Operator, its Wastewater Discharge Permit, or any prohibition, limitation or requirements contained herein, the Sewage Treatment Plant Operator may serve upon such Industrial User a written notice stating the nature of the violation, and requiring a response within a specified time.
- E. *Hearings and Appeals* - The Sewage Treatment Plant Operator may direct any User who causes or allows an Unauthorized Discharge to enter the Sewer System, or who violates any condition or requirement of these Rules, or the Ordinances or Rules and Regulations of the Sewage Treatment Plant Operator, or its Wastewater Discharge Permit, to show cause before the Sewage Treatment Plant Operator why a proposed enforcement action should not be taken. The Sewage Treatment Plant Operator must follow its Ordinances, Rules and written Procedures, as well as, applicable State or National law, in any enforcement action.
- F. *Administrative Orders* - The Sewage Treatment Plant Operator may issue written directions without a show cause hearing if the Sewage Treatment Plant Operator determines that such directions are necessary to correct conditions or remedy continuing violations of these Rules or any Wastewater

Discharge Permit or other Industrial Pretreatment Requirements, or the Sewage Treatment Plant Operator or Federal or State regulations.

G. *Right of Appeal of Enforcement Actions*

1. A User may appeal the enforcement actions enumerated directly to the Sewage Treatment Plant Operator as promulgated in the Operator's Ordinances or Rules.
2. The Sewage Treatment Plant Operator shall have the right to establish a fee for the filing of any such appeal.
3. The Sewage Treatment Plant Operator may require the posting of a bond by the User.

H. *Civil Actions* - If any Person violates the provisions of these Rules or the Ordinances or Rules of the Sewage Treatment Plant Operator, including local, National or State Pretreatment Requirements, Categorical Standards, or any Wastewater Discharge Permit or written Directions issued by the Sewage Treatment Plant Operator, the Township or Sewage Treatment Plant Operator may commence an action for appropriate legal and/or equitable relief in the Court of Common Pleas of Northampton County, or any other appropriate forum.

I. *Injunctive Relief* - If any Person causes or permits an Unauthorized Discharge to occur, or otherwise violates the conditions imposed by these Rules or the Ordinances or Rules of the Sewage Treatment Plant Operator, or any Wastewater Discharge Permit or written Directions issued by the Ordinances or Rules of the Sewage Treatment Plant Operator, or any National or State Pretreatment Requirement, the Township or Sewage Treatment Plant Operator may commence an action in the Court of Common Pleas of Northampton County, or any other appropriate forum, for injunctive relief to stop the Unauthorized Discharge or other violation, or to require compliance with the applicable condition.

Section 5.09. Penalties and Costs

A.. *Civil Penalties*

1. Any User who is found to have failed to comply with any provision of these Rules may be fined not less than One hundred (\$100.00) Dollars nor more than One thousand (\$1,000.00) Dollars for each offense. Each day during which a violation shall occur or continue shall be deemed a separate and distinct offense. In addition to the penalties provided herein, the Township may recover reasonable attorney's fees, court costs, court reporters' fees and other expenses of litigation by appropriate suit at law against the User who is found to have violated these Rules.

2. Any User is subject to penalties imposed by applicable Ordinances or Rules of the Sewage Treatment Plant Operator.
 3. In any action brought by a Sewage Treatment Plant Operator against the Township for any violation of the Operator's Ordinances or Rules, the Individual User who has committed the violation shall, at his sole expense, defend the Township against the action. In addition, the Individual User shall indemnify and hold harmless the Township with respect to all damages resulting from the proceeding. The Township and User shall agree to give the other prompt written notice of any demand, claim, or litigation that is threatened or instituted against him or her and that might constitute the basis of a claim for indemnity pursuant to these Rules.
- B. *Falsifying Information* - Any Person who knowingly makes any false statements, representation or certification in any application, record, report, plan or other document produced, filed or required to be maintained pursuant to these Rules, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under these Rules, shall upon conviction, be punished by a fine of not more than One thousand (\$1,000.00) Dollars or by such other penalties as may be available pursuant to the Laws of the Commonwealth of Pennsylvania.

