

CHAPTER 18

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PART 1

SANITARY SEWER RULES AND REGULATIONS

§101. Definitions.

1. Unless the context specifically indicates otherwise, the following words and terms used in this Part shall have the following meanings:

ABNORMAL INDUSTRIAL WASTE — any industrial waste having a suspended solid content or B.O.D. appreciably in excess of that normally found in municipal sewage. For the purposes of this Part, any industrial waste containing more than 350 parts per million of suspended solids or having a B.O.D. in excess of 300 parts per million shall be considered an abnormal industrial waste regardless of whether or not it contains other substances in concentrations differing appreciably from those normally found in municipal sewage.

B.O.D. OF SEWAGE or INDUSTRIAL WASTE — shall designate its biochemical oxygen demand and shall mean the quantity of oxygen utilized in the biochemical oxidation of the organic matter in said sewage or industrial waste under standard laboratory procedure in five days at 20° C, expressed in parts per million by weight. It shall be determined by one of the acceptable methods described in the latest edition of Standard Methods for the Examination of Water and Sewage, published by the American Public Health Association.

COMBINED SEWER — a sewer designed to receive both sewage and stormwater runoff which has been approved for such purpose.

GARBAGE — solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

INDUSTRIAL WASTES — any liquid, gaseous or water-borne wastes from industrial processes or commercial establishments, as distinct from sanitary sewage. It shall also include grease-laden waste such as may be discharged into the system through the operation of food processing activities, restaurants, bars, clubs or kitchens.

OCCUPIED BUILDING — any structure erected and intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure sanitary sewage and industrial wastes, or either thereof, is or may be discharged.

PERSON — natural persons, partnerships, associations and corporations, public or private.

pH — the logarithm to the base of 10 of the reciprocal of the hydrogen ion concentration expressed in moles per liter. It shall be determined by one of the accept-

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able methods described in the latest edition of Standard Methods for the Examination of Water and Sewage, published by the American Public Health Association.

PREMISES ACCESSIBLE TO THE PUBLIC SANITARY SEWAGE SYSTEM — any real estate abutting on or adjoining or having access to any street, alley or right-of-way in which a sewer is located which ultimately connects to the public sanitary sewage system.

PROPERLY SHREDDED GARBAGE — the wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce that have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers with no particle greater than 1/2 inch in any dimension.

PUBLIC SANITARY SEWAGE SYSTEM — all sanitary or combined sewers, all pumping stations, all force mains, all sewage treatment works and all other sewerage facilities owned or leased and operated by the Township or Vernon Township Sanitary Authority for the collection, transportation and treatment of sanitary sewage and industrial wastes together with their appurtenances and any additions, extensions or improvements thereto. It shall also include sewers within the Township's service area which serve one or more persons and discharge into the public sanitary sewerage system even though those sewers may not have been constructed by the Township or Vernon Township Sanitary Authority and are not owned or maintained by the Township or Vernon Township Sanitary Authority. It does not include separate storm sewers or culverts which have been constructed for the sole purpose of carrying storm and surface runoff, the discharge from which is not and does not become tributary to the Township's or Vernon Township Sanitary Authority's sewage treatment facilities.

SANITARY SEWAGE — the normal water-carried household and toilet wastes from residences, business buildings, institutions and industrial and commercial establishments, exclusive of stormwater runoff, surface water or groundwater.

SANITARY SEWER — a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

SEWAGE — a combination of water-carried wastes from residences, business buildings, institutions and industrial and commercial establishments, together with such ground-, surface or stormwater as may be present.

SEWER — a pipe or conduit for carrying sewage.

STORM SEWER — a sewer which is intended to carry stormwater runoff, surface waters, groundwater drainage, etc., but which is not intended to carry any sanitary sewage or polluted industrial waste.

STORMWATER RUNOFF — that portion of the rainfall which reaches a channel, trench, sewer or sink.

SUSPENDED SOLIDS — solids that either float on the surface or are in suspension in water, sewage, industrial waste or other liquids and which are removable by laboratory filtration. The quantity of suspended solids shall be determined by one of the acceptable methods described in the latest edition of Standard Methods for the Examination of Water and Sewage, published by the American Public Health Association.

TOWNSHIP — Vernon Township, Crawford County, Pennsylvania.

UNPOLLUTED WATER or WASTE — any water or waste containing none of the following: free or emulsified grease or oil; acid or alkali; phenols or other substances imparting taste and odor to receiving waters; toxic or poisonous substances in suspension, colloidal state or solution, obnoxious or odorous gases. It shall contain no more than 10,000 parts per million by weight of dissolved solids, of which not more than 2,500 parts per million shall be as chloride and not more than 10 parts per million each of suspended solids and B.O.D. The color shall not exceed 50 parts per million. Analyses for any of the above-mentioned substances shall be made in accordance with the latest edition of Standard Methods for the Examination of Water and Sewage, published by the American Public Health Association.

VERNON TOWNSHIP SANITARY AUTHORITY — the elected and appointed members of the Vernon Township Sanitary Authority, as now or hereafter constituted, and its duly authorized agents or representatives.

WATER DEPARTMENT — the Water Department of the Township or any publicly or privately owned duly authorized agency, corporation or organization which is the approved purveyor of the public water supply within the limits of the Township.

2. "Shall" is mandatory; "may" is permissive.

(Ord. 1990-8, 10/4/1990, §§101-123)

§102. Discharge of Sanitary Sewage to Public Sanitary Sewage System Required.

1. All persons owning any occupied building now erected within the Township upon premises accessible to the public sanitary sewage system shall, at their own expense, make connection with the public sanitary sewage system in accordance with this Part if they are not presently so connected.
2. All persons owning any premises with the Township accessible to the public sanitary sewage system upon which an occupied building is subsequently erected

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shall, at the time of erection of such building, and at their own expense, make connection with the public sanitary sewage system in accordance with this Part.

3. All persons owning any occupied building within the Township upon premises which subsequently become accessible to the public sanitary sewage system shall, at their own expense, make connections with the public sanitary sewage system within the time period stipulated after proper notice to do so has been given in accordance with applicable law.
4. All connections to the public sanitary sewage system shall be made in accordance with §110 of this Part.
5. No privy vault, cesspool, septic tank, mine hole or similar receptacle for human excrement shall presently or at any time hereafter be connected with the public sanitary sewage system.

(Ord. 1990-8, 10/4/1990, §§201-205)

§103. Exclusion of Stormwater Runoff.

1. The discharge of stormwater runoff to sanitary sewers is prohibited.
2. All persons connecting to the public sanitary sewage system shall provide adequate means for excluding stormwater runoff in the event the connection is made to a sanitary sewer.
3. No person connected to a sanitary sewer shall connect any roof drain or foundation drain thereto or permit any such drains to remain connected thereto nor shall he permit, allow or cause to enter into any sanitary sewer any spring water or surface water from any other source.

(Ord. 1990-8, 10/4/1990, §§301-303)

§104. Admission of Industrial Wastes to Public Sanitary Sewage System.

1. The economy and desirability of the combined treatment of certain industrial wastes and sanitary sewage is recognized. The treatment facilities operated by the Township and Vernon Township Sanitary Authority are of a type and design to permit reasonable flexibility in the treatment of various types of industrial wastes. In general, any and all industrial wastes may be discharged to the public sanitary sewage system except those which are deemed harmful to the system or are specifically prohibited by this Part. However, it is also recognized that the treatment of abnormal industrial wastes may add to the cost of operating and maintaining the public sanitary sewage system. Such additional cost must therefore be borne by the person or persons receiving the benefit of such treatment.

2. The Township and Vernon Township Sanitary Authority reserve the right to refuse connection to the public sanitary sewage system any industrial wastes deleterious to the operation and maintenance of the sewer system and/or sewage treatment facilities; or, to compel discontinuance of the use of the system for such wastes; or, to require pretreatment and/or equalization of flow thereof in order to prevent harmful or adverse effects upon the system. The design, construction and operation of such pretreatment and/or flow equalization facilities shall be made at the expense of the person discharging said wastes and shall be subject to the approval of the Vernon Township Sanitary Authority or its designated representative.
3. The foregoing notwithstanding, unless the Authority shall expressly permit such practice, no person shall discharge industrial wastes into the public sanitary sewage system if such discharge shall have been prohibited by the City of Meadville.
4. In general, industrial waste shall be considered harmful to the public sanitary sewage system if it may cause any of the following damaging effects:
 - A. Chemical reaction either directly or indirectly with the materials of construction of the public sanitary sewage system in such a manner as to impair the strength or durability of any sewerage structures.
 - B. Mechanical action that will destroy any sewerage structures.
 - C. Restriction of the hydraulic capacity of any sewerage structures.
 - D. Restriction of the normal inspection or maintenance of any sewerage structures.
 - E. Danger to public health and safety.
 - F. Obnoxious conditions inimical to the public interest.
5. When required by the Vernon Township Sanitary Authority, any person discharging to the public sanitary sewage system any industrial wastes or industrial wastes and sanitary sewage together shall install a suitable manhole or manholes or metering chamber on his connecting sewer or sewers to facilitate observation, sampling and measurement of the combined flow of wastes from his premises. Such manhole or manholes or metering chamber shall be accessible and safely located and shall be constructed in accordance with plans approved by the Vernon Township Sanitary Authority or its designated representative. The manhole or manholes or metering chamber shall be installed by such person at his expense and shall be maintained by him. The construction and maintenance of such manhole or metering chamber shall be mandatory for the producers of abnormal industrial wastes and if deemed necessary by the Vernon Township Sanitary Authority flows from such manhole or metering chamber shall be continuously monitored, transmitted and recorded by means of an approved receiving device to be located at the treatment plant.

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(Ord. 1990-8, 10/4/1990, §§401-405)

§105. Unacceptable Sanitary Sewage and Industrial Wastes.

1. The discharge of excessive amounts of unpolluted water or waste to a sanitary sewer is expressly prohibited. However, such discharges to storm sewers will be permitted wherever such sewers are of adequate capacity. The Vernon Township Sanitary Authority reserves the right to define the amount it deems excessive in each particular instance.
2. The discharge of garbage to the public sanitary sewage system is expressly prohibited unless the garbage is first properly shredded.
3. No sanitary sewage or industrial waste from any property other than that for which a permit has been issued as provided in §110 of this Part shall be discharged to the public sanitary sewage system.
4. No person shall discharge to the public sanitary sewage system any sanitary sewage or industrial wastes having any of the following characteristics:
 - A. Wastes containing liquids, solids or gases which by reason of their nature or quality may cause fire, explosions or be in any other way injurious to persons, the structures of the public sanitary sewage system or its operation.
 - B. Wastes having a temperature in excess of 150°F or less than 32°F.
 - C. Wastes having a pH lower than 5.5 or higher than nine or having any corrosive properties capable of causing damage or hazards to structures, equipment or personnel of the public sanitary sewage system. Where the Vernon Township Sanitary authority deems it advisable, it may require any person discharging industrial wastes to install and maintain, at his own expense, in a manner approved by the Vernon Township Sanitary Authority or its designated representative a suitable device to continuously measure and record the pH of the wastes so discharged.
 - D. Wastes containing any noxious or malodorous gas or substance which either singly or by interaction with sewage or other wastes is, in the opinion of the Vernon Township Sanitary Authority, likely to create a public nuisance or hazard to life or prevent entry to sewerage structures for their maintenance and repair.
 - E. Wastes containing ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, hair, chemical or paint residues, greases, lime slurry or viscous materials of such character or in such quantity that, in the opinion of the Vernon Township Sanitary Authority, they may cause an obstruction of the flow in the sewers or otherwise interfere with the

proper operations of the public sanitary sewage system. Attention is called to the fact that the maximum permissible concentration will vary throughout the public sanitary sewage system depending upon the size of the particular interceptor sewer receiving the same and the flows therein.

- F. Wastes containing insoluble, nonflocculent substances having a specific gravity in excess of 2.65.
- G. Wastes containing soluble substances in such concentration as to cause the specific gravity of the waste to be greater than 1.1.
- H. Wastes containing any of the following substances in solution or in suspension in concentrations exceeding those shown in the following table:

Substance	Maximum Permissible Concentration
Phenolic compounds as C ₅ H ₆ OH	0.1 mg/l
Cyanides as CN	0.025 mg/l
Cyanites as CNO	0.1 mg/l
Iron as Fe	7 mg/l
Trivalent Chromium as Cr plus	
Hexavalent Chromium as Cr	0.075 mg/l
Nickel as Ni	0.1 mg/l
Copper as Cu	0.03 mg/l
Lead as Pb	0.05 mg/l
Zinc as Zn	
Cadmium as Cd	0.02 mg/l

- I. Wastes containing more than 100 p.p.m. by weight of fat, oil or grease.
- J. Wastes containing more than 10 p.p.m. of any of the following gases: hydrogen sulfide, sulfur dioxide, nitrous oxide or any of the halogens.
- K. Wastes containing gases or vapors, either free or occluded, in concentrations toxic or dangerous to humans or animals.
- L. Wastes containing toxic substances in quantities sufficient to interfere with the biochemical processes of the sewage treatment works or that will pass through the treatment process and still exceed the water quality requirements established and applicable to French Creek.
- M. Wastes containing toxic radioactive isotopes without a special permit.

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(Ord. 1990-8, 10/4/1990, §§501-504)

§106. Interceptors and Separators.

1. All persons that, in the course of their business or other activities, may discharge into the public sanitary sewer system oil, grease or other substances exhibiting any of the characteristics set forth in §105, Subsection 4, must install and maintain, at their own cost and expense, an interceptor or separator, of a type or according to plans approved by the Authority's engineer.
2. Whenever the Authority shall determine that the discharge by any person of oil, grease or other substances into the public sanitary sewer system is harmful to the system as set forth in §104, Subsection 4, or that the waste exhibits any of the characteristics set forth in §105, Subsection 4., then the Authority may require such person or the owner of the affected property to install and maintain, at his own cost and expense, an interceptor or separator of a type or according to plans approved by the Authority's engineer.
3. Any such interceptors or separators shall be of a design and capacity and shall be installed in the manner provided at §P-1004.0 of the Building Officials and Code Administrators (BOCA) National Building Code, 1993 edition, which are hereby adopted by reference, as though the same was herein set forth at length.
4. All persons who have an interceptor or separator on their premises, whether installed as a result of the provisions of §106, Subsection 1 or 2, above, or any other prior provisions of Ord. 1990-8 or any of its amendments, shall inspect and clean each interceptor or separator no less often than every six months and more often as necessary to prevent the discharge into the public sanitary sewer system of oil, grease or other substances exhibiting the characteristics set forth in §105, Subsection 4.
5. All persons who have an interceptor or separator on their premises shall maintain written records, in the form of a log or otherwise, containing the following: the date of each inspection and cleaning of each interceptor and/or separator and the name, address, telephone number, employer and signature of the person conducting the cleaning. These records must be maintained for a period of no less than five years and must be made available to either the Township or the Authority, within 48 hours of the request of either the Township or Authority within the time required above shall constitute a separate offense under this Part for each day that passes after the expiration of the 48-hour period, punishable under the provisions of §112, Subsection 5, pursuant to the authority of 53 P.S. §66601(c.1)(2).
6. The use of any form of enzyme drip system by any person discharging wastes into the public sanitary sewer system is expressly prohibited.

(Ord. 1990-8, 10/4/1990, §§551, 552; as amended by Ord. 1999-1, 3/4/1999, §A)

§107. Sewage Service Charges.

