

SEWER USE RULES AND REGULATIONS

WASHINGTON – EAST WASHINGTON JOINT AUTHORITY

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WASHINGTON – EAST WASHINGTON JOINT AUTHORITY
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SECTION 1 - INTRODUCTION

- 1.01 The Washington – East Washington Joint Authority (hereinafter “Authority”), Washington County, Pennsylvania originally adopted Rules and Regulations governing the furnishing of sewage services in June 1991. It is the intention of the Authority to amend these Rules and Regulations at any future time as needed.
- 1.02 The Rules and Regulations, as amended, shall govern and control the furnishing of sewage services, the terms and conditions under which current and future Authority customers shall receive sewer service and, in addition, shall apply to all privately owned sewerage systems within the geographical jurisdiction of the Authority and shall be a part of each application for service and each service contract.
- 1.03 For the purposes of construing the Rules and Regulations, the use of the singular shall include the plural and the plural the singular. Words used in the masculine gender shall include the feminine and the neuter. Words used in the present or past tense shall include the future.
- 1.04 The provisions of the Rules and Regulations are severable. If any word, sentence, clause, section or other provision thereof is found by a court of competent jurisdiction to be unlawful and void, the remaining provisions shall nevertheless remain valid.
- 1.05 It is the intent of these Rules and Regulations to establish construction standards that meet or exceed the provisions of the Uniform Construction Code. If any standard contained in these Rules and Regulations is determined to be less stringent than the standards provided in the Uniform Construction Code, the more stringent standard shall apply.
- 1.06 The proper officers of the Authority are hereby authorized to take all steps, to execute all documents and to do all things necessary or proper to carry out all of the provisions set forth in these Rules and Regulations and to comply with state, county and federal regulations in connection with the ownership, maintenance and operation of the sewerage system.

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SECTION 2 - DEFINITIONS

- 2.01 Abnormal Industrial Waste shall mean any industrial waste having a suspended solids content or B.O.D. appreciably in excess of that normally found in municipal sewage. For the purposes of this Regulation, any industrial waste containing more than 290 parts per million of suspended solids, or having a B.O.D. in excess of 245 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.
- 2.02 Apartment Building shall mean a building divided into three or more Dwelling Units, each without a separate entrance and having no fixtures for water usage outside the Dwelling Unit.
- 2.03 Authority shall mean the Washington – East Washington Joint Authority, Washington County, a body corporate and politic, organized and existing under the laws of the Commonwealth of Pennsylvania (also referred to as “WEWJA”).
- 2.04 Authorities Act shall mean the Municipality Authorities Act, 53 Pa. C.S. Ch 56 (formerly the Municipality Authorities Act of 1945), as the same shall have been amended and supplemented at the time in question.
- 2.05 Bio-chemical Oxygen Demand (sometimes referred to as "B.O.D.") shall mean the quantity of oxygen utilized in the bio-chemical oxidation of organic matter under standard laboratory procedure in five days at 20°C., expressed in parts per million by weight. The B.O.D. 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.
- 2.06 Chlorine Requirement shall mean the amount of chlorine, in parts per million by weight, which must be added to sewage to produce a specified residual chlorine content, or to meet the requirements of some other objective, in accordance with procedures set forth in the latest edition of Standard Methods for the Examination of Water, Sewage and Industrial Waste published by the American Public Health Association.
- 2.07 Connection shall mean a physical link between two pipes.
- 2.08 Connections in Disrepair shall mean any connection, including a building lateral sanitary sewer, from a building to the public sanitary sewage facility, which fails to comply with the standards set forth in the Authority’s current lateral inspection policy, as set forth in Section 3, herein, or which contains inflow and/or infiltration.

- 2.09 Conveyancing and/or Refinancing of Premises shall mean the transferring of ownership or the refinancing of any premises by any means, but excludes the acquisition of a home equity loan or any transfer between family members by adding or deleting a parent or child's name to/from a deed or where only nominal consideration is paid.
- 2.10 Customer shall mean the owner hereafter defined, contracting for and/or using sewage service for one or more premises.
- 2.11 Document of Certification shall mean a final or temporary official statement from the Authority stating that at the time of any inspection and/or testing conducted by the Authority there is no inflow or excessive infiltration from the premises and there are no building lateral sanitary sewers or other connections in disrepair or in violation of these Rules and Regulations.
- 2.12 Drainage System shall mean piping within a public or private premise that conveys sewage to a point of disposal.
- 2.13 Dwelling Unit shall mean a building or portion thereof providing living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking or sanitation.
- 2.14 Garbage shall mean solid waste from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce. Garbage properly shredded shall mean the waste from the preparation, cooking and dispensing of food that has been shredded to such degree that all particles will be carried freely in suspension under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in dimension.
- 2.15 Illegal Connection shall mean a connection in disrepair as defined in 2.08 and/or any pipe, conduit, seepage, surface or storm water, subsoil drain or other surface area which drains inflow and infiltration into the sanitary sewerage system.
- 2.16 Industrial Waste shall mean any liquid waste from industrial processes or commercial establishments, as distinguished from sanitary sewage.
- 2.17 Inflow and/or Infiltration shall mean the entry by whatever means of surface or subsurface water other than sanitary sewage into the sewerage system.
- 2.18 Lien Letter shall mean a letter from the Authority concerning unpaid sewage charges, tapping fees, or other violations of the resolutions and/or Rules and Regulations of the Authority.
- 2.19 Non-Residential Premises shall mean any premises not used as a dwelling unit.