**ARTICLE VI. RULES AND REGULATIONS FOR CONSTRUCTION OF
PUBLIC SEWER FACILITIES**

Section 6.01. Permit Requirements of Owner/Developers

A. Reserved Capacity and Permits

1. Any person required to connect to or desiring to connect to the sewer system shall apply to the Township for a permit to connect to the Sewer System. No applicant shall have the guarantee of reserve capacity until he receives an approved permit. Issuance of the permit shall reserve capacity as indicated in the permit, subject to connection to the Township Sewer System within 180 days from the date of permit issuance, of 45 days if it is a mandatory connection. Failure to connect within the time period shall result in the revocation of the permit without notice
2. Applicant must obtain, at his sole cost and expense, all approvals and permits necessary from the applicable Sewage Treatment Plant Operator, Local, State or Federal Agencies.

Section 6.02. Sewer Plan Requirements and Approvals

A. Township Sewered Area - The area to be sewered must be located within the Township Sewered Area or be within the planned sewer area as set forth in the Township's Act 537 Official Sewer Facilities Plan.

B. Design and Specifications

1. The Allen Township Sanitary Sewer Specifications and Standard Details shall be accepted Standards and Specifications.
2. Any person proposing to construct public sewer facilities may request the Township to design and construct the facilities; or may design and construct the facilities if such facilities conform to the requirements of these Rules, applicable Township Ordinances and State or Federal laws.
3. For all commercial, industrial, multi-dwelling or housing development, the Applicant must submit six sets of Sewer Plans and Profile Drawings to the Township Engineer at least twenty-one (21) days prior to the Township meeting at which review of the application is sought. Sewer Plans must be approved by the Township prior to the commencement of any construction.

4. The plans must show, at a minimum, the following: (1) the number of units proposed to be served; (2) all inside plumbing; (3) the Sewage Plan and Profile; (4) the type(s) and diameter of sewer pipe(s) to be used; (5) the type and capacity of sewer pumps, if any; (6) the point(s) of connection to the Township Sewer System; (7) a Sketch Plan and key maps of the area to be served; and (8) for industrial discharges, the information set forth in these Rules or the Ordinances and Rules of the applicable Sewage Treatment Plant Operator.
5. The Township shall require the extension of the proposed publicly owned collection system to the uphill limit of the applicant's property and/or frontage with the extension of a sanitary sewer easement to that uphill property boundary, unless the Township determines that a future extension of this line is not planned or anticipated. The terminal manhole at this point shall be provided with a "Stub" of five (5') feet minimum length, extending beyond the manhole to allow for possible future extensions.

C. *Professional Fee Escrow*

1. If the application is for a commercial, industrial, multi-dwelling or housing development, or if substantial engineering problems exist, the Developer/Applicant shall pay to the Township a Professional Fee Escrow in the sum of Two thousand five hundred (\$2,500.00) Dollars on deposit and execute a Professional Fee Escrow Agreement approved by the Township's Solicitor.
2. The deposit shall be used by the Township to defray its engineering and legal expenses in processing the application, and reviewing the proposed Sewer Facilities Plan. Any additional expenses beyond the initial deposit are the liability of the Developer, and shall be promptly paid to the Township upon receipt of the amount due. Any unused portion of the deposit shall be refunded to the applicant.

Section 6.03. Construction of Sewer Facilities

- A. *Costs of Improvements* - Following completion of the plan review and approval by the Engineer, the Developer shall execute a Sanitary Sewer Improvements and Maintenance Agreement in the form approved by the Township Solicitor and provide security for the cost of construction of the proposed public sewer facilities in an amount equal to 110% of the costs of construction as approved by the Township Engineer. At the option of the Developer/Applicant, the required security may be added to and included in the security required by the Township as part of the Township's approval of the Subdivision Plan.