1. There is imposed upon the owners of, or the users of water in or on, all properties served by the public sanitary sewage system, service charges for the use of said system, payable in the amounts and as prescribed by the Vernon Township Sanitary Authority and as is hereinafter from time to time amended and modified. Said owners and users will be jointly and severally liable for the payment of said service charges and the penalties therein prescribed for delinquent payments thereof.
2. All bills for service charges shall be due when rendered and shall be subject to the prescribed penalty provisions. Owners and, where adequate arrangement have been made with the Township and Vernon Township Sanitary Authority users will be billed periodically for the sewage service charges in accordance with the billing practices of the Township.
3. In the event it is established to the satisfaction of the Vernon Township Sanitary Authority that a portion of the water used in or on any property served by the public sanitary sewage system does not and cannot enter said system and in the event that the total water used in or on said property exceeds 100,000 gallons per quarter the Vernon Township Sanitary Authority may determine, in such manner and by such method as it may deem practical, the percentage of water entering the public sanitary sewage system, or the Vernon Township Sanitary Authority may require or permit the installation of additional meters in such manner as to determine either the quantity of water, sewage or industrial waste actually entering the public sanitary sewage system, exclusive of stormwater runoff. In such case, the sewage service charge shall be based upon the quantity of water estimated, measured or computed by the Township to be actually entering the public sanitary sewage system, exclusive of stormwater runoff, and shall be subject to the applicable sewage service charges.
4. Any person requesting consideration for a reduction of the amount of the sewage service charges because of water not entering the public sanitary sewage system shall make written application to the Township for such consideration, giving the name of such person, his address and setting forth supporting data fully describing other sources of water, if any, as well as the disposition of water alleged not to be entering the public sanitary sewage system. The application shall be accompanied by a sketch to approximate scale showing the plan of the property, the water distribution system, sewer layout, existing meters, and proposed meters in the scheme to determine the quantity of flow entering, or not entering, the public sanitary sewage system. The cost of furnishing, installing and maintaining any meters other than those utilized to measure water purchased from the Township shall be borne by the applicant. The type, size, location, arrangement and maintenance of such meter shall be subject to the approval of the Vernon Township Sanitary Authority, the Water Department or its designated representative.

(Ord. 1990-8, 10/4/1990, §§601, 602, 605, 606)

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§108. Surcharge for Certain Industrial Wastes.

1. Although the sewage treatment works is capable of treating certain abnormal industrial wastes as heretofore defined in §101, the actual treatment of such wastes may increase the cost of operating and maintaining the public sanitary sewage system. Therefore, there may be imposed upon each person discharging such industrial waste into the public sanitary sewage system a surcharge, or surcharges, which are intended to cover such additional cost. Such surcharges shall be in addition to the regular sewage service charges as established by the Vernon Township Sanitary Authority.
2. The strength of any industrial waste, the discharge of which is to be subject to surcharge, shall be determined monthly or more frequently as the Township shall determine from samples taken either at the manhole or metering chamber referred to in §104 of this Part or at any other sampling point mutually agreed upon by the Township the producer of such waste. The frequency and duration of the sampling period shall be such as, in the opinion of the Vernon Township Sanitary Authority, will permit a reasonably reliable determination of the average composition of such waste, exclusive of stormwater runoff. Samples shall be collected or their collection supervised by a representative of the Township and Vernon Township Sanitary Authority and shall be in proportion to the flow of waste, exclusive of stormwater runoff, and composited for analyses in accordance with the latest edition of Standard Methods for the Examination of Water and Sewage, as published by the American Public Health Association. Except as hereinafter provided the strength of the waste so found by analysis shall be used for establishing the surcharge or surcharges. However, the Vernon Township Sanitary Authority may, if it so elects, accept the results of routine sampling and analyses by the producer of such wastes in lieu of making its own sampling and analyses.
3. In the event any industrial waste is found by the Vernon Township Sanitary Authority to have a B.O.D. in excess of 300 parts per million, the producer of said waste shall be surcharged an amount equal to the product of the actual volume of wastes in thousand gallons per billing period, exclusive of stormwater runoff, discharged to the public sanitary sewage system and the B.O.D. surcharge rate. The B.O.D. surcharge rate shall be determined by the following formula:

$$Rc = 0.00834 P (C-300)$$

Where:

Rc = the B.O.D. surcharge rate in cents per 1,000 gallons of waste discharged

- P = the average annual fixed, operating and maintenance cost of secondary treatment processes per pound of B.O.D. received at the treatment works (as determined from the cost data set forth in the previous annual report covering operation of the sewage treatment plant)
- C = the average B.O.D. of the industrial waste, expressed in milligrams per liter, as determined in accordance with §108, Subsection 2, of this Part

The figure “300” appearing in the above formula corresponds to the maximum B.O.D. permissible without surcharge. The figure “0.00834” is the factor to convert parts per million to pounds per 1,000 gallons. No discount will be permitted for sewage or industrial wastes having a B.O.D. less than 300 parts per million.

4. In the event any industrial waste is found by the Vernon Township Sanitary Authority to have an average suspended solids concentration in excess of 350 parts per million the producer of such waste shall be surcharged an amount equal to the product of the actual volume of wastes in thousand gallons per billing period exclusive of storm runoff discharge to the public sanitary sewage system and the suspended solids surcharge rate. The suspended solids surcharge rate shall be determined by the following formula:

$$Rs = 0.00834 \times B (S-350)$$

Where:

- Rs = the suspended solids surcharge rate in cents per 1,000 gallons of waste discharged
- B = the average annual fixed, operating and maintenance cost of the sludge digestion, sludge drying and sludge disposal operations per pound of suspended solids received at the treatment works (as determined from the cost data set forth in the previous annual report covering operation of the sewage treatment plant)
- S = the average suspended solids concentration of the abnormal industrial waste, expressed in milligrams per liter, as determined in accordance with §108, Subsection 2, of this Part

The figure “350” appearing in the above formula corresponds to the maximum suspended solids concentration permissible without surcharge. The figure 0.00834 is the factor to convert parts per million to pounds per 1,000 gallons. No discount will be permitted for sewage or industrial wastes having a suspended solids concentration less than 350 parts per million.

5. The surcharges provided for in this Part shall be added to the sewage service charges imposed by the Vernon Township Sanitary Authority.

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6. The surcharges provided for in this Part shall be added to the sewage service charges imposed upon any person as established by the Township and the Authority only if and to the extent that the City shall impose, or shall announce the intent to impose, such charges upon the Authority or the Township by reason of the discharge effected by such person.

(Ord. 1990-8, 10/4/1990, §§701-706)

§109. Billing and Collection.

Bills and notices relating to the sewage service charges and surcharges will be mailed or delivered to the property owner's last address, or where proper arrangement have been made with the Township, to the user's last address, as shown on the billing books of the Township.

(Ord. 1990-8, 10/4/1990, §801)

§110. Connections to System.

1. Applications for connection to the public sanitary sewage system shall be made to the City Engineer upon the permit form to be formulated and furnished by the Township.
2. All information requested on said form shall be furnished by the applicant, including the character and use of each structure located upon the property.
3. Any required tap connection and inspection fee shall be paid at the time of making application for permission to make a connection.
4. No work shall commence before the payment of any aforementioned tap connection and inspection fee and issuance of the aforementioned connection permit.
5. Unless written permission is obtained from the Vernon Township Sanitary Authority, separate connections and corresponding tap connection and inspection fees will be required for each individual occupied building, whether constructed as a detached unit or as one of a pair or row, but a single connection will be permitted to serve a school, factory, apartment house or other permanent multiple unit structure whose individual apartments or units may not be subject to separate ownership.
6. Connections to sanitary and combined sewers shall be completed within 60 calendar days after receipt of proper notice.

7. All connections to the sanitary or combined sewers shall be subject to certain restrictions as to unacceptable sanitary sewage which are set forth in this Part in §105.
8. The designated inspector of the Township shall be given at least 24 hours notice of the time when such connection shall be made in order that said Inspector can be present to inspect and approve the work of connection. The inspector shall signify his approval of the connection by endorsing his name and the date of approval on the aforementioned connection permit in the possession of the permittees.
9. At the time of inspection of the connection the owner or owners of properties shall permit the inspector full and complete access to all sanitary and drainage arrangements and facilities in each building and in and about all parts of the property. No building sewer line shall be covered over, or in any manner concealed, until after it is inspected and approved by said inspector.
10. It is the intention of this Part that the entire connection be inspected at one time; however, if the property owner feels that special conditions warrant more than one inspection he may request the same subject to such additional inspection fees as the Vernon Township Sanitary Authority shall determine.
11. All pipe installed shall be either vitrified clay asbestos cement or cast iron pipe of the kind and quality hereinafter specified and of at least six inches' inside diameter. Where the ground is firm, cast iron pipe shall be used. Vitrified clay pipe shall be of the bell and spigot salt-glazed type. The pipe shall be six-inch ASTM C-200 vitrified clay sewer pipe or six-inch ASTM C-423 Class 2400 asbestos-cement sewer pipe or six-inch ASA-A40.1 cast iron soil pipe. Each section of pipe shall be stamped with the manufacturer's certification. Vitrified clay pipe shall be furnished with joints conforming to ASTM C425, Type III. Couplings for the asbestos-cement pipe shall conform to the standards of the manufacturer of the pipe with which the couplings will be used. All joints for the cast iron soil pipe shall be made with jute and lead. The lead in the ell shall have a minimum depth of one inch and shall be adequately caulked.
12. All sewer pipe shall be installed in strict accordance with the Township's regulations. Where rock trench foundation exists a four-inch gravel cradle shall be provided under the pipe.
13. All pipe shall be installed with a minimum slope of 1/6 inch per foot and a minimum cover of 2 1/2 feet unless otherwise approved. All pipe shall be laid to an even grade and straight alignment to the public sanitary sewer. All pipe shall be laid with full and even bearing and no block supports will be allowed. Bell holes shall be dug to allow sufficient space to properly make each joint. Backfill shall be tamped uniformly around the pipe. All work shall be done in a workmanlike manner and shall provide a durable installation.
14. Commercial installations must also comply with all local construction regulations.

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15. Maintenance and repair of all building sewers shall be the responsibility of the property owner.
16. Other provisions of this Part notwithstanding, in the absence of express contrary permission from the Authority, no new connection shall be permitted to the system which is prohibited by the Pennsylvania Department of Environmental Protection or the City of Meadville.
17. As to each new connection to the system and each replacement of any service lateral or other pipe by any property owner or other person there shall be installed in each such service lateral an inspection tee or vertical riser to facilitate inspection by the Authority; except as otherwise approved by the Authority Board the inspection tee or riser shall conform to the following specifications:
 - A. The inspection tee shall be installed in the lateral at a point on the served premises not more than five feet from the boundary of the served property or, if the public main or collector line shall run within the boundaries of the served property, then no more than five feet from the point of connection to the public sewer system.
 - B. The inspection tee or port shall be composed of a T fitting having dimensions and characteristics conforming to specifications set forth in §110, Subsection 11, of this Part.
 - C. A vertical riser shall be connected to the T fitting composed of a single pipe of material conforming to the requirements of §110, Subsection 11, which shall have a diameter of no less than six inches and shall extend at least four inches above the ground surface grade.
 - D. The end or top of the riser shall not be obstructed by any structure, fixture or improvement and shall be equipped with a watertight plug or cap which shall be maintained by the property owner and which can be removed to permit inspection without damage to the riser.
 - E. Agents and personnel of the Authority shall be authorized to enter upon the property at any reasonable time for the purpose of employing the tee or port to inspect, test or sample the service lateral and the effluent flowing therein and for other purposes.
 - F. Subject to the approval of the Board, private manholes or other forms of access ports or facilities may be accepted as an alternative to the inspection tee.

(Ord. 1990-8, 10/4/1990, §§901-917; as amended by Ord. 1997-2, 3/6/1997)

§111. Proposed Extensions of System by Developers.

1. Five copies of plans for proposed extensions shall be submitted to the Township on twenty-four-inch by thirty-six-inch sheets, showing plan views to a scale of one inch equals 50 feet and profiles to a scale of one inch equals 10 feet vertically and one inch equals 50 feet horizontally, a North point, a suitable title block, date and the name of the engineer or surveyor and imprint of his registration seal.
2. All sewers shall be designed in accordance with the Sewerage Manual of the Pennsylvania Department of Health, Division of Sanitary Engineering and this Part.
3. Construction of sewers will not be permitted until the proper official written approval of the Vernon Township Sanitary Authority's designated representative and the State permits to construct have been obtained.
4. Prior to final acceptance of any sewer extensions by the Township, it will be necessary for the developer to furnish to the Township as-built plans showing the angle and distance between manholes, the top and invert elevation of each manhole and the exact location of all house sewer connections relative to the nearest manhole, both downstream and upstream.
5. Easements shall be recorded in the name of the Township for all sewers to be constructed outside of dedicated street rights-of-way.
6. All sewer pipe shall be extra strength vitrified clay pipe conforming to ASTM Specification C-200 or Class 2400 asbestos-cement pipe conforming to ASTM Specification C-428 unless otherwise specified by the Township because of unusual ground conditions or other circumstances.
7. All sewer pipe shall be a minimum of eight inches in diameter and have a minimum laying length of five feet.
8. Jointing connections for clay pipe shall be the factory-fabricated type conforming to ASTM Specification C-425, Type III. Both the bell and the spigot of the pipe shall be especially prepared for the jointing connection selected. The details of any jointing connection which is proposed for use must be submitted to the Township for prior approval.
9. The installation of sewers shall start at the lower end of the line and proceed upstream so that the spigot ends point in the direction of flow. The pipe shall be carefully laid to line and grade. The handling, placing and jointing of pipe shall be in strict accordance with the pipe manufacturer's recommendations.
10. All manholes shall be constructed in accordance with the standards established by the Vernon Township Sanitary Authority or its designated representative. Frames and covers for all manholes shall be fabricated of cast iron and shall conform to

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the standards established by the Vernon Township Sanitary Authority. Vented covers shall be furnished at the ends of lines.

11. Sewers shall be hydrostatically, pneumatically and/or smoke tested for leakage at the discretion of and in the manner required by the Vernon Township Sanitary Authority or its designated representative.
12. The developer shall file all necessary connection permits and pay the applicable tap connection and inspection fee for each house or building to the Township which shall become due and payable prior to inspection and approval by the inspector for each respective house service sewer.
13. The developer shall also reimburse the Township in full for all costs of inspection of construction of all sanitary sewers. The amount and type of inspection required shall be determined by the Township during construction.
14. No sewer extensions constructed by a developer will be approved for use or accepted by the township until said sewers are formally approved by the Vernon Township Sanitary Authority; all building tap connection and inspection fees have been paid for each building connected to the system; and the Township has been reimbursed in full for all inspection costs incurred by the inspector during construction, testing and approval.
15. The foregoing provisions notwithstanding, no developer or other person shall connect a sewer line to the public sanitary sewage system until such person shall have entered into a written agreement with the Authority in a form satisfactory to the Authority providing, inter alia, that: the developer shall provide adequate easements to the Authority; the developer shall complete construction of the line within five years; the sewer, as built, shall display a rate of infiltration of ground water or surface water not exceeding 300 gallons per inch/mile/day, based on a thirty-day average; the developer shall maintain the line for one year from completion and the commencement of use; the Authority shall adopt the line only if all conditions are satisfied.

(Ord. 1990-8, 10/4/1990, §§1001-1015)

§112. Delinquencies, Violations and Penalties.

1. Each sewage service charge, surcharge and penalty imposed by the Township shall be a debt due the Township and shall be a lien on the property served and if not paid within the period prescribed shall be deemed delinquent. In such event the Township shall proceed to file a lien in the office of the Prothonotary of Crawford County and collect the same in the manner provided by law for the filing and collection of municipal claims. In the event of failure to pay the sewage service charge or surcharge or penalty after they become delinquent the Vernon Township Sanitary Authority may also authorize the appropriate personnel to shut off water service to said property or to remove or close the sewer connection and to

take such steps as may be necessary to accomplish such shut off or removal or closing. The expense of such shut off or removal or closing as well as the expense of restoring any such service shall likewise be a debt due the Township and a lien on the property served and may be filed and collected as hereinabove provided. Such sewage service shall not be restored until all sewage service charges, surcharges and penalties, including the expense of removal, closing and restoration have been paid or adequate provisions for their payment shall have been made.

2. All persons violating any provision of this Part shall be given notice of such violation either personally or by means of the United States mail; and if no action to correct said violation is taken within 30 days of the date of such notice, water to said premises may be shut off or the sewer connection may be removed or closed. Reconnection will not be made until after correction of the violation has been accomplished. The expense of such shut off or removal or closing and the expense of restoring the water or sewage service shall be a debt due the Township and a lien upon the property served and may be filed and collected as provided in Subsection 1.
3. The failure or refusal of any person to plan or design any facility or to install any facility or equipment within 30 days after being notified in writing by the Authority to do so shall be deemed a violation of this Part.
4. In addition to any other rights and remedies herein set forth, the Authority or Township shall have the right to enforce compliance with the provisions of this Part by an action for a mandatory injunction brought in a court of competent jurisdiction.
5. Penalties. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a District Justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and/or by incarceration in jail for a period not exceeding 90 days. Each section of this Part which shall be found to have been violated or each day that a violation of this Part continues shall constitute a separate offense. Either the Township Solicitor or the Authority's Solicitor may prosecute violations of this Part, with all such prosecutions being filed in the name of the Township.
6. Whenever the Authority or the Township shall have notified any person to perform any act or to construct, maintain or install any facility and such person shall have failed to satisfactorily do so within 30 days after notice then the Township or Authority may enter such person's property and perform the work, in which event all costs and expenses incurred by the Township or Authority in the purchase of materials or performance of work by employees or contractors shall be an obligation of such person, owed to the Township or Authority and either, as a debt, in any manner provided at law; and, furthermore the Township or the Authority may enter such debt or claim as a municipal lien against the property where such work or installation took place.