- 2.20 Owner shall mean the person, firm, corporation or association having an interest as owner, whether legal or equitable, sole or partial, in any premises which is or may be furnished sewage service by the Authority.
- 2.21 Parts Per Million shall mean a weight-to-weight ratio; the parts-per-million value multiplied by the factor 8.345 shall be equivalent to pounds per million gallons of water.
- 2.22 Person shall mean any person, syndicate, association, partnership, firm, corporation, institution, agency, authority or other entity recognized by law as the subject of rights and duties.
- 2.23 pH shall mean the logarithm (Base 10) of the reciprocal of the weight of hydrogen ions in grams per liter of solution. The pH 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.
- 2.24 Plumbing System shall mean the plumbing fixtures and traps; water-treating or water-using equipment; soil, waste and vent pipes; any sewers as defined in paragraph 2.41, in addition to their respective connections, devices and appurtenances within a structure or premises.
- 2.25 Premises shall mean the property, structure or area, including the improvements thereon and additions thereto, to which sewage service is or will be furnished and shall include but may not be limited to:
- a. A building under one roof, owned or leased by one customer and occupied as one residence or one place of business, including additions thereto, or
 - b. A group or combination of buildings owned by one customer, in one common enclosure, occupied by one family or one organization, corporation or firm as a residence or place of business, or for manufacturing or industrial purposes, or as a motel, hotel, hospital, church, private school, or similar institution, except as otherwise noted herein, or
 - c. The one side of a double house having a solid vertical partition wall, or
 - d. Each side or each part of a house or building occupied by one family even though the water closet and/or other fixtures be used in common, or

- e. Each apartment, office, or suite of offices, and/or place of business located in a building or group of buildings, even though such buildings in a group are interconnected by a tunnel or passageway, covered area-way or patio, or by some similar means or structure, or
- f. A public building devoted entirely to public use, such as a municipal building, school, fire engine house, or
- g. A single vacant lot, or
- h. A single lot or park or playground, or
- i. Each house in a row of houses, or
- j. Each dwelling unit in a house or building, or
- k. Each individual and separate place of business and/or occupancy located in one building or group of buildings commonly designated as office complex, mall, condominium, shopping center, supermarket areas, and by such other terms, or
- l. Each dwelling unit in a public housing development owned and operated by the United States of America, a municipal subdivision of the Commonwealth of Pennsylvania, or an agency or instrumentality of the United States or the Commonwealth of Pennsylvania; by a philanthropic foundation or organization of some such similar body or organization; or operated under private ownership, or
- m. A mobile home.

2.26 Private Sewerage System shall mean all or any portion of a sewerage system not owned by the Authority.

2.27 Rate Schedule shall mean the entire body of effective rates, rentals, tapping fees, connection fees, customer facility fees and other charges, as published by the Authority and as amended and supplemented from time to time.

2.28 Residential Premises shall mean a Dwelling Unit.

2.29 Sale of Premises shall mean a sale, acquisition, transfer, conveyance, assignment, mortgage, pledge, finance or refinance of any interest in a Premises except a distribution of real estate to a family member, a conveyance to a trust where the grantor is a beneficiary or remainder of the trust, a conveyance among family members (husband and wife, lineal ascendent and lineal descendent, children of the same parent) or between persons who were previously married but who have since been divorced.