B. *Construction and Inspection of Improvements*

1. If the Developer elects to have the Township construct the public sewer system and the Township agrees, it shall pay all costs of the Township in making and inspecting the improvements
2. If the Developer constructs the public sewer facilities himself, he shall reimburse the Township for all costs associated with Construction Inspections by the Township's Engineer.
3. All construction is subject to inspection by the Township Engineer and no sewer main or lateral will be accepted that has not been so inspected and approved. All fees incurred by reason of inspection by the Township shall be borne by the Developer as a necessary cost of construction.
4. Prior to the construction of each building sewer, the Developer shall apply for a permit for each connection. The Developer shall pay the Tapping Fee, Inspection Fee, and other Capital Fees set forth in these Rules for each unit as a condition of the issuance of the permit.

C. *Dedication and Maintenance of Improvements*

1. Following completion of the public sewer facilities, the Township Engineer shall inspect the facilities and, if they meet the appropriate design and construction standards, shall approve them for dedication to the Township.
2. The Developer shall provide to the Township five copies of "As-built" Plans prepared and sealed by a Registered Engineer showing the size, location and depth of all sewer facility improvements at no cost to the Township. Lateral ends shall be dimensioned from property corners.
3. The Developer shall be responsible for the maintenance and repair of the dedicated portion of the system for a period of 18 months following dedication to the Township. The Developer shall execute a formal Deed of Dedication for the public sewer facilities, as well as, any required easements to the Township and shall maintain a bond or other security for the 18-month maintenance period in the amount of fifteen (15%) of the construction costs for the improvements.

ARTICLE VII. MISCELLANEOUS

Section 7.01. Severability

In the event any provision, section, sentence, clause or part of these Rules shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of these Rules, it being the intent of the Township that such remainder shall be and shall remain in force and effect. Provision of headings in these Rules are solely for convenience and shall have no effect on the legal or technical interpretation of any provision or requirement.

Section 7.02. Conflict

All other Rules and parts of other Rules inconsistent or conflicting with any part of these Rules are hereby repealed to the extent of such inconsistency or conflict.

Section 7.03. Additional Resolutions Authorized

The Township shall, from time to time by resolution, adopt further rules and regulations with respect the Discharge of Sewage and/or Industrial Waste to the Sewer System, and the construction, connection, operation, maintenance, repair, alteration, and inspection of Building Sewers, Sanitary Sewers, and other fixtures and appurtenances in the Township Sewered Area, and the determination, fixing, and collection of rentals, charges, and fees from Users of the Sewer System.