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7. In addition to those powers expressly granted by the Township to the Authority elsewhere in this Part, the Authority is hereby authorized to serve as the representative of the Township for all intents and purposes of this Part and is permitted to use all powers of investigation and enforcement granted the Township by this Part or any applicable law of this Commonwealth.

(Ord. 1990-8, 10/4/1990, §§1101-1106; as amended by Ord. 1997-2, 3/6/1997; by Ord. 1998-2, 3/5/1998; and by Ord. 1999-1, 3/4/1999, §§B, C)

PART 2

SEWER CONNECTIONS

§201. Connection Required.

Every owner of property in the Township of Vernon whose property abuts upon any public sanitary sewer presently in existence or to be constructed in the future by Vernon Township Sanitary Authority in conjunction with its proposed Sewer System-II shall connect, at its own cost, the house, building or other structures located on said property with the aforementioned public sanitary sewers for the purpose of disposing of all acceptable sanitary sewage emanating from said property.

(Ord. 1971-32, 6/19/1971, §1)

§202. Prohibited Means of Disposal.

It shall be unlawful for any owner, lessee or occupier of any property in the Township abutting upon any aforementioned public sanitary sewer to employ any means, either by septic tank, cesspool, privy vault, mine hole or otherwise for the disposal of acceptable sanitary sewage other than into and through said public sanitary sewers.

(Ord. 1971-32, 6/19/1971, §2)

§203. Notice.

Where any house, building or structure in the Township abutting upon any aforementioned public sanitary sewer is now or hereafter may be using any method for the disposal of acceptable sanitary sewage other than through said public sanitary sewer it shall be the duty of the Township Secretary or the authorized representative of Vernon Township Sanitary Authority (hereinafter called the "Authority") to notify the owner, lessee or occupier of such structure in writing, either by personal service, certified mail or registered mail, to disconnect the same and make proper connection for the discharge and disposal of all acceptable sanitary sewage through the said public sanitary sewers, as herein provided, within 60 days after receipt of such notice. Any owner or lessee or occupier of a structure who cannot comply with the provisions of this section as to connection within the sixty-day period stipulated above due to causes beyond his control shall apply to the Authority within said sixty-day period for a time extension of up to six months in duration. Said application shall be made on a form to be furnished by the Authority and shall contain a voluntary agreement on the part of the applicant under which the applicant shall agree to commence paying the regular monthly sewer rates immediately even though actual connection to the public sanitary sewers will not be accomplished until some stated later date within the said six-month extension period.

(Ord. 1971-32, 6/19/1971, §3)

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§204. Prohibited Receptacles.

No privy vault, cesspool, septic tank, mine hole or similar receptacle for human excrement shall at the present time or at any time hereafter be connected with the aforesaid public sanitary sewers.

(Ord. 1971-32, 6/19/1971, §4)

§205. Prohibited Connections.

It shall be unlawful for any person, firm or corporation connected to any aforementioned public sanitary sewers to connect any roof drain thereto or permit any roof drain to remain connected thereto or to permit, allow or cause to enter into said public sanitary sewers any stormwater, foundation drain water, spring water, surface water or any sewage or industrial waste from any property other than that for which a permit is issued.

(Ord. 1971-32, 6/19/1971, §5)

§206. Certain Conditions to be Fulfilled.

No person, firm or corporation shall make or cause to be made any connection with any of the aforementioned public sanitary sewers until he has fulfilled all of the following conditions:

- A. He shall make application to the Township or the Authority, as the Township's agent, upon a permit form to be formulated and supplied by the Township or the Authority for permission to connect the aforementioned public sanitary sewers. Among other things the applicant must state the character and use of each structure located upon his property.
- B. He shall pay to the Township or the Authority the required tap connection fee of \$300 for each building or structure on each property connected to the aforementioned public sanitary sewers at the time of making application for permission to make such connection or connections.
- C. No work shall commence before the payment of the aforesaid tap connection fee and issuance of the aforementioned connection permit.
- D. He shall give the designated inspector of the Township or the authority at least 24 hours notice of the time when such connection shall be made in order that said inspector can be present to inspect and approve the work of connection. The inspector shall signify his approval of the connection by en-

dorsing his name and the date of approval on the aforementioned connection permit in the possession of the permittees.

- E. At the time of inspection of the connection, the owner or owners of properties shall permit the inspector full and complete access to all sanitary and drainage arrangements and facilities in each building and in and about all parts of the property. No building sewer line shall be covered over, or in any manner concealed, until after it is inspected and approved by said inspector.

(Ord. 1971-32, 6/19/1971, §6)

§207. Township and Authority Specifications.

The construction and number of all building sewer lines or house service sewers shall be done in accordance with the specifications, plans and procedures established by the Township and the Authority in the Sewer System Rules and Regulations [Part 1], as the same may be, from time to time, published and amended, copies of which, upon adoption, shall be maintained on file with the Township Secretary and the Authority.

(Ord. 1971-32, 6/19/1971, §7)

§208. Compliance.

If the owner or owners of any occupied houses, buildings and structures in the Township shall neglect or refuse to comply with the provisions of this Part or the written notice as prescribed in §203 hereof, the Township or the Authority may perform or cause to be performed such work and labor and furnish or cause to be furnished such material as may be necessary to comply with the provisions of this Part at the cost and expense of such owner or owners, together with 10% additional thereof and all charges and expenses incidental thereto, which sum shall be collected from said owner or owners for the use of the Township or the Authority as debts are by law collected, or the Township or the Authority, as its agent, may, by its proper officer, file a municipal claim or lien therefore against said premises as provided by law.

(Ord. 1971-32, 6/19/1971, §8)

§209. Definitions.

“Unacceptable sanitary sewage” and other terms used herein for purposes of this Part shall have the same definitions as those which are set forth in the Sewer Systems Rules and Regulations [Part 1], said rules and regulations to be applicable to all users of the aforementioned public sanitary sewers.

(Ord. 1971-32, 6/19/1971, §9)

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§210. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a District Justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 1971-32, 6/19/1971, §10; as amended by Ord. 1997-2, 3/6/1997; and by Ord. 1998-2, 3/5/1998)

PART 3

ON-LOT SEWAGE DISPOSAL SYSTEMS

§301. Permit Required.

No person shall install or alter an individual sewage disposal system or construct any building in which an individual sewage disposal system is to be installed in Vernon Township without first obtaining a permit indicating that the site, plans and specifications of such system are in compliance with the Pennsylvania Sewage Facilities Act of January 24, 1966, P.L. 1535, as amended, and the rules and regulations adopted pursuant to said Act.

(Ord. 1978-2, 4/17/1978, §1)

§302. Obligation Not to be Relieved.

No person shall be relieved of the obligation of obtaining a permit for a sewage disposal system by reason of the fact that the system is being installed in an area greater than 10 acres.

(Ord. 1978-2, 4/17/1978, §2)

§303. Permit Application Fee.

Each application by the property owner for a permit for an individual sewage disposal system shall be made to the Township Supervisors, or such officer as may be designated by them from time to time, and a fee in an amount as established, from time to time, by resolution of the Board of Supervisors shall be paid by the applicant at the time the application is made.

(Ord. 1978-2, 4/17/1978, §3; as amended by Ord. 1997-2, 3/6/1997)

§304. Building Permits.

No building permit, as may be required by other enactments of this Township, shall be issued for the construction, reconstruction or alteration of any structure intended for use as a dwelling which shall entail the installation of new, or alteration of an existing, subsurface sewage disposal system prior to the issuance of a sewage disposal permit under this Part.

(Ord. 1978-2, 4/17/1978, §4)

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§305. Inspections and Tests.

The Township or its authorized representative shall have the power to make, or cause to be made, such inspections and tests as may be necessary to carry out the provisions of this Part and shall have the right to enter upon lands for said purpose.

(Ord. 1978-2, 4/17/1978, §5)

§306. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a District Justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 1978-2, 4/17/1978, §6; as amended by Ord. 1997-2, 3/6/1997; and by Ord. 1998-2, 3/5/1998)

§307. Sewage Management Program.

1. Definitions.

DEP — the Pennsylvania Department of Environmental Protection.

INDIVIDUAL SEWAGE SYSTEM — as set forth at 25 Pa. Code §72.1.

MINOR MAINTENANCE — the removal of septage or other solids from OLDS and basic maintenance of SRSTPs, consisting of effluent sample collection, laboratory analysis and reporting to DEP.

OWNERS OF AFFECTED REAL ESTATE — the owners of that real estate within the Township, the owners of which are required hereby to participate in the Sewage Management Program.

OLDS — conventional and elevated sand mound on-lot sewage disposal systems, including sewage facilities identified in the DEP's Alternate and Experimental Systems Guide.

CONVENTIONAL OLDS — an individual on-lot sewage disposal system consisting of a septic tank and in-ground absorption area.

ALTERNATIVE OLDS — an individual on-lot sewage disposal system consisting of either:

- (a) A septic tank, dosing tank and either an in-ground absorption area or elevated absorption area; or
- (b) An experimental or alternative individual sewage disposal system of a type addressed as 25 Pa. Code §73.71 and §73.72 (except the individual residence spray irrigation system (IRSIS)).

PERSONS — natural persons and also all other entities which are capable of owning or possessing real estate.

PRIVATELY OWNED COMMUNITY SEWAGE SYSTEM — as set forth at 25 Pa. Code §72.1.

SEWAGE MANAGEMENT PROGRAM — as set forth at 25 Pa. Code Subchapter E, §71.71 and following.

SMALL FLOW SYSTEM — either:

- (1) Individual on-lot sewage treatment facilities which discharge no more than 2,000 gallons per day of treated sewage effluent; or
- (2) An individual residence spray irrigation system (IRSIS).

SRSTP — single residence sewage treatment plant.

VOLUNTARY PROGRAM PARTICIPANTS — those owners of land who elect to participate voluntarily in the Sewage Management Program.

- 2. Establishment of Program. The Township hereby adopts a Sewage Management Program pursuant to Subchapter E of Pa. Code, Title 25, which shall apply universally for sewage facilities permitted by the Township (including individual sewage systems and privately owned community sewage systems), the operation of which shall be phased in upon the terms and conditions provided herein.
- 3. Persons Required to Participate.
 - A. The following persons are required to participate in the Sewage Management Program: All current and future owners of real estate within the Township containing sewage facilities classified above as a small flow system, for new construction, repair or replacement, on or after the effective date of this section.
 - B. Other owners of real estate within the Township may voluntarily commit to participate in the Sewage Management Program by entering into a written agreement with the Program Manager. Such voluntary participants shall have the right to withdraw from the program provided, however, that any voluntary participant in the Sewage Management Program, and the succes-

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sor owners of the real estate owned by any such voluntary participant, shall be required to participate in the Sewage Management Program and shall be subject to the conditions of participation, for a minimum term of five years.

4. Program Manager, Description of Program.

- A. The Board of Supervisors shall retain and shall enter into a contract with a person, corporation or other business organization, to be designated the "Program Manager," to operate the Sewage Management Program, and shall pay to the Program Manager compensation, fees and charges as approved by the Board of Supervisors from time to time.
- B. Duties. The Program Manager shall be responsible for the following with assistance from the Township:
 - (1) Identify the owners of affected real estate, and identify and recruit voluntary program participants.
 - (2) Inspect sewage systems on all real estate held by owners of affected real estate and voluntary program participants, for compliance with the requirements of 25 Pa. Code with such inspection to be performed by person or persons holding the sewage enforcement officer certificate, at least annually.
 - (3) Perform minor maintenance as required to sewage systems located on land owned by the owners of affected real estate and to voluntary program participants.
 - (4) Prepare a written report of each inspection, maintain a record of all such written reports and provide a copy of the written report to the owners of affected real estate and voluntary program participants.
 - (5) Bill and collect fees and charges, as set and approved by the Board of Township Supervisors by resolution from time to time, on behalf of the Township, from the owners of affected real estate and voluntary program participants.

5. Fees and Charges.

- A. Supervisors to set fees. The Board of Supervisors shall, from time to time, by resolution, set and establish fees and charges to be charged to the owners of affected real estate and voluntary program participants for their participation in the Sewage Management Program.
- B. Payment required. All persons who are owners of affected real estate or voluntary program participants shall be required to pay to the Program Manager all such fees and charges imposed upon them by the Township from

time to time, within 30 days after the issuance and mailing of an invoice for such fees and charges by the Program Manager or the Township.

6. Right of Entry. The Program Manager and its agents and agents of the Township shall be authorized to enter upon the lands owned by the owners of affected real estate and voluntary program participants for the purpose of performing the duties set forth herein, and for purposes incident thereto, without liability except for any actual damage to person or property committed by the Program Manager or other authorized person, but only to the extent that the Program Manager or other persons shall not be found to be immune from liability under law.
7. Violations; Penalties.
 - A. Criminal violation. Any person who shall violate provisions of this section shall commit a criminal summary offense punishable by a fine not to exceed \$1,000 per violation and imprisonment to the extent allowed by law for the punishment of summary offenses.
 - B. Civil violation. In addition to criminal culpability, a civil penalty in the amount of \$600 per violation is hereby set and prescribed, to be imposed upon and against any person who shall violate the terms of this section. The Township shall or may initiate a civil enforcement proceeding before a District Justice of the imposition and collection of such civil penalty.
 - C. Continuing violations. A separate offense shall arise for each day or portion thereof in which a violation is found to exist for each section of §307 which is found to have been violated.
 - D. Program Manager to determine violations. The Board of Supervisors hereby designates the Program Manager to make the initial determination of ordinance violation and to serve any notice of violation and to prosecute complaints for summary criminal violations and civil penalties before the district magistrate. The Township does not hereby cede the right to prosecute violations by its other agents and officers as authorized under law.
 - E. Collections. The Township or the Program Manager shall have the right to collect any sums and charges due from program participant, by civil process; and the Township shall be authorized to file a municipal lien for such monies due, together with 20% collection commission and record costs.

(Ord. 1978-2, 4/17/1978; as added by Ord. 2002-3, 6/6/2002, §§1 – 7.5)

PART 4

HOLDING TANKS

§401. Title.

This Part shall be known as the Vernon Township Holding Tank Ordinance.

(Ord. 1995-2, 7/6/1995, §1)

§402. Definitions.

1. Unless the context specifically and clearly indicates otherwise, the meanings of terms used in this Part shall be as follows:

COMMERCIAL USE — any building, structure or facility used solely for commercial, manufacturing, professional service or similar business use and shall include no facility used for residential purposes.

HOLDING TANK — a watertight receptacle, whether permanent or temporary, which receives and retains sewage conveyed by a water carrying system and is designed and constructed to facilitate the ultimate disposal of the sewage at another site.

INSTITUTIONAL USE — buildings, structures or facilities such as municipal buildings, fire halls, libraries, museums, grange halls, churches or other similar kinds of public uses, but shall not include uses such as schools or hospitals.

OWNER — any person vested with ownership, legal or equitable, sole or partial, of any property located in the Township.

PERSON — any individual, partnership, company, association, corporation or other group or entity.

RECREATIONAL USE — any recreational facility such as a Department of Environmental Protection permitted campground and outdoor public or private recreational areas such as a playground, baseball field or picnic areas. It shall not include hunting or fishing camps or seasonal cottages.

SEWAGE — any substance that contains any of the waste products or excrement or other discharge from the bodies of human beings or animals and any noxious or deleterious substance being harmful or inimical to the public health or to animal or aquatic life or to the use of water for domestic water supply or for recreation.

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2. All other definitions set forth in the Pennsylvania Sewage Facilities Act and the regulations of the Department of Environmental Protection and their amendments are incorporated by reference.

(Ord. 1995-2, 7/6/1995, §2; as amended by Ord. 1997-2, 3/6/1997)

§403. Holding Tanks Permitted.