- 2.30 Sanitary Sewage shall mean the normal water-carried household and toilet wastes from residences, business buildings, institutions, industries and commercial establishments exclusive of storm water runoff, surface water or ground water.
- 2.31 Sanitary Sewerage System shall mean all sanitary sewers, all sewage pumping stations, all sewage treatment works and all other facilities provided and owned by the Authority for the collection, conveyance and treatment of sanitary sewage and industrial waste with their appurtenances and any additions, extensions or improvements thereto that may be made by the Authority and/or others.
- 2.32 Sewage shall mean a combination of the water-carried wastes from residences, business buildings, institutions, commercial and industrial establishments, together with such ground, surface or stream water as may be present.
- 2.33 Sewage Service Connection shall mean the connection of the sewer carrying sewage to the sanitary sewerage system.
- 2.34 Sewage Treatment Plant shall mean any arrangement of devices and structures used for treating sewage.
- 2.35 Sewage Works shall mean all facilities for the collection, conveyance, pumping, treatment and disposal of sewage.
- 2.36 Sewerageable Premises shall mean any premises abutting on or adjoining any streets, highways, roads or rights-of-way within which is constructed any portion of the sewerage or drainage system, or which is otherwise benefited, improved or accommodated thereby.
- 2.37 Sewer Connection Fee shall mean the fee charged to new customers connecting into the Authority's sanitary sewerage system. The Sewer Connection Fee is also commonly referred to as the "Tapping Fee".
- 2.38 Sewer Connection Permit shall mean a license issued by the Authority authorizing the connection of a premises to the sanitary sewerage system.
- 2.39 Sewer Line Extensions shall mean extensions of sewer lines beyond existing facilities excluding building sewer service connections.
- 2.40 Sewer Types
- (a) Building Drain shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from waste and other drainage pipes inside the walls of the building and conveys it to the Building Lateral Sanitary Sewer and which shall be owned and maintained by the owner. The Building Drain ends where it is connected to the

Building Lateral Sanitary Sewer five feet outside the inner face of the building wall.

- (b) Building Lateral Sanitary Sewer shall mean the pipe located between the building drain and the Building Sewer Tap Connection and which shall be owned and maintained by the owner. The Building Lateral Sanitary Sewer is also commonly referred to as the “Sewage Service Lateral”.
- (c) Building Sewer Tap Connection shall mean the pipe, wye's, saddles, manholes and other appurtenances located between the Building Lateral Sanitary Sewer and the public sewer and which shall be owned and maintained by the Authority.
- (d) Combined Sewer shall mean a sewer receiving both surface or storm water runoff and sanitary sewage.
- (e) Intercepting Sanitary Sewer shall mean a sewer into which the sewage from all main and other sewers is discharged.
- (f) Lateral Sanitary Sewer shall mean a sewer which does not receive sewage from any other common sewer.
- (g) Main Sanitary Sewer shall mean a sewer that is a main stem or artery of the sewerage systems.
- (h) Public Sewer shall mean a sewer owned and maintained by the Authority.
- (i) Sanitary Sewer shall mean a sewer which carries sanitary sewage to which storm, surface and ground water are not intentionally admitted.
- (j) Storm Sewer shall mean a sewer which carries storm and surface waters and drainage except sewage.
- (k) Sub-Main Sanitary Sewer shall mean a sewer into which the sewage from two or more laterals is discharged.

2.41 Slug shall mean any discharge of water, sewage or industrial waste which, in concentration of any given constituent or in quantity of flow, exceeds for any period of longer duration than 15 minutes more than three times its average hourly concentration of flow.

2.42 Subsoil Drain shall mean a drain that collects subsurface water or seepage water and conveys such water to a place of disposal.

2.43 Surcharge shall mean an additional rate for treatment of waste, including abnormal industrial waste, of greater strength than the concentration values established as is representative of normal sewage.

- 2.44 Suspended Solids shall mean solids that either float on the surface of, or are in suspension in, water, sewage or other liquids, and which are removable by a laboratory filtration device. 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.
- 2.45 Temporary Document of Certification shall mean a Document of Certification issued temporarily for a limited period of time or purpose which limitation shall be set forth therein.
- 2.46 Tenant shall mean anyone occupying premises under a lease from the owner and/or occupant of premises with permission of the owner in any premise which is about to be or is being furnished sewage service by the Authority.
- 2.47 Unpolluted Waste or Unpolluted Water shall mean water of quality equal to or better than the effluent criteria in effect established by Federal and state regulatory agencies or water which would not be benefited by discharge to the sanitary sewers and sewage treatment facilities of the Authority.
- 2.48 Water Carried Waste Facility shall mean any facility or drain in the building which discharges water carried waste.
- 2.49 Water Course shall mean a channel in which a flow of water occurs, either continuously or intermittently.

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SECTION 3 - CONDITIONS OF SERVICE

- 3.01 The Authority shall have charge of the management of the sewer system and shall amend from time to time these Rules and Regulations governing the use, operation and maintenance of said sewer system.
- 3.02 The Authority will furnish sewage service only in accordance with these Rules