Section 7.04. Effective Date

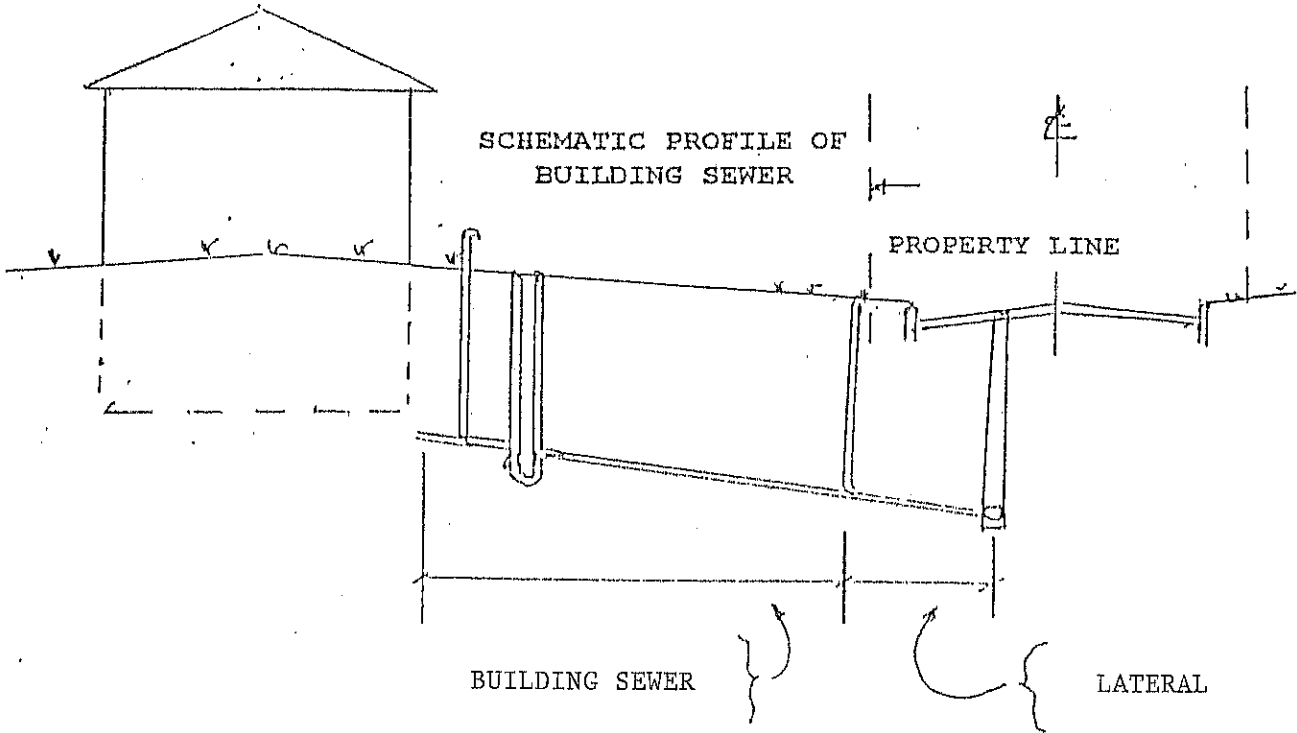
These Rules shall be in full force and in effect immediately from and after its passage, approval and publication, as provided by law.

IT IS HEREBY RESOLVED this 20th day of March 2002 by the Allen Township, Northampton County, Pennsylvania, in lawful session duly assembled.

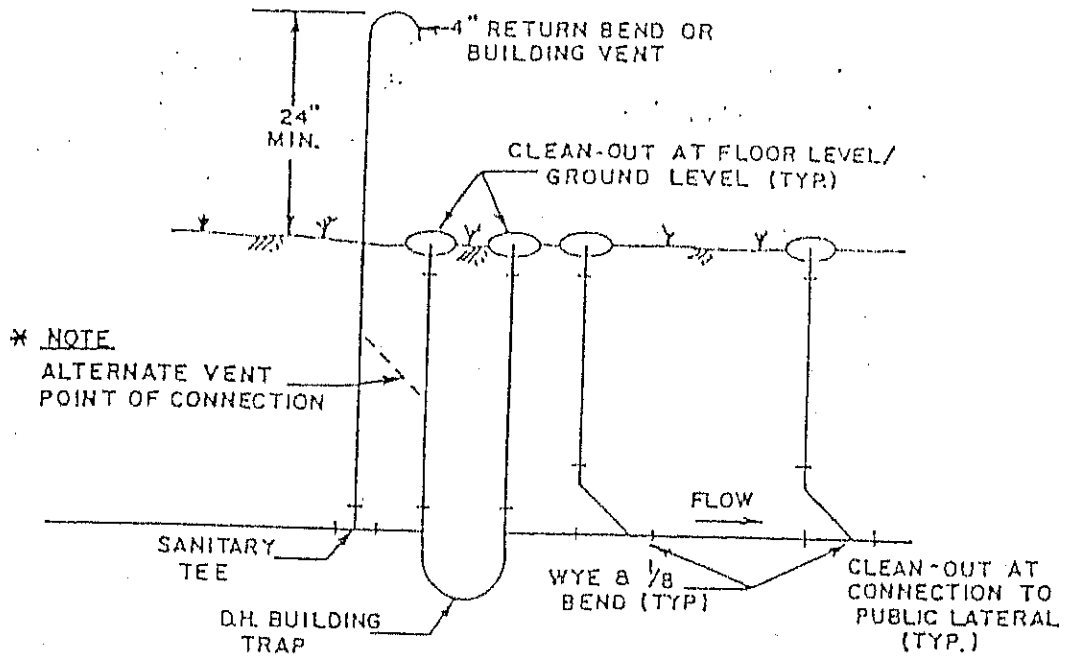
Allen Township
Northampton County, Pennsylvania
Paul Ballus
Chairman