Use of holding tanks for sewage disposal purposes shall be allowed within the Township for the following uses under and subject to the requirements and regulations set forth in this Part:

- A. Institutional, recreational or commercial use where the sewage flow does not exceed 400 gallons per day.
- B. As necessary to abate a public nuisance or public health hazard.

(Ord. 1995-2, 7/6/1995, §3)

§404. Permits Required.

No holding tank may be used within the Township to receive and retain sewage without a permit issued by the Township.

(Ord. 1995-2, 7/6/1995, §4)

§405. Permit Application.

1. An application for a holding tank permit shall be submitted to the Township Sewage Enforcement Officer and shall include the following information:
 - A. Name, address and phone number of applicant who should be person responsible for use and maintenance of holding tank.
 - B. Location and description of property on which holding tank to be used and facilities on property to be served by holding tank (diagram may be attached).
 - C. Owner(s) of property if different from applicant.
 - D. Description of existing and proposed uses of property.
 - E. Size and description of tank including information necessary to determine whether it meets DEP standards.

- F. Description of disposal arrangements including name and address of person(s) collection, transporting and disposing of sewage contents, contracts for disposal services and disposal site(s).
 - G. Estimate of gallons per day usage and description of means of calculating estimate.
2. The application shall be submitted on forms prescribed by the Department of Environmental Protection and the Township. Additional information shall be provided as may be required by the Township and its Sewage Enforcement Officer.
 3. At time of application, an application fee as established by resolution of the Board of Supervisors from time to time shall be paid to the Township.

(Ord. 1995-2, 7/6/1995, §5; as amended by Ord. 1997-2, 3/6/1997)

§406. Standards for Issuing Permits.

1. A holding tank permit shall be issued if the following requirements are met:
 - A. The proposed use is one allowed under this Part and other applicable laws and regulations.
 - B. It is determined that the average daily sewage flow will not exceed 400 gallons based upon DEP regulations.
 - C. The applicant has made adequate and proper arrangements for the collection and disposal of the sewage.
 - D. The proposed use of the holding tank does not create an undue risk of pollution or harm to the public health and welfare.
 - E. The holding tank meets the requirement of the applicable DEP regulations.
2. A permit may be issued subject to conditions as may be necessary for protection of watercourses, groundwater and water supplies and environment and for protection of the public health, safety and welfare.

(Ord. 1995-2, 7/6/1995, §6; as amended by Ord. 1997-2, 3/6/1997)

§407. Prohibited Activity.

No holding tank shall be maintained or used except in conformity with the regulations set forth in this Part and as may be required by other applicable laws or regulations.

(Ord. 1995-2, 7/6/1995, §7)

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§408. Regulations for Use, Maintenance and Disposal of Holding Tank Contents.

The use, maintenance and disposal of all permitted holding tank contents shall conform to the following requirements:

- A. The holding tank shall at all times be properly maintained and kept in good working condition, and so that among other things, leaks and spills are avoided and so that a nuisance or health hazard is not created.
- B. The holding tank shall be maintained and used in accordance with conditions as set forth in the permit.
- C. The contents of the holding tank shall be pumped and collected regularly and as necessary to maintain a proper working sewage system and shall be properly transported to a permitted disposal site in accordance with applicable regulations.
- D. Pumping receipt shall be submitted to the Township at least monthly.
- E. Information concerning the person(s) collecting, transporting and disposing of the sewage and any changes shall be reported to the Township.
- F. Leaks, spills and malfunctions shall be reported to the Township immediately and corrective action shall be taken in accordance with applicable regulations of the Department of Environmental Protection.
- G. Any changes or modifications to the holding tank or the use served shall be reported to the Township.
- H. Inspection of holding tanks by the Sewage Enforcement Officer shall be permitted as necessary and at least once per year at the expense of person responsible for use and maintenance.
- I. The Township must be provided with current information about any change in ownership of the property or persons responsible for use and maintenance of the holding tank.
- J. In the event the use of the property served by the holding tank changes to or includes a residential use, then installation of a permanent sewage disposal system which meets applicable standards and regulations shall be required and the use of the holding tank shall cease.

(Ord. 1995-2, 7/6/1995, §8; as amended by Ord. 1997-2, 3/6/1997)

§409. Owner Responsibility.

The owner of the property on which a holding tank is being used pursuant to this Part shall be responsible, along with the person in possession or in control of the operation and maintenance of the holding tank, for compliance with the regulations relating to holding tank use, maintenance and disposal.

(Ord. 1995-2, 7/6/1995, §9)

§410. Functions of Sewage Enforcement Officer.

The Sewage Enforcement Officer (SEO) shall:

- A. Review holding tank applications and issue permits as appropriate.
- B. Impose conditions to permit if appropriate.
- C. Inspect holding tanks annually and as otherwise required to determine compliance with applicable regulations.
- D. Provide the Township with written reports regarding inspections.

(Ord. 1995-2, 7/6/1995, §10)

§411. Functions of the Township Secretary or Other Designated Official.

The Township Secretary or such other person as the Township Supervisors may designate shall:

- A. Maintain records regarding the holding tanks permitted, their location, persons owning the property on which they are located, persons otherwise designated as persons responsible for their use and maintenance, the use for which permitted.
- B. Maintain records regarding the persons collecting, transporting and disposing for each permitted holding tank and the disposal sites used.
- C. Review and maintain the pumping receipts from each permitted holding tank.
- D. Maintain SEO investigation reports for each permitted holding tank.
- E. Maintain records of complaints and report same to the SEO for inspection.
- F. Maintain a current list of persons permitted to collect, transport and dispose of sewage from holding tanks.

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(Ord. 1995-2, 7/6/1995, §11)

§412. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a District Justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 1995-2, 7/6/1995, §12; as amended by Ord. 1997-2, 3/6/1997; and by Ord. 1998-2, 3/5/1998)

§413. Permit Denial or Revocation.

Any person denied a permit or whose permit has been revoked may take an appeal in accordance with the provisions of §16 of the Pennsylvania Sewage Facilities Act, as amended, and regulations promulgated thereunder.

(Ord. 1995-2, 7/6/1995, §13)

PART 5

**PUBLICLY OWNED TREATMENT WORKS PRETREATMENT
REQUIREMENTS**

A. General Provisions.

§501. Purpose and Policy.

1. This Part sets forth uniform requirements for users from Vernon Township of the publicly owned treatment works (“POTW”) and enables Vernon Township and the Meadville Area Sewer Authority to comply with all applicable State and Federal laws, including the Clean Water Act, 33 UCS §1251 *et seq.*, the general pretreatment regulations, 40 CFR, Part 403, the Pennsylvania Clean Steams Law, 35 P.S. §691.1 *et seq.*, the Pennsylvania Department of Environmental Protection Standards for Discharges of Industrial Waste to POTWs, 25 Pa.Code §97.91 *et seq.*, and NPDES permit No. PA0026271 issued to the Meadville Area Sewer Authority. The objectives of this Part are:
 - A. To prevent the introduction of pollutants into the POTW which interfere with operation of a POTW, including interference with its use or disposal of municipal sludge.
 - B. To prevent the introduction of pollutants into the POTW that will pass through the POTW, inadequately treated, into receiving waters, or otherwise be incompatible with the POTW.
 - C. To protect both POTW personnel who may be affected by wastewater and sludge in the course of their employment and the general public.
 - D. To improve opportunities to recycle and reclaim municipal and industrial wastewaters and sludges.
 - E. To provide for fees for the equitable distribution of the cost of operation, maintenance, and improvement of the POTW
 - F. To enable the Meadville Area Sewer Authority to comply with its National Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, and any other Federal or State laws to which the POTW is subject.
2. This Part shall apply to all users of the POTW. This Part authorizes the issuance of wastewater discharge permits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires user reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

(Ord. 2012-02, 7/5/2012, §1.2)

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§502. Administration.

It is intended that this Part will be implemented, administered and enforced by the Meadville Area Sewer Authority (“MASA” or “owner”). Vernon Township hereby designates MASA as its representative and agent for implementation, administration and enforcement of this Part and grants MASA and its duly appointed agents and representatives, such power as necessary to fully implement and enforce the provisions of this Part, including without limitation, the power to obtain search warrants, assess and collect civil and criminal penalties, issue enforcement orders and seek judicial enforcement. The use of the term “owner” in this Part is intended to acknowledge this delegation of power and responsibility to MASA, as the owner of the POTW and is not intended to diminish or negate Vernon Township’s authority to administer and enforce this Part, which powers are reserved to Vernon Township. Accordingly, the term “owner” as used in this Part may also include Vernon Township as necessary to assist MASA, as necessary to comply with Federal and State laws or regulations where MASA has failed to act, or as necessary to protect the POTW or the environment where MASA has failed to act.

(Ord. 2012-02, 7/5/2012, §1.3)

§503. Abbreviations.

The following abbreviations, when used in this Part, shall have the designated meanings:

BOD	-	Biochemical Oxygen Demand
BMP	-	Best Management Practice
BMR	-	Baseline Monitoring Report
CBOD	-	Carbonaceous Biochemical Oxygen Demand
CFR	-	Code of Federal Regulations
CIU	-	Categorical Industrial User
COD	-	Chemical Oxygen Demand
EPA	-	U.S. Environmental Protection Agency
gpd	-	gallons per day
IU	-	Industrial User
mg/l	-	milligrams per liter
MASA	-	Meadville Area Sewer Authority
NPDES	-	National Pollutant Discharge Elimination System
NSCIU	-	Non-significant Categorical Industrial User

POTW	-	Publicly Owned Treatment Works
RCRA	-	Resource Conservation and Recovery Act
SIC	-	Standard Industrial Classification
SIU	-	Significant Industrial User
SNC	-	Significant Noncompliance
TSS	-	Total Suspended Solids
U.S.C.	-	United States Code

(Ord. 2012-02, 7/5/2012, §1.4)

§504. Definitions.

Unless a provision explicitly states otherwise, the following terms and phrases, as used in this Part, shall have the meanings hereinafter designated.

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 Regional Administrator of EPA Region III.

AUTHORIZED OR DULY AUTHORIZED REPRESENTATIVE OF THE USER —

- (1) If the user is a corporation:
 - (a) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation.
 - (b) The manager of one or more manufacturing, production, or operating facilities; provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- (2) If the user is a partnership or sole proprietorship by a general partner or proprietor, respectively.

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- (3) If the user is a Federal, State, or local governmental facility: by a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
- (4) The individuals described in subsections (1) through (3), above, may designate a duly authorized representative if:
 - (a) The authorization is made in writing by the individual described in subsections (1) through (3).
 - (b) The authorization specifies either an individual or a position responsible for the overall operation of the facility from which the industrial discharge originates, or having overall responsibility for environmental matters for the company.
 - (c) The written authorization is submitted to the owner.
- (5) If an authorization under subsection (4), above, is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for environmental matters for the company, a new authorization satisfying the requirements of subsection (4), above, must be submitted to the owner prior to or together with any reports to be signed by an authorized representative.

BEST MANAGEMENT PRACTICES — the term best management practices or BMPs means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Subpart B of this Part and 40 CFR §403.5(a)(1) and (b). BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage. A BMP should include the following elements, to the extent applicable: (1) there should be specific notice to those users to which the BMP applies and what is required; (2) there should be specifications or criteria that any required control equipment must meet; (3) there should be specific requirements for or prohibitions on certain practices, activities and/or discharges to ensure that use of the BMP is protective; (4) there should be operation & maintenance requirements specified; (5) there should be timeframes directing when BMPs must be implemented; (6) there should be compliance certification, reporting and recordkeeping requirements; (7) there should be a provision allowing the owner to reopen or revoke the BMP conditions, including allowing the addition of numerical limits; and (8) such other requirements as the owner determines.

BIOCHEMICAL OXYGEN DEMAND or BOD — a measure of the molecular oxygen utilized during a 5-day incubation period for the biochemical degradation of organic material and the oxygen used to oxidize inorganic material, at 20°C.

CARBONACEOUS BIOCHEMICAL OXYGEN DEMAND or CBOD — a measure of the molecular oxygen utilized during a 5-day incubation period for the biochemical degradation of organic material and the oxygen used to oxidize inorganic material, at 20°C, except that oxygen used to oxidize reduced forms of nitrogen has been prevented by an inhibitor.

CATEGORICAL INDUSTRIAL USER — an industrial user subject to categorical pretreatment standards.

CATEGORICAL PRETREATMENT STANDARD or CATEGORICAL STANDARD — any regulation containing pollutant discharge limits promulgated by EPA in accordance with §§1307(b) and (c) of the Act, 33 USC §1317, which apply to a specific category of users and which appear in 40 CFR, Chapter I, Subchapter N.

CHEMICAL OXYGEN DEMAND or COD — a measure of the oxygen equivalent of the organic matter content of a sample that is susceptible to oxidation by a strong chemical oxidant.

COMPOSITE SAMPLE — a sample formed by mixing discrete samples or aliquots.

DAILY MAXIMUM — the arithmetic average of all effluent samples for a pollutant collected during a calendar day.

DAILY MAXIMUM LIMIT — the maximum allowable discharge limit of a pollutant during a calendar day. Where daily maximum limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where daily maximum limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

ENVIRONMENTAL PROTECTION AGENCY or EPA — the United States Environmental Protection Agency or, where appropriate, the Regional Water Protection Division Director, or other duly authorized official of said agency.

EXISTING SOURCE — any source of discharge that is not a “new source.”

FLOW-PROPORTIONAL COMPOSITE SAMPLE — a composite sample in which each individual sample or aliquot is collected after the passage of a defined volume of discharge.

GRAB SAMPLE — a sample which is taken from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed 15 minutes.

INDIRECT DISCHARGE or DISCHARGE — the introduction of pollutants into the POTW from any nondomestic source regulated under §§307(b), (c), or (d) of the Act.

INDUSTRIAL WASTE — any liquid, gaseous or water borne wastes from industrial processes or commercial establishments as distinct from sewage.

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INSTANTANEOUS MAXIMUM ALLOWABLE DISCHARGE LIMIT — the maximum concentration or mass loading limit of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.

INTERFERENCE — a discharge, which alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and therefore, is a cause of a violation of the owner'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 any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent State or local regulations: Section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

MASS LOADING LIMIT — the pounds per day (or other specific interval) of a particular pollutant allowed to be discharged to the POTW at any time.

MEDICAL WASTE — isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

NEW SOURCE —

- (1) Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under §307(c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:
 - (a) The building, structure, facility, or installation is constructed at a site at which no other source is located.
 - (b) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source.
 - (c) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.

- (2) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of subsection (1)(b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.
- (3) Construction of a new source as defined under this paragraph has commenced if the owner or operator has:
 - (a) Begun, or caused to begin, as part of a continuous on-site construction program
 - 1) Any placement, assembly, or installation of facilities or equipment.
 - 2) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment.
 - (b) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

NONCONTACT COOLING WATER — water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

OWNER — the Meadville Area Sewer Authority which is a municipal authority formed by the City of Meadville and the Township of West Mead to own, possess and control the sanitary sewage systems of the City of Meadville and the Township of West Mead and to accept wastewater from a portion of Vernon Township.

PASS THROUGH — a discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the owner's NPDES permit, including an increase in the magnitude or duration of a violation.

PERSON — any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all Federal, State, and local governmental entities.

pH — a mathematical expression of the intensity of the acidic or basic character of a solution or $-\log [H^+]$.

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POLLUTANT — dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).

PRETREATMENT — the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.

PRETREATMENT REQUIREMENTS — any substantive or procedural requirement related to pretreatment imposed on a user, other than a pretreatment standard.

PRETREATMENT STANDARDS or STANDARDS — pretreatment standards shall mean prohibited discharge standards, categorical pretreatment standards, and local limits.

PROHIBITED DISCHARGE STANDARDS or PROHIBITED DISCHARGES — absolute prohibitions against the discharge of certain substances; these prohibitions appear in §505 of this Part.

PUBLICLY OWNED TREATMENT WORKS or POTW — a “treatment works,” as defined by §212 of the Act, 33 USC §1292, which is owned by the Meadville Area Sewer Authority. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances which convey wastewater to a treatment plant.

SEPTIC TANK WASTE — any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

SEWAGE — human excrement and gray water (household showers, dishwashing operations, etc.).

SIGNIFICANT INDUSTRIAL USER —

- (1) A significant industrial user is:
 - (a) A user subject to categorical pretreatment standards.
 - (b) A user that:
 - 1) Discharges an average of 25,000 gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blowdown wastewater).

- 2) Contributes a process wastestream which makes up 5% or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant.
 - 3) Is designated as such by the owner on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.
- (2) Upon a finding that a user meeting the criteria in subsection (1) has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the owner may at any time, on its own initiative or in response to a petition received from a user, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such user should not be considered a significant industrial user.
- (3) The owner may determine that a categorical industrial user is a non-significant categorical industrial user ("NSCIU") and should not be considered a significant industrial user on a finding that the industrial user never discharges more than 100 gallons per day (gpd) of total categorical wastewater (excluding sanitary, noncontact cooling and boiler blowdown wastewater, unless specifically included in the pretreatment standard) and the following conditions are met:
- (a) The industrial user, prior to the owner's finding, has consistently complied with all applicable categorical pretreatment standards and requirements.
 - (b) The industrial user annually submits the certification statement required by §506(M) of this Part, together with any additional information necessary to support the certification statement.
 - (c) The industrial user never discharges any untreated concentrated wastewater.

Where the owner has determined that an industrial user meets the criteria for classification as a non-significant categorical industrial user, the owner shall evaluate, at least once per year, whether an industrial user continues to meet the criteria in §403.3(v)(2).

SLUG DISCHARGE — a slug discharge is any discharge of a nonroutine, episodic nature including, but not limited to, an accidental spill or a noncustomary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the POTW's regulations, local limits or permit conditions.

SLUG LOAD or SLUG — any discharge of a nonroutine, episodic nature, or at a flow rate or concentration which could cause a violation of the prohibited discharge standards in §505 of this Part.

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STANDARD INDUSTRIAL CLASSIFICATION (SIC) CODE — a classification pursuant to the *Standard Industrial Classification Manual* issued by the United States Office of Management and Budget.

STORMWATER — any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

SUSPENDED SOLIDS — the total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and which is removable by laboratory filtering.

TIME-PROPORTIONAL COMPOSITE SAMPLE — a composite sample in which each individual sample or aliquot is collected after the passage of a defined period of time, regardless of the rate of flow during that period of time.

USER or INDUSTRIAL USER — a source of indirect discharge. This term does not include Vernon Township or the Vernon Township Sewer Authority to the extent that it is acting solely in its capacity as a bulk customer of MASA.

WASTEWATER — liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

WASTEWATER TREATMENT PLANT or TREATMENT PLANT — that portion of the POTW which is designed to provide treatment of municipal sewage and industrial waste.

(Ord. 2012-02, 7/5/2012, §1.5)

B. General Sewer Use Requirements.

§505. Prohibited Discharge Standards.

1. General Prohibitions. No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass through or interference. These general prohibitions apply to all users of the POTW whether or not they are subject to categorical pretreatment standards or any other national, State, or local pretreatment standards or requirements.
2. Specific Prohibitions. No user shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:
 - A. Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, wastestreams with a closed-cup flashpoint of less than 140°F (60°C) using the test methods specified in 40 CFR §261.21.
 - B. Wastewater having a pH less than 5.0 or more than 12.5 (unless the owner has waived the upper limit), or otherwise causing corrosive structural damage to the POTW or equipment.
 - C. Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in interference but in no case solids greater than 2 inch(es) or 5.08 cm in any dimension.
 - D. Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW.
 - E. Wastewater having a temperature greater than 150°F (65.5°C), or which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104°F (40°C).
 - F. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through.
 - G. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems.
 - H. Trucked or hauled pollutants, except at discharge points designated by the owner in accordance with §515 of this Part.
 - I. Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair.

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- J. Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations, and specifically authorized by the owner.
- K. Stormwater, surface water, ground water, artisan well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, noncontact cooling water, and unpolluted wastewater, unless specifically authorized by the owner.
- L. Sludges, screenings, or other residues from the pretreatment of industrial wastes, and specifically authorized by the owner.
- M. Medical wastes, except as specifically authorized by the owner.
- N. Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test included in the owner's NPDES permit.
- O. Any waste which is classified as a hazardous waste under 40 CFR, Part 261, or applicable State regulations.
- P. Detergents, surface active agents, or other substances which may cause excessive foaming in the POTW or receiving waters.

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

(Ord. 2012-02, 7/5/2012, §2.1)

§506. National Categorical Pretreatment Standards.

The categorical pretreatment standards found at 40 CFR Chapter I, Subchapter N, are hereby incorporated, as though fully set forth herein. Copies of these standards are available for examination by the public in the office of the owner. No user shall introduce or cause to be introduced into the POTW any pollutants, substances or wastewater in violation of any Federal categorical pretreatment standard applicable to such user.

- A. **Expansion of Limits.** Where a categorical pretreatment standard is expressed only in terms of either mass or the concentration of a pollutant in wastewater, the owner may impose equivalent concentration or mass limits in accordance with subsection (F) and (I) of this Section. When the limits in a categorical pretreatment standard is expressed only in terms of mass of pollutant per unit of production, the owner may convert the limits to equivalent limitations expressed either as mass of pollutant developed per day or effluent concentration for purpose of calculating effluent limitations applicable to individual industrial users.
- B. **Combined Wastestream.** When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same

standard, the owner shall impose an alternate limit in accordance with 40 CFR §403.6(e).

- C. Variance. Pursuant to 40 CFR §403.13, EPA may grant an industrial user subject to a categorical pretreatment standard a variance from that categorical pretreatment standard. If EPA has granted an industrial user such a variance, the owner shall treat that variance as the categorical pretreatment standard applicable to that industrial user.
- D. Net Gross Adjustment. A user subject to a categorical pretreatment standard may obtain a net/gross adjustment to the categorical pretreatment standard in accordance with the following provisions:
 - (1) Categorical pretreatment standards may be adjusted to reflect the presence of pollutants in the industrial user's intake water in accordance with this Section. Any industrial user wishing to obtain credit for intake pollutants must make application to the owner. Upon request of the industrial user, the applicable standard will be calculated on a "net" basis (i.e., adjusted to reflect credit for pollutants in the intake water) if the requirements of subsection (D)(2), below, are met.
 - (2) Criteria.
 - (a) Either (i) The applicable categorical pretreatment standards contained in 40 CFR Subchapter N specifically provide that they shall be applied on a net basis; or (ii) The industrial user demonstrates that the control system it proposes or uses to meet the applicable categorical pretreatment standard would, if properly installed and operated, meet the standards in the absence of pollutants in the intake waters.
 - (b) Credit for generic pollutants such as biochemical oxygen demand (BOD), total suspended solids (TSS), and oil and grease should not be granted unless the industrial user demonstrates that the constituents of the generic measure in the user's influent are substantially similar to the constituents of the generic measure in the intake water or unless appropriate additional limits are placed on process water pollutants either at the outfall or elsewhere.
 - (c) Credit shall be granted only to the extent necessary to meet the applicable categorical pretreatment standard(s), up to a maximum value equal to the influent value. Additional monitoring may be necessary to determine eligibility for credits and compliance with standard(s) adjusted under this Section.
 - (d) Credit shall be granted only if the user demonstrates that the intake water is drawn from the same body of water as that to which the POTW discharges. The owner may waive this

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requirement if it finds that no environmental degradation will result.

- E. **BMPS.** To the extent provided by a categorical pretreatment standard, the owner may allow the use of best management practices as an alternative means of complying with, or in place of, the applicable categorical pretreatment standard.
- F. **Conversion from Mass Loading Limits.** The owner may convert the mass loading limits of the categorical pretreatment standards at 40 CFR Parts 414, 419, and 455 to concentration limits for purposes of calculating limitations applicable to individual industrial users under the following conditions. When converting such limits to concentration limits, the owner must use the concentrations listed in the applicable subparts of 40 CFR Parts 414, 419, and 455 and document that dilution is not being substituted for treatment as prohibited by §511 of this Part.
- G. **Removal Credits.** The owner may grant removal credits to industrial users subject to a categorical pretreatment standard in accordance with 40 CFR §403.7.
- H. **Waiver of Monitoring.** The owner may authorize the industrial user subject to a categorical pretreatment standard to forego sampling of a pollutant regulated by a categorical pretreatment standard if the industrial user has demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present in the discharge, or is present only at background levels from intake water and without any increase in the pollutant due to activities of the industrial user. This authorization is subject to the following conditions:
 - (1) The owner may authorize a waiver where a pollutant is determined to be present solely due to sanitary wastewater discharged from the facility provided that the sanitary wastewater is not regulated by an applicable categorical standard and otherwise includes no process wastewater.
 - (2) The monitoring waiver is valid only for the duration of the effective period of the permit or other equivalent individual control mechanism, but in no case longer than 5 years. The industrial user must submit a new request for the waiver before the waiver can be granted for each subsequent control mechanism.
 - (3) In making a demonstration that a pollutant is not present, the industrial user must provide data from at least one sampling of the facility's process wastewater prior to any treatment present at the facility that is representative of all wastewater from all processes.
 - (4) The request for a monitoring waiver must be signed in accordance with subsection (M), below, and include the certification statement in 40 CFR §403.6(a)(2)(ii).

- (5) Nondetectable sample results may only be used as a demonstration that a pollutant is not present if the EPA approved method from 40 CFR Part 136 with the lowest minimum detection level for that pollutant was used in the analysis.
- (6) Any grant of the monitoring waiver by the owner shall be included as a condition in the industrial user's control mechanism. The reasons supporting the waiver and any information submitted by the industrial user in its request for the waiver shall be maintained by the owner for 3 years after expiration of the waiver.
- (7) Upon approval of the monitoring waiver and revision of the industrial user's control mechanism by the owner, the industrial user must certify on each report with the statement below, that there has been no increase in the pollutant in its wastestream due to activities of the industrial user:

“Based on my inquiry of the person or persons directly responsible for managing compliance with the pretreatment standard for 40 CFR _____ [specify applicable national pretreatment standard part(s)], I certify that, to the best of my knowledge and belief, there has been no increase in the level of _____ [list pollutant(s)] in the wastewaters due to the activities at the facility since filing of the last periodic report under 40 CFR §403.12(e)(1).”

- (8) In the event that a waived pollutant is found to be present or is expected to be present based on changes that occur in the industrial user's operations, the industrial user must immediately: Comply with the monitoring requirements of 40 CFR §403.12(e)(1) or other more frequent monitoring requirements imposed by the owner; and notify the owner.
 - (9) This provision does not supersede certification processes and requirements established in categorical pretreatment standards, except as otherwise specified in the categorical pretreatment standard.
- I. Conversion of Concentration Limits. When the limits in a categorical pretreatment standard are expressed only in terms of pollutant concentrations, an industrial user may request that the owner convert the limits to equivalent mass loading limits. The determination to convert concentration limits to mass loading limits is within the discretion of the owner. The owner may establish equivalent mass loading limits only if the industrial user meets all the following conditions in subsection (I)(1)(a) through subsection (I)(1)(e), below.
- (1) To be eligible for equivalent mass loading limits, the industrial user must:

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- (a) Employ, or demonstrate that it will employ, water conservation methods and technologies that substantially reduce water use during the term of its control mechanism.
 - (b) Currently use control and treatment technologies adequate to achieve compliance with the applicable categorical pretreatment standard, and not have used dilution as a substitute for treatment.
 - (c) Provide sufficient information to establish the facility's actual average daily flow rate for all wastestreams, based on data from a continuous effluent flow monitoring device, as well as the facility's long-term average production rate. Both the actual average daily flow rate and long-term average production rate must be representative of current operating conditions.
 - (d) Not have daily flow rates, production levels, or pollutant levels that vary so significantly that equivalent mass limits are not appropriate to control the discharge.
 - (e) Have consistently complied with all applicable categorical pretreatment standards during the period prior to the industrial user's request for equivalent mass loading limits.
- (2) An industrial user subject to equivalent mass loading limits must:
- (a) Maintain and effectively operate control and treatment technologies adequate to achieve compliance with the equivalent mass loading limits.
 - (b) Continue to record the facility's flow rates through the use of a continuous effluent flow monitoring device.
 - (c) Continue to record the facility's production rates and notify the owner whenever production rates are expected to vary by more than 20% from its baseline production rates determined in subsection (I)(1)(c), above. Upon notification of a revised production rate, the owner must reassess the equivalent mass loading limit and revise the limit as necessary to reflect changed conditions at the facility.
 - (d) Continue to employ the same or comparable water conservation methods and technologies as those implemented pursuant to subsection (I)(1)(a), above, so long as it discharges under an equivalent mass loading limit.
- (3) An owner which chooses to establish equivalent mass loading limits:
- (a) Must calculate the equivalent mass loading limit by multiplying the actual average daily flow rate of the regulated process(es) of

the industrial user by the concentration-based daily maximum and monthly average standard for the applicable categorical pretreatment standard and the appropriate unit conversion factor.

- (b) Upon notification of a revised production rate, must reassess the equivalent mass loading limit and recalculate the limit as necessary to reflect changed conditions at the facility.
 - (c) May retain the same equivalent mass loading limit in subsequent control mechanism terms if the industrial user's actual average daily flow rate was reduced solely as a result of the implementation of water conservation methods and technologies, and the actual average daily flow rates used in the original calculation of the equivalent mass loading limit were not based on the use of dilution as a substitute for treatment pursuant to §511 of this Part. The industrial user must also be in compliance with §403.17 (regarding the prohibition of bypass).
- (4) The owner may not express limits in terms of mass for pollutants such as pH, temperature, radiation, or other pollutants which cannot appropriately be expressed as mass.
- J. Equivalent Limitations. Once included in its permit, the industrial user must comply with the equivalent limitations developed in this Section in lieu of the promulgated categorical standards from which the equivalent limitations were derived.
- K. Use of Production or Flow Figures. Many categorical pretreatment standards specify one limit for calculating maximum daily discharge limitations and a second limit for calculating maximum Monthly Average, or 4-day average, limitations. Where such standards are being applied, the same production or flow figure shall be used in calculating both the average and the maximum equivalent limitation.
- L. Production Changes. Any industrial user operating under a permit incorporating equivalent mass loading or concentration limits calculated from a production-based categorical pretreatment standard shall notify the owner within 2 business days after the user has a reasonable basis to know that the production level will significantly change within the next calendar month. Any user not notifying the owner of such anticipated change will be required to meet the mass loading or concentration limits in its permit that were based on the original estimate of the long-term average production rate.
- M. Annual Certification by Non-significant Categorical Industrial Users. A facility determined to be a non-significant categorical industrial user pursuant to §504 must annually submit the following certification statement, signed by an authorized or duly authorized representative of the user. This certification must accompany any report required by the owner:

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“Based on my inquiry of the person or persons directly responsible for managing compliance with the categorical pretreatment standards under 40 CFR _____, I certify that, to the best of my knowledge and belief that during the period from _____, to _____ [month, days, year]:

“(a) The facility described as _____ [facility name] met the definition of a non-significant categorical industrial user as described in §403.3(v)(2).

“(b) The facility complied with all applicable pretreatment standards and requirements during this reporting period.

“(c) The facility never discharged more than 100 gallons of total categorical wastewater on any given day during this reporting period. This compliance certification is based upon the following information:

“ _____
“ _____ ”

(Ord. 2012-02, 7/5/2012, §2.2)

§507. State Pretreatment Standards.

[Reserved].

(Ord. 2012-02, 7/5/2012, §2.3)

§508. Local Limits.

As necessary to prevent interference with the POTW, to prevent pass through or sludge contamination, to comply with its NPDES permit, to comply with all applicable Federal and State laws and regulations, and to protect the POTW, human health and the environment, the owner may establish by ordinance, resolution, individual wastewater discharge permits, or otherwise, and review from time to time, local limits regulating the discharge of specific pollutants by users, which local limits may be more stringent than those set forth in §§505, 506 and/or 507, above.

- A. Local limits may be established for any substance which is discharged or is likely to be discharged to the POTW sewer system.
- B. Local limits may limit concentration, mass, or a combination of the two.
- C. Local limits may be established as deemed necessary by the owner to prevent interference, pass through, sludge contamination, violations of the owner’s

NPDES permit, or otherwise to protect the POTW, human health and the environment.

- D. Local limits may be included in individual wastewater discharge permits or otherwise applied to users as deemed appropriate by the owner.
- E. The owner may develop best management practices (BMPs), by ordinance, in individual wastewater discharge permits or general permits to implement local limits and the requirements of §505 of this Part.
- F. Any discharge by a user of any pollutant in excess of any applicable local limit constitutes a violation of this Part.