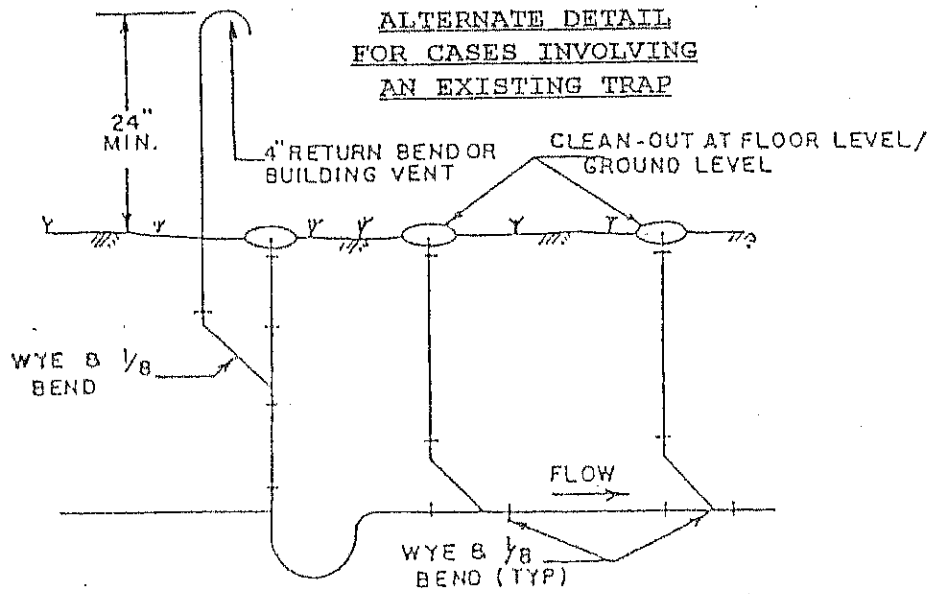
Attest:


Secretary



DETAIL OF NEW SYSTEM BUILDING SEWER





MODIFICATIONS ALLOWED TO EXISTING TRAPS

GENERAL NOTES

1. CLEAN OUTS AT CONNECTION TO PUBLIC SEWER LATERAL AND CLEAN OUTS EVERY 50 FEET AND METAL PLUGS FOR LOCATION FINDER ARE REQUIRED.

EXHIBIT A
SECTION IV ARTICLE 3.1

SEWER SYSTEM RULES & REGULATIONS

STANDARD SCHEMATIC DRAWINGS
FOR BUILDING SEWER ARRANGEMENT

ALLEN TOWNSHIP

NORTHAMPTON COUNTY

ALLEN TOWNSHIP

4714 Indian Trail Road
Northampton, PA 18067
610-262-7012 Phone
610-262-7364 Fax

PLUMBER'S REGISTRATION CERTIFICATE

CERTIFICATE NO. _____

Name of Contractor: _____

Contact Person: _____

Address: _____

Phone Number: _____ Fax Number _____

Demonstration of Past Performance

A. Plumber's License from other Pennsylvania Municipality?

(Licensing Municipality, Contact Person & Phone Number)

OR

Onlot System Installer with two (2) SEO References
for Contractor's Work:

(1st Reference - Name and Telephone Number)

(2nd Reference - Name and Telephone Number)

Bond Provided (Name and Telephone Number) (\$1,000)

Insurance Certification Provided

The Contractor named above does hereby apply for registration and does agree to abide by the Allen Township Rates, Rules, and Regulations, latest edition, as amended.

Signature - Contractor/Applicant

_____ Date

Signature/Verification - Allen Twp.

_____ Date and Fee Paid