(Ord. 2012-02, 7/5/2012, §2.4)

§509. Owner's Right of Revision.

As necessary to prevent interference with the POTW, to prevent pass through or sludge contamination, to comply with its NPDES permit, to comply with all applicable Federal and State laws and regulations, and to protect the POTW, human health and the environment, the owner reserves the right to establish, by ordinance or in wastewater discharge permits, more stringent standards or requirements on discharges to the POTW.

(Ord. 2012-02, 7/5/2012, §2.5)

§510. Special Agreements and Waivers.

1. Nothing contained in this Part shall be construed as prohibiting any special agreement or arrangement between the owner and any person, or for the owner to otherwise waive requirements herein, when conditions and circumstances making such special agreement(s), arrangements(s), or waiver(s) advisable and/or necessary, in the opinion of the owner, are present. In no event shall special agreement(s), arrangement(s), or waiver(s) permit any user to violate minimum Federal pretreatment requirements (e.g., national categorical pretreatment standards).
2. In no case shall a special agreement, arrangement, or waiver of local limits allow for a user to discharge any pollutant which, alone or in combination with other user regulated discharges, would reasonably be expected to exceed the mass loadings determined by the owner as acceptable to the treatment plant based upon considerations of, among other things, interference, pass through, and sludge contamination. The owner may consider other factors (e.g., effect of the discharge on the POTW, future expansion, etc.) as it deems appropriate. In no event shall any special agreement, arrangement, or waiver allow the actual total industrial loadings to exceed the values set forth in the local limits' analyses submitted by the owner to EPA and approved by EPA as part of the Meadville Area Sewer authority pretreatment program, if applicable.

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3. The owner may require a user requesting a special agreement, arrangement, or waiver adjusting effluent limitations to submit supporting documentation indicating why the user cannot reasonably expect to meet the effluent limitation contained in its wastewater discharge permit, setting forth an expeditious schedule for obtaining compliance with such limitations, and including such other information as the owner may require. In granting any special agreement, arrangement or waiver, the owner may impose time limitations upon any reduced requirements and a compliance schedule for achieving full compliance. In granting any special agreement, arrangement or waiver, the owner may impose any other conditions deemed necessary to implement the purposes of the regulation.
4. If granting a special agreement, arrangement, or waiver would result in increased costs to the owner (e.g., treatment or sludge disposal costs), the owner may condition the special agreement, arrangement, or waiver upon the agreement of the user to pay those costs, and to provide security adequate in the judgment of the owner to assure payment of said costs.

(Ord. 2012-02, 7/5/2012, §2.6)

§511. Dilution.

No user shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable pretreatment standard or requirement. The owner may impose mass loading limits on users who are using dilution to meet applicable pretreatment standards or requirements, or in other cases when the imposition of mass loading limits is appropriate.

(Ord. 2012-02, 7/5/2012, §2.7)

C. Pretreatment of Wastewater.

§512. Pretreatment Facilities.

Users shall provide wastewater treatment as necessary to comply with this Part and shall achieve compliance with all categorical pretreatment standards, local limits, and the prohibitions set out in §505 of this Part within the time limitations specified by EPA, the State, or the owner, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the user's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the owner for review, and shall be acceptable to the owner before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the user from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the owner under the provisions of this Part.

(Ord. 2012-02, 7/5/2012, §3.1)

§513. Additional Pretreatment Measures.

1. Whenever deemed necessary, the owner may require users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and such other conditions as may be necessary to protect the POTW and determine the user's compliance with the requirements of this Part.
2. The owner may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. A wastewater discharge permit may be issued solely for flow equalization.
3. Grease, oil, and sand interceptors shall be provided by the user when, in the opinion of the owner, they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil, or sand; except, that such interceptors shall not be required for residential users. All interception units shall be of type and capacity approved by the owner and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired regularly, as needed, by the user at their expense.
4. Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

(Ord. 2012-02, 7/5/2012, §3.3)

§514. Accidental Discharge/Slug Control Plans.

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The owner may require any significant industrial user to develop, submit for approval, and implement an accidental discharge/slug control plan. Alternatively, the owner may develop such a plan for any user. An accidental discharge/slug control plan shall address, at a minimum, the following:

- A. Description of discharge practices, including nonroutine batch discharges.
- B. Description of stored chemicals.
- C. Procedures for immediately notifying the owner of any accidental or slug discharge, as required by §536 of this Part.
- D. Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

(Ord. 2012-02, 7/5/2012, §3.3)

§515. Hauled Wastewater.

1. No load of hauled wastewater may be discharged to the POTW without the prior consent of the owner, which consent is within its sole discretion. Hauled wastewater may be introduced into the POTW only at locations designated by the owner, and at such times as are established by the owner. Such waste shall not violate Subpart B of this Part or any other requirements established by the owner. The owner may collect samples of each hauled load to ensure compliance with applicable standards. The owner may require the wastewater hauler to sample and provide a waste analysis of any load prior to discharge.
2. The owner may require all wastewater haulers who discharge to the POTW to obtain wastewater discharge permits. All waste haulers must provide a waste-tracking form for every load. This form shall include, at a minimum, the name and address of the waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The form shall identify the source and any known or suspected waste constituents, and whether any wastes are RCRA hazardous wastes.
3. The owner may require generators of hauled industrial waste which is discharged to the POTW to obtain wastewater discharge permits. The discharge of hauled industrial waste is subject to all other requirements of this Part.

(Ord. 2012-02, 7/5/2012, §3.4)

D. Wastewater Discharge Permit Application.

§516. Wastewater Analysis.

When requested by the owner, a user must submit information on the nature and characteristics of its wastewater within 30 days of the request or within such other time period as may be requested by the owner. The owner is authorized to prepare a form for this purpose and may periodically require users to update this information.

(Ord. 2012-02, 7/5/2012, §4.1)

§517. Wastewater Discharge Permit Requirement.

1. No significant industrial user shall discharge wastewater into the POTW without first obtaining a wastewater discharge permit from the owner, except that a significant industrial user that has filed a timely application pursuant to §518 of this Part may continue to discharge for the time period specified therein.
2. The owner may require other users to obtain wastewater discharge permits as necessary to carry out the purposes of this Part.
3. Any violation of the terms and conditions of a wastewater discharge permit shall be deemed a violation of this Part and subjects the wastewater discharge permittee to the sanctions set out in Subparts I through L of this Part. Obtaining a wastewater discharge permit does not relieve a permittee of its obligation to comply with all Federal, State and local pretreatment standards or requirements or with any other requirements of Federal, State, and local law.

(Ord. 2012-02, 7/5/2012, §4.2)

§518. Wastewater Discharge Permitting: Existing Connections.

Any user required to obtain a wastewater discharge permit who was discharging wastewater into the POTW prior to the effective date of this Part and who wishes to continue such discharges in the future, shall, within 90 days after said date, apply to the owner for a wastewater discharge permit in accordance with §521 of this Part, and shall not cause or allow discharges to the POTW to continue after 180 days of the effective date of this Part without a wastewater discharge permit issued by the owner. If a permit is not issued within the 180 days, the permit is considered to have been denied unless a modification of the 180-day period is obtained from the owner.

(Ord. 2012-02, 7/5/2012, §4.3)

§519. Wastewater Discharge Permitting: New Connections.

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Any user required to obtain a wastewater discharge permit who proposes to begin or recommence discharging into the POTW after the effective date of this Part must obtain such permit prior to the beginning or recommencing of such discharge. A complete application for this wastewater discharge permit, in accordance with §521 of this Part, must be filed at least 90 days prior to the date upon which any discharge will begin or recommence.

(Ord. 2012-02, 7/5/2012, §4.4)

§520. Wastewater Discharge Permitting: Changed Circumstances.

Any user who is required to obtain a wastewater discharge permit due to the promulgation of a new categorical pretreatment standard, or upon the discharger being newly identified as a significant industrial user, either of which arise after the enactment of this Part, shall, within 90 days after the promulgation of a new categorical pretreatment standard, or after the discharger is identified as a significant industrial user, apply to the owner for a wastewater discharge permit in accordance with this Section of this Part, and shall not cause or allow discharges to the POTW to continue after 180 days of the date the user was notified of the need to make application for a permit to discharge, without a wastewater discharge permit issued by the owner. If a permit is not issued within the 180 days, the permit is considered to have been denied unless a modification of the 180-day period is obtained from the owner.

(Ord. 2012-02, 7/5/2012, §4.5)

§521. Wastewater Discharge Permit Application Contents.

1. All users required to obtain a wastewater discharge permit must submit a permit application, along with a permit application fee as established from time to time by the owner. Unless the owner agrees otherwise, all users shall submit as part of an application the following information:
 - A. All information required by §531(2) of this Part.
 - B. Description of activities, facilities, and plant processes on the premises, including a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW.
 - C. Number and type of employees, hours of operation, and proposed or actual hours of operation.
 - D. Each product produced by type, amount, process or processes, and rate of production.
 - E. Type and amount of raw materials processed (average and maximum per day).

- F. Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge.
 - G. Time and duration of discharges.
 - H. Any requests for a monitoring waiver (or a renewal of an approved monitoring waiver) for a pollutant neither present nor expected to be present in the discharge based on §506(H), above.
 - I. Any other information as may be deemed necessary by the owner to evaluate the wastewater discharge permit application.
2. The owner may require any significant industrial user applying for a permit to develop, submit for approval, and implement an accidental discharge/slug control plan as the owner deems appropriate. An accidental discharge/slug control plan shall address, at a minimum, the following:
- A. Description of discharge practices, including nonroutine batch discharges.
 - B. Description of stored chemicals.
 - C. Procedures for immediately notifying the owner of any accidental or slug discharge, as required by §536 of this Part.
 - D. Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.
3. Incomplete or inaccurate applications will not be processed and will be returned to the user for revision. The owner reserves the right to deny a permit to any user who submits an incomplete or inaccurate application.

(Ord. 2012-02, 7/5/2012, §4.6)

§522. Application Signatories and Certification.

All wastewater discharge permit applications and user reports must be signed by an authorized representative of the user and contain the following certification statement:

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

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

(Ord. 2012-02, 7/5/2012, §4.7)

§523. Wastewater Discharge Permit Decisions.

The owner will evaluate the data furnished by the user and may require additional information. The owner may deny any application for a wastewater discharge permit. If a wastewater discharge permit application is not acted upon within 180 days, it shall be deemed denied unless the time period has otherwise been extended.

(Ord. 2012-02, 7/5/2012, §4.8)

E. Wastewater Discharge Permit Issuance Process.

§524. Wastewater Discharge Permit Duration.

1. A wastewater discharge permit shall be issued for a specified time period, not to exceed 5 years from the effective date of the permit. A wastewater discharge permit may be issued for a period less than 5 years, at the discretion of the owner. Each wastewater discharge permit will indicate a specific date upon which it will expire.
2. The terms and conditions of an expired wastewater discharge permit shall be deemed to continue in effect pending a decision on a reissued permit, if (A) the discharger filed a timely complete application and (B) the wastewater discharge permit, through no fault of the discharger, is not reissued with an effective date on or before the expiration date of the existing permit.

(Ord. 2012-02, 7/5/2012, §5.1)

§525. Wastewater Discharge Permit Contents.

A wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the owner to prevent pass through or interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

A. Wastewater discharge permits must contain:

- (1) A statement that indicates wastewater discharge permit duration, which in no event shall exceed 5 years.
- (2) A statement that the wastewater discharge permit is nontransferable without prior notification to the owner in accordance with §528 of this Part, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit.
- (3) Effluent limits, including best management practices, based on applicable pretreatment standards (40 CFR §403.8(f)(1)(iii)(B)(3)).
- (4) Self monitoring, sampling, reporting, notification, including, but not limited to, notification to the owner of noncompliance, of new introduction of wastewater constituents; any substantial change in the volume or characteristic of the wastewater constituents being introduced into the wastewater treatment system, or anticipated changes in user production, and record-keeping requirements. These requirements may include an identification of pollutants to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law.

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- (5) A statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements; and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State or local law.
 - (6) The process for seeking a waiver from monitoring for a pollutant neither present nor expected to be present in the discharge in accordance with §506(H).
 - (7) Requirements to control slug discharge, if determined by the owner to be necessary.
 - (8) Any grant of the monitoring waiver by the owner must be included as a condition in the user's permit.
- B. Wastewater discharge permits may contain, but not be limited to, the following conditions:
- (1) Compliance schedules, including, but not limited to, compliance schedules to meet local limits.
 - (2) Conditions pertaining to transfer, modification, revocation and reissuance, and termination of permits.
 - (3) Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization.
 - (4) Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works.
 - (5) Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or nonroutine discharges.
 - (6) Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW.
 - (7) The unit charge or schedule of user charges and fees for the management of the wastewater discharged to the POTW.
 - (8) Requirements for installation and maintenance of inspection and sampling facilities and equipment.
 - (9) A statement that compliance with the wastewater discharge permit does not relieve the permittee of responsibility for compliance with all

applicable Federal and State pretreatment standards, including those which become effective during the term of the wastewater discharge permit.

- (10) Other conditions as deemed appropriate by the owner to ensure compliance with this Part, and State and Federal laws, rules, and regulations.

(Ord. 2012-02, 7/5/2012, §5.2)

§526. Wastewater Discharge Permit Appeals.

The owner shall provide written notice to the user or applicant of the issuance, reissuance, modification, transfer, suspension, revocation or denial of a wastewater discharge permit. Such decision is not a final administrative action for purposes of subsection (E), below. Any user or applicant who wishes to appeal the issuance, reissuance, modification, transfer, suspension, revocation or denial of a wastewater discharge permit shall first petition the owner to reconsider the terms of a wastewater discharge permit within 30 days of receipt of the written notification.

- A. Failure to submit a timely written petition for reconsideration to the owner shall be deemed to be a waiver of the administrative appeal. The date of submission shall be the date the owner receives the petition.
- B. In its petition, the appealing party must indicate the wastewater discharge permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to place in the wastewater discharge permit.
- C. The effectiveness of the wastewater discharge permit shall not be stayed pending the appeal; however, the owner, upon its own initiative or in response to a request, may stay contested permit conditions.
- D. If the owner fails to act on a petition within 60 days, a request for reconsideration shall be deemed to be denied and shall be considered a final administrative action for purposes of subsection (E), below. Decisions by the owner on the petition within 60 days shall be considered final administrative actions for purposes of subsection (E).
- E. Any user or applicant seeking judicial review of the final administrative action must do so by filing a complaint with the Court of Common Pleas for Crawford County, Pennsylvania, within 30 days after the final administrative action.

(Ord. 2012-02, 7/5/2012, §5.3)

§527. Wastewater Discharge Permit Modification.

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

- A. To incorporate any new or revised Federal, State, or local pretreatment standards or requirements.
- B. To address significant alterations or additions to the user's operation, processes, or wastewater volume or character since the time of wastewater discharge permit issuance.
- C. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge.
- D. Information indicating that the permitted discharge poses a threat to the owner's POTW, operating personnel, or the receiving waters.
- E. Violation of any terms or conditions of the wastewater discharge permit or violation of any requirement set forth in an applicable pretreatment law, ordinance, regulation or rule.
- F. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting.
- G. Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13.
- H. To correct typographical or other errors in the wastewater discharge permit.
- I. To reflect a transfer of the facility ownership or operation to a new owner or operator, as provided in §528 of this Part.
- J. Any cause set forth in §529 of this Part.

(Ord. 2012-02, 7/5/2012, §5.4)

§528. Wastewater Discharge Permit Transfer.

1. Unless otherwise provided by the owner, wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least 30 days advance notice to the owner and the owner approves the wastewater discharge permit transfer. The notice to the owner must include a complete application by the present permittee and proposed new permittee which:
 - A. States that the new owner and/or operator has no immediate intent to change the facility's operations and processes.
 - B. Identifies the specific date on which the transfer is to occur.

- C. Acknowledges full responsibility for complying with the existing wastewater discharge permit.
 - D. Any other information requested by the owner.
2. Failure to provide advance notice of a transfer renders the wastewater discharge permit void as of the date of facility transfer.

(Ord. 2012-02, 7/5/2012, §5.5)

§529. Wastewater Discharge Permit Revocation.

1. The owner may revoke or suspend a wastewater discharge permit for good cause, including, but not limited to, the following reasons:
- A. Failure to notify the owner of significant changes to the wastewater prior to the changed discharge.
 - B. Failure to provide prior notification to the owner of changed conditions pursuant to §535 of this Part.
 - C. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application.
 - D. Falsifying self-monitoring reports.
 - E. Tampering with monitoring equipment.
 - F. Refusing to allow the owner timely access to the facility premises and records.
 - G. Failure to meet effluent limitations or violation of any requirement set forth in an applicable pretreatment law, ordinance, regulation or rule.
 - H. Failure to pay fines.
 - I. Failure to pay sewer charges.
 - J. Failure to meet compliance schedules.
 - K. Failure to complete a wastewater survey or the wastewater discharge permit application.
 - L. Failure to provide advance notice of the transfer of business ownership of a permitted facility.
 - M. Violation of any pretreatment standard or requirement, or any terms of the wastewater discharge permit or this Part.

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

(Ord. 2012-02, 7/5/2012, §5.6)

§530. Wastewater Discharge Permit Reissuance.

Unless otherwise provided by the owner, a user with an expiring wastewater discharge permit shall apply for wastewater discharge permit reissuance by submitting a complete permit application, in accordance with §521 of this Part, a minimum of 90 days prior to the expiration of the user's existing wastewater discharge permit.

(Ord. 2012-02, 7/5/2012, §5.7)

F. Reporting Requirements.**§531. Baseline Monitoring Reports.**

1. Within either 180 days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under 40 CFR §403.6(a)(4), whichever is later, existing categorical industrial users currently discharging to or scheduled to discharge to the POTW shall submit to the owner a report which contains the information listed in subsection (2), below. At least 90 days prior to commencement of their discharge, new sources, and sources that become categorical industrial users subsequent to the promulgation of an applicable categorical standard, shall submit to the owner a report which contains the information listed in subsection (2), below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged. The requirements of this subsection apply to all categorical industrial users, even if they have been designated as non-significant categorical industrial users.
2. Users described above shall submit the information set forth below:
 - A. Identifying Information. The name and address of the facility, including the name of the operator and owner.
 - B. Environmental Permits. A list of any environmental control permits held by or for the facility.
 - C. Description of Operations. A brief description of the nature, average rate of production, and standard industrial classifications of the operation(s) carried out by such user. This description should include a schematic process diagram which indicates points of discharge to the POTW from the regulated processes.
 - D. Flow Measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in 40 CFR §403.6(e).
 - E. Measurement of Pollutants.
 - (1) The categorical pretreatment standards applicable to each regulated process.
 - (2) The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the owner, of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum, and long-term average concentrations, or mass, where required, shall be reported. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in §539 of this Part.

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- (3) Sampling must be performed in accordance with procedures set out in §542 of this Part.
 - (4) In cases where the standard requires compliance with a best management practice or pollution prevention alternative, the user shall submit documentation as required by the owner or the applicable Standards to determine compliance with the standard.
 - (5) Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment, the user should measure the flows and concentrations necessary to allow use of the combined wastestream formula in 40 CFR §403.6(e) to evaluate compliance with the pretreatment standards. Where an alternate concentration or mass loading limit has been calculated in accordance with 40 CFR §403.6(e), this adjusted limit along with supporting data shall be submitted to the owner.
- F. Certification. A statement, reviewed by the user's authorized representative and certified by a professional engineer registered in the State of Pennsylvania, indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.
- G. Compliance Schedule. If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment and/or O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this Section must meet the requirements set out in §532 of this Part.
- H. Signature and Certification. All baseline monitoring reports must be signed and certified in accordance with §522 of this Part.

(Ord. 2012-02, 7/5/2012, §6.1)

§532. Compliance Schedule Progress Reports.

The following conditions shall apply to the compliance schedule required by §531(2)(G) of this Part:

- A. The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts

for major components, commencing and completing construction, and beginning and conducting routine operation).

- B. No increment referred to above shall exceed 9 months.
- C. The user shall submit a progress report to the owner, signed and certified in accordance with §522 of this Part, no later than 14 days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the user to return to the established schedule.
- D. In no event shall more than 9 months elapse between such progress reports to the owner.

(Ord. 2012-02, 7/5/2012, §6.2)

§533. Reports on Compliance with Categorical Pretreatment Standard Deadline.

Within 90 days following the date for final compliance with applicable categorical pretreatment standards, or in the case of a new source following commencement of the introduction of wastewater into the POTW, any user subject to such pretreatment standards and requirements shall submit to the owner a report containing the information described in §531(2)(E) of this Part. For users subject to equivalent mass loading or concentration limits established in accordance with the procedures in 40 CFR §403.6(c), this report shall contain a reasonable measure of the user's long-term production rate. For all other users subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the user's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with §522 of this Part.

(Ord. 2012-02, 7/5/2012, §6.3)

§534. Periodic Compliance Reports.

1. All significant industrial users shall, at a frequency determined by the owner but in no case less than twice per year, submit a report indicating the nature and concentration of pollutants in the discharge which are limited by pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. In cases where the pretreatment standard requires compliance with a best management practice (or pollution prevention alternative), the user shall submit documentation required by the owner or the pretreatment standard necessary to determine the compliance status of the user. All periodic compliance reports must be signed and certified in accordance with §522 of this Part.

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2. All wastewater samples must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a user to keep its monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.
3. If a user subject to the reporting requirement in this Section monitors any pollutant more frequently than required by the owner, using the procedures prescribed in §542 of this Part, the results of this monitoring shall be included in the report.
4. The owner may reduce the requirement in subsection (1), above, to a requirement to report no less frequently than once a year, unless required more frequently in the pretreatment standard or by the owner, where the user subject to a categorical pretreatment standard meets all of the following conditions:
 - A. The user's total categorical wastewater flow does not exceed any of the following:
 - (1) 0.01% of the design dry weather hydraulic capacity of the POTW, or 5,000 gallons per day, whichever is smaller, as measured by a continuous effluent flow monitoring device unless the user discharges in batches.
 - (2) 0.01% of the design dry weather organic treatment capacity of the POTW.
 - (3) 0.01% of the maximum allowable headworks loading for any pollutant regulated by the applicable categorical pretreatment standard for which approved local limits were developed by a POTW.
 - B. The user has not been in significant noncompliance, as defined in Subpart I of this Part, for any time in the past 2 years.
 - C. The user does not have daily flow rates, production levels, or pollutant levels that vary so significantly that decreasing the reporting requirement for this user would result in data that are not representative of conditions occurring during the reporting period.
 - D. The user must notify the owner immediately of any changes at its facility causing it to no longer meet conditions of subsection (4)(A) or (B), above. Upon notification, the industrial user must immediately begin complying with the minimum reporting in subsection (1), above.
 - E. The owner must retain documentation to support the owner's determination that a specific user qualifies for reduced reporting requirements under this Section for a period of 3 years after the expiration of the term of the control mechanism.

(Ord. 2012-02, 7/5/2012, §6.4)

§535. Reports of Changed Conditions.

Each user must notify the owner of any planned significant changes to the user's operations or system which might alter the nature, quality including, but not limited to, the concentration and mass of the pollutants, or volume of its wastewater at least 30 days before the change.

- A. The owner may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under Subpart D of this Part.
- B. The owner may issue a wastewater discharge permit under Subpart D of this Part or modify an existing wastewater discharge permit under §527 of this Part in response to changed conditions or anticipated changed conditions.
- C. For purposes of this requirement, significant changes include, but are not limited to, flow increases of 20% or greater, and the discharge of any previously unreported pollutants.

(Ord. 2012-02, 7/5/2012, §6.5)

§536. Reports of Potential Problems.

- 1. In the case of any discharge including, but not limited to, accidental discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, or a slug load, that may cause potential problems for the POTW, the user shall immediately telephone and notify the owner of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the user.
- 2. Within 5 days following such discharge, the user shall, unless waived by the owner, submit a detailed written report, signed and certified in accordance with §522 of this Part, describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability which may be imposed pursuant to this Part.
- 3. A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees who to call in the event of a discharge described in subsection (1), above. Employers shall ensure that all employees, who may cause such a discharge to occur, are advised of the emergency notification procedure.
- 4. Significant industrial users are required to notify the owner immediately of any changes at its facility affecting potential for a slug load. Such notice shall be signed and certified in accordance with §522 of this Part.

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(Ord. 2012-02, 7/5/2012, §6.6)

§537. Reports from Unpermitted Users.

All users not required to obtain a wastewater discharge permit shall provide appropriate reports to the owner as the owner may require. Such reports shall be signed and certified by the user in accordance with §522 of this Part.

(Ord. 2012-02, 7/5/2012, §6.7)

§538. Notice of Violation/Repeat Sampling and Reporting.

If sampling performed by a user indicates a violation, the user must notify the owner as soon as possible but in any event no later than 24 hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the owner within 30 days after becoming aware of the violation. The user is not required to resample if the owner monitors at the user's facility at least once a month, or if the owner samples between the user's initial sampling and when the user receives the results of this sampling, or if the owner has performed the sampling and analysis in lieu of the industrial user.

(Ord. 2012-02, 7/5/2012, §6.8)

§539. Analytical Requirements.

1. All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136, unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, sampling and analyses must be performed in accordance with procedures approved by EPA.
2. Unless otherwise specified in this Part, a wastewater discharge permit, notification by the owner or in an applicable Federal, State or local pretreatment standard, calculations for effluent limitations which require averaging of measurements shall utilize an arithmetic mean. In calculating an average (e.g., 30-day average), a value of zero may be used for any monitoring result indicating that the measured pollutant is not detectable or below the detection limit subject to such conditions as the owner deems appropriate.

(Ord. 2012-02, 7/5/2012, §6.9)

§540. Periodic Calibration.

Users are required to ensure that all monitoring, analytical and sampling equipment are periodically calibrated and maintained at intervals which ensure the accuracy of the measurements.

(Ord. 2012-02, 7/5/2012, §6.10)

§541. Approval of Analytical Laboratories.

The owner reserves the right to approve or disapprove the use of analytical laboratories.

(Ord. 2012-02, 7/5/2012, §6.11)

§542. Sample Collection.

1. Except as indicated in subsections (2) and (3), below, the user must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the owner. Where time-proportional composite sampling or grab sampling is authorized by the owner, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides, the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the owner, as appropriate. In addition, grab samples may be required to show compliance with instantaneous limits.
2. Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.
3. For sampling required in support of baseline monitoring and 90-day compliance reports required in §§531 and 533 of this Part, a minimum of four grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the owner may authorize a lower minimum. For the reports required by §534 of this Part, the industrial user is required to collect the number of grab samples necessary to assess and assure compliance by with applicable pretreatment standards and requirements.

(Ord. 2012-02, 7/5/2012, §6.12)

§543. Timing.

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Written reports will be deemed to have been submitted on the date postmarked. For reports which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.

(Ord. 2012-02, 7/5/2012, §6.13)

§544. Record Keeping.

Users subject to the reporting requirements of this Part shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this Part and any additional records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements, and documentation associated with best management practices established under §§506(E) and/or 508(E) of this Part. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least 5 years. This period shall be automatically extended for the duration of any litigation concerning the user or the owner, or where the user has been specifically notified of a longer retention period by the owner.

(Ord. 2012-02, 7/5/2012, §6.14)

G. Compliance Monitoring.

§545. Right of Entry: Inspection and Sampling.

The owner shall have the right to enter the premises of any user to determine whether the user is complying with all requirements of this Part and any wastewater discharge permit or order issued hereunder. users shall allow the owner ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.

- A. Where a user has security measures in force which require proper identification and clearance before entry into its premises, the user shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the owner will be permitted to enter without delay for the purposes of performing specific responsibilities.
- B. The owner shall have the right to set up on the user's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the user's operations and discharge.
- C. The owner may require the user to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the user at its own expense. All devices used to measure wastewater flow and quality shall be calibrated at least annually to ensure their accuracy.
- D. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the user at the written or verbal request of the owner and shall not be replaced. The costs of clearing such access shall be borne by the user.
- E. Unreasonable delays in allowing the owner access to the user's premises shall be a violation of this Part.

(Ord. 2012-02, 7/5/2012, §7.1)

§546. Search Warrants.

If the owner has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this Part, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the owner designed to verify compliance with this Part or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then the owner may seek issuance of a search warrant from the district justice and/or the Court of Common Pleas of Crawford County.

(Ord. 2012-02, 7/5/2012, §7.2)

H. Information.

§547. Confidential Information.

Information and data on a user obtained from reports, surveys, wastewater discharge permit applications, wastewater discharge permits, and monitoring programs, and from the owner inspection and sampling activities, shall be available to the public without restriction, unless the user specifically requests, and is able to demonstrate to the satisfaction of the owner, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable State law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the user furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other "effluent data" as defined by 40 CFR 2.302 will not be recognized as confidential information and will be available to the public without restriction.

(Ord. 2012-02, 7/5/2012, Part 8)

I. Publication of Users in Significant Noncompliance.**§548. Publication.**

The owner shall publish annually, in a newspaper(s) of general circulation that provides meaningful public notice within the jurisdiction(s) served by the owner, a list of industrial users which, during the previous 12 months, were in significant noncompliance with applicable pretreatment standards and requirements. The terms significant noncompliance shall be applicable to all significant industrial user (or any industrial user which violates subsections (C), (D) or (H) below) and shall mean:

- A. Chronic violations of wastewater discharge limits, defined here as those in which 66% or more of all of the measurements taken for the same pollutant parameter during a 6-month period exceed (by any magnitude) a numeric pretreatment standard or requirement, including instantaneous limits, incorporated or established under Subpart B of this Part.
- B. Technical review criteria (TRC) violations, defined here as those in which 33% or more of all of the measurements taken for the same pollutant parameter during a 6-month period equal or exceed the product of the numeric pretreatment standard or requirement including instantaneous limits, incorporated or established under Subpart B of this Part, multiplied by the applicable TRC (TRC=1.4 for BOD, TSS, fats, oil, and grease, and 1.2 for all other pollutants except pH).
- C. Any other violation of a pretreatment standard or requirement incorporated or established under Subpart B of this Part (daily maximum, long-term average, instantaneous limit, or narrative Standard) that the POTW determines has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of POTW personnel or the general public.
- D. Any discharge of pollutants that has caused imminent endangerment to the public or to the environment, or has resulted in owner exercise of its emergency authority to halt or prevent such a discharge.
- E. Failure to meet, within 90 days of the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance.
- F. Failure to provide, within 45 days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules.
- G. Failure to accurately report noncompliance.
- H. Any other violation or group of violations, which may include a violation of best management practices, which the POTW determines will adversely affect the operation or implementation of the local pretreatment program.

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(Ord. 2012-02, 7/5/2012, Part 9)

J. Administrative Enforcement Remedies.

§549. Notification of Violation.

When the owner finds that a user has violated, or continues to violate, any provision of this Part, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the owner may serve upon that user a written notice of violation. Within the 30 days or such other time period specified in the notice of violation, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the user to the owner. Submission of this plan in no way relieves the user of liability for any violations occurring before or after receipt of the notice of violation. Nothing in this Section shall limit the authority of the owner to take any action, including emergency actions or any other enforcement action, without first issuing a notice of violation.

(Ord. 2012-02, 7/5/2012, §10.1)

§550. Consent Orders.

The owner may enter into consent orders, assurances of voluntary compliance, or other similar documents establishing an agreement with any user responsible for noncompliance. Such documents will include specific action to be taken by the user to correct the noncompliance within a time period specified by the document. Such documents shall have the same force and effect as the administrative orders issued pursuant to §§552 and 553 of this Part and shall be judicially enforceable.

(Ord. 2012-02, 7/5/2012, §10.2)

§551. Show Cause Hearing.

The owner may order a user which has violated, or continues to violate, any provision of this Part, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, to appear before the owner and show cause why the proposed enforcement action should not be taken. Notice shall be served on the user specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the user show cause why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least 10 days prior to the hearing. Such notice may be served on any authorized representative of the user. A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the user.

(Ord. 2012-02, 7/5/2012, §10.3)

§552. Compliance Orders.

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When the owner finds that a user has violated, or continues to violate, any provision of this Part, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the owner may issue an order to the user responsible for the discharge directing that the user come into compliance within a specified time. If the user does not come into compliance within the time provided, sewer service and/or water service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a pretreatment standard or requirement, nor does a compliance order relieve the user of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the user.

(Ord. 2012-02, 7/5/2012, §10.4)

§553. Cease and Desist Orders.

1. When the owner finds that a user has violated, or continues to violate, any provision of this Part, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, or that the user's past violations are likely to recur, the owner may issue an order to the user directing it to cease and desist all such violations and directing the user to:
 - A. Immediately comply with all requirements.
 - B. Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge.
2. Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the user.

(Ord. 2012-02, 7/5/2012, §10.5)

§554. Administrative Civil Penalties.

1. When the owner finds that an industrial user has violated, or continues to violate, any provision of this Part, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the owner may assess a civil penalty against such user in an amount not to exceed \$25,000 per day for each violation. Each violation for each separate day shall constitute a separate and distinct offense. In the case of monthly or other long-term average discharge limits, civil penalties may be assessed for each day during the period of violation.

2. The procedures for assessing and appealing such administrative civil penalties, and the relevant factors to be considered in assessing such penalties, shall be as set forth in the Meadville Area Sewer Authority Civil Penalty Assessment Policy.
3. In addition to the civil penalties provided herein, the owner may recover interest, damages, reasonable attorneys fees, expert witness fees, administrative or show cause proceedings costs and/or court costs, court reporter fees and other administrative enforcement, proceedings, and/or litigation expenses against the person or user found to be in violation of this Part.
4. Assessment of an administrative civil penalty hereunder shall not be a bar against, or a prerequisite for, taking any other action against the user.

(Ord. 2012-02, 7/5/2012, §10.6)

§555. Emergency Suspensions.

1. The owner may immediately suspend a user's discharge, after informal notice to the user, whenever such suspension is necessary to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons. The owner may also immediately suspend a user's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or which presents, or may present, an endangerment to the environment.
 - A. Any user notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a user's failure to immediately comply voluntarily with the suspension order, the owner may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The owner may allow the user to recommence its discharge when the user has demonstrated to the satisfaction of the owner that the period of endangerment has passed, unless the termination proceedings in §556 of this Part are initiated against the user.
 - B. A user that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, signed and certified in accordance with §522 of this Part, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the owner within 5 days thereof.
2. Nothing in this Section shall be interpreted as requiring a hearing prior to any emergency suspension under this Section.

(Ord. 2012-02, 7/5/2012, §10.7)

§556. Termination of Discharge.

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1. In addition to the provisions in §529 of this Part, any user who violates the following conditions is subject to discharge termination:
 - A. Violation of wastewater discharge permit conditions.
 - B. Failure to accurately report the wastewater constituents and characteristics of its discharge.
 - C. Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge.
 - D. Refusal of reasonable access to the user's premises for the purpose of inspection, monitoring, or sampling.
 - E. Violation of the pretreatment standards incorporated or established under Subpart B of this Part.
2. Such user will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under §551 of this Part why the proposed action should not be taken. Exercise of this option by the owner shall not be a bar to, or a prerequisite for, taking any other action against the user.

(Ord. 2012-02, 7/5/2012, §10.6)

K. Judicial Enforcement Remedies.

§557. Injunctive Relief.

When the owner finds that a user has violated, or continues to violate, any provision of this Part, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, the owner may petition the Court of Common Pleas of Crawford County, Pennsylvania through the owner's attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the wastewater discharge permit, order, or other requirement imposed by this Part on activities of the user. The owner may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the user to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a user.

(Ord. 2012-02, 7/5/2012, §11.1)

§558. Civil Penalties.

1. An industrial user who has violated, or continues to violate, any provision of this Part, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement shall be liable to the owner for a maximum civil penalty of not more than \$25,000 per violation, per day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.
2. In addition to the civil penalties provided herein, the owner may recover interest, reasonable attorneys' fees, expert witness fees, court costs, court reporter fees, and other expenses associated with enforcement and/or litigation activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the owner.
3. In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the user's violation, corrective actions by the user, the compliance history of the user, and any other factor as justice requires.
4. Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a user.

(Ord. 2012-02, 7/5/2012, §11.2)

§559. Criminal Prosecution.

Any person who violates a provision of this Part or who fails or refuses to comply with any notice or order of the owner or any other authorized representative of the owner, shall be

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guilty of a summary offense and, upon conviction, shall pay a fine not to exceed \$1,000 per violation, plus costs of prosecution, including court costs and reasonable attorneys fees incurred by the owner in the enforcement proceedings. In default of such payment, such person shall be imprisoned for a period not to exceed 90 days. Each day or portion thereof that a violation is found to exist shall constitute a separate offense. Each Section of this Part violated shall also constitute a separate offense.

(Ord. 2012-02, 7/5/2012, §11.3)

§560. Remedies Nonexclusive.

The remedies provided for in this Part are not exclusive. The owner may take any, all, or any combination of these actions against a noncompliant user. Enforcement of pretreatment violations will generally be in accordance with the owner's enforcement response plan. However, the owner may take other action against any user when the circumstances warrant. Further, the owner is empowered to take more than one enforcement action against any noncompliant user.

(Ord. 2012-02, 7/5/2012, §11.4)

L. Supplemental Enforcement Action.

§561. Financial Assurances.

The owner may decline to issue or reissue a wastewater discharge permit to any user who has failed to comply with any provision of this Part, a previous wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, unless the user first submits proof that it has obtained financial assurances sufficient to restore or repair damage to the POTW caused by its discharge.

(Ord. 2012-02, 7/5/2012, §12.1)

M. Affirmative Defenses to Discharge Violations.

§562. Upset.

1. For the purposes of this Section, “upset” means an exceptional incident in which there is unintentional and temporary noncompliance with categorical pretreatment standards because of factors beyond the reasonable control of the user. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
2. An upset shall constitute an affirmative defense to an action brought for noncompliance with categorical pretreatment standards if the requirements of subsection (3), below, are met.
3. A user who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - A. An upset occurred and the user can identify the cause(s) of the upset.
 - B. The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures.
 - C. The user has submitted the following information to the owner as soon as possible but in any event no later than 24 hours of becoming aware of the upset. If this information is provided orally, a written submission must be provided within 5 days.
4. In any enforcement proceeding, the user seeking to establish the occurrence of an upset shall have the burden of proof.
5. Users will have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with categorical pretreatment standards.
6. Users shall control production of all discharges to the extent necessary to maintain compliance with categorical pretreatment standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

(Ord. 2012-02, 7/5/2012, §13.1)

§563. Prohibited Discharge Standards.

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A user shall have an affirmative defense to an enforcement action brought against it for noncompliance with the general prohibitions in §505(1) of this Part or the specific prohibitions in §505(2)(C) through (G) and (2)(I) through (N) and (P) of this Part if it can prove that it did not know, or have reason to know, that its discharge, alone or in conjunction with discharges from other sources, would cause pass through or interference and that either:

- A. A local limit exists for each pollutant discharged and the user was in compliance with each limit directly prior to, and during, the pass through or interference.
- B. No local limit exists, but the discharge did not change substantially in nature or constituents from the user's prior discharge when the owner was regularly in compliance with its NPDES permit, and in the case of interference, was in compliance with applicable sludge use or disposal requirements.

(Ord. 2012-02, 7/5/2012, §13.2)

§564. Bypass.

1. For the purposes of this Section:
 - A. "Bypass" means the intentional diversion of wastestreams from any portion of a user's treatment facility.
 - B. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
2. A user may allow any bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of subsections (3) and (4) of this Section.
3. Bypass Notification.
 - A. If a user knows in advance of the need for a bypass, it shall submit prior notice to the owner, at least 10 days before the date of the bypass, if possible.
 - B. A user shall submit oral notice to the owner of an unanticipated bypass that exceeds applicable pretreatment standards as soon as possible but in any event no later than 24 hours from the time it becomes aware of the bypass. A written submission shall also be provided within 5 days of the time the user becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is

expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The owner may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

4. Bypass.

- A. Bypass is prohibited, and the owner may take an enforcement action against a user for a bypass, unless:
 - (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage.
 - (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance.
 - (3) The user submitted notices as required under subsection (3), above.
- B. The owner may approve an anticipated bypass, after considering its adverse effects, if the owner determines that it will meet the three conditions listed in subsection (4)(A), above.

(Ord. 2012-02, 7/5/2012, §13.3)

§565. Reservation of Rights.

Notwithstanding any other pretreatment requirements to the contrary, nothing in this Part or elsewhere in the Meadville Area Sewer Authority's pretreatment program shall be deemed to be a legally binding commitment under the Clean Water Act, 33 USC §1251 *et seq.*, the Clean Streams Law, 35 P.S. §691.1 *et seq.*, and applicable regulations (e.g., 40 CFR Part 403, Title 25 Pa.Code) for the owner to undertake pretreatment implementation or enforcement activities beyond the minimum otherwise required by these laws and regulations. Nevertheless, the owner maintains its discretionary authority to undertake pretreatment activities beyond the minimum required.

(Ord. 2012-02, 7/5/2012, §13.4)

N. Pretreatment Charges and Fees.

§566. Charges and Fees.

The owner may adopt by resolution reasonable fees for reimbursement of costs of setting up and operating the pretreatment program which may include:

- A. Fees for wastewater discharge permit applications including the cost of processing such applications.
- B. Fees for monitoring, inspection, and surveillance procedures including the cost of collection and analyzing a user's discharge, and reviewing monitoring reports submitted by users.
- C. Fees for reviewing and responding to accidental discharge procedures and construction.
- D. Fees for filing appeals.
- E. Other fees as the owner may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this Part and are separate from all other fees, fines, and penalties chargeable by the owner.

(Ord. 2012-02, 7/5/2012, Part 14)

PART 6

SEWAGE MANAGEMENT PROGRAM

§601. Definitions.

As used in this Part, the following terms shall have the meanings indicated:

ALTERNATIVE OLDS — any individual on-lot sewage disposal system that must meet the requirements of 25 Pa. Code §72.25(h) [except the individual residence spray irrigation system (IRSIS)].

CONVENTIONAL OLDS — an individual on-lot sewage disposal system consisting of a septic tank and in-ground absorption area that does not require the use of a dosing or lift pump or maintenance under 25 Pa. Code §72.25(h).

CONVENTIONAL ON-LOT PRESSURE-DOSED SYSTEM — any conventional, alternate and elevated sand mound on-lot sewage disposal systems requiring the use of a dosing or lift pump that do not require maintenance under 25 Pa. Code §72.25(h).

DEP — the Pennsylvania Department of Environmental Protection.

INDIVIDUAL SEWAGE SYSTEM — the meaning set forth at 25 Pa. Code §72.1.

MINOR MAINTENANCE — the scheduled removal of septage or other solids from all participating systems and, in addition for SRSTP's, alternative OLDS and IRSIS systems, effluent sample collection, laboratory analysis and reporting to DEP.

OLDS — conventional OLDS and conventional on-lot pressure-dosed system.

OWNERS OF AFFECTED REAL ESTATE — the owners of that real estate within the Township of Vernon, Crawford County, Pennsylvania, the owners of which are required hereby to participate in the Sewage Management Program.

PERSONS — includes natural persons and also all other entities which are capable of owning or possessing real estate.

PRIVATELY OWNED COMMUNITY SEWAGE SYSTEM — the meaning set forth at 25 Pa. Code §72.1.

SEWAGE MANAGEMENT PROGRAM — the meaning and the characteristics set forth at 25 Pa. Code, Subchapter E, §71.71 and following.

SMALL FLOW SYSTEM — either:

- A. Individual on-lot sewage treatment facilities which discharge no more than 2,000 gallons per day of treated sewage effluent; or

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B. An individual residence spray irrigation system (IRSIS).

SRSTP — single residence sewage treatment plant.

VOLUNTARY PROGRAM PARTICIPANTS — those owners of land who elect to participate voluntarily in the Sewage Management Program.

(Ord. 02-2004, 3/4/2004)

§602. Establishment of Program.

The Township of Vernon, Crawford County, Pennsylvania, hereby adopts a Sewage Management Program pursuant to Subchapter E of Pa. Code, Title 25, which shall apply universally for sewage facilities permitted by the Township (including individual sewage systems and privately owned community sewage systems), the operation of which shall be phased-in upon the terms and conditions provided herein.

(Ord. 02-2004, 3/4/2004)

§603. Participation.

1. Persons required to participate. The following persons are required to participate in the Sewage Management Program:
 - A. All current and future owners of real estate within the Township of Vernon, Crawford County, Pennsylvania, containing sewage facilities classified above as a small flow system, an IRSIS system or an alternative OLDS system, for new construction, repair or replacement, on or after the effective date of this Part.
2. Other participants. Other owners of real estate within the Township of Vernon, Crawford County, Pennsylvania, may voluntarily commit to participate in the Sewage Management Program by entering into a written agreement with the program manager. Such voluntary participants shall have the right to withdraw from the program; provided, however, that any voluntary participant in the Sewer Management Program, and the successor owners of the real estate owned by any such voluntary participant, shall be required to participate in the Sewage Management Program, and shall be subject to the conditions of participation, for a minimum term of five years. The program manager has restricted voluntary participation to owners of real estate who have properly functioning individual sewage systems and privately owned community sewage systems prior to voluntary participation.

(Ord. 02-2004, 3/4/2004)

§604. Program Manager; Description of Program.

1. Designation of program manager; description of program. The Board of Supervisors of the Township of Vernon, Crawford County, Pennsylvania, shall retain and shall enter into a contract with a person, corporation or other business organization to be designated the "program manager," to operate the Sewage Management Program, and shall pay to the program manager compensation, fees and charges as approved by the Board of Supervisors from time to time.
2. Duties. The program manager shall be responsible for the following, with assistance from the Township:
 - A. Identify the owners of affected real estate and identify and recruit voluntary program participants.
 - B. Inspect sewage systems on all real estate held by owners of affected real estate and voluntary program participants for compliance with the requirements of 25 Pa. Code, with such inspection to be performed by a person or persons holding the sewage enforcement officer certificate at least annually.
 - C. Perform minor maintenance as required to sewage systems located on land owned by the owners of affected real estate and voluntary program participants.
 - D. Prepare a written report of each inspection, maintain a record of all such written reports, and provide a copy of the written report to the owners of affected real estate and to voluntary program participants.
 - E. Bill and collect fees and charges, as set and approved by the Board of Supervisors of Vernon Township, Crawford County, Pennsylvania, by resolution from time to time, on behalf of the Township, from the owners of affected real estate and voluntary program participants.

(Ord. 02-2004, 3/4/2004)

§605. Fees and Charges.

1. Supervisors to set fees. The Board of Supervisors of Vernon Township, Crawford County, Pennsylvania shall, from time to time, by resolution, set and establish fees and charges to be charged to the owners of affected real estate and voluntary program participants for their participation in the Sewage Management Program.
2. Payment required. All persons who are owners of affected real estate or voluntary program participants shall be required to pay to the program manager all such fees and charges imposed upon them by the Township from time to time, within 30 days after the

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issuance and mailing of an invoice for such fees and charges by the program manager or the Township.

(Ord. 02-2004, 3/4/2004)

§606. Right of Entry.

The program manager and its agents and agents of the Township shall be authorized to enter upon the lands owned by the owners of affected real estate and voluntary program participants for the purpose of performing the duties set forth herein, and for purposes incident thereto, without liability except for any actual damage to person or property committed by the program manager or other authorized person, but only to the extent that the program manager or other persons shall not be found to be immune from liability under law.

(Ord. 02-2004, 3/4/2004)

§607. Violations; Penalties.

1. Criminal violation. Any person who shall violate provisions of this Part shall commit a criminal summary offense punishable by a fine not to exceed a \$1,000 per violation and imprisonment to the extent allowed by law for the punishment of summary offenses.
2. Civil violation. In addition to criminal culpability, a civil penalty in the amount of \$600 per violation is hereby set and prescribed to be imposed upon and against any person who shall violate the terms of this Part. The Township shall or may initiate a civil enforcement proceeding before a District Justice for the imposition and collection of such civil penalty.
3. Continuing violations. A separate offense shall arise for each day or portion thereof in which a violation is found to exist for each section of this Part which is found to have been violated.
4. Collections. The Township or the program manager shall have the right to collect any sums and charges due from program participants by civil process; and the Township shall be authorized to file a municipal lien for such monies due, together with a 20% collection commission and record costs.

(Ord. 02-2004, 3/4/2004)

§608. Contingency.

The rights, obligations and penalties provided hereunder shall be contingent and conditional upon approval by the DEP of an amendment to the Township Sewage Facilities

Plan adopted pursuant to the Clean Streams Law, providing for the Township Sewage Management Program.

(Ord. 02-2004, 3/4/2004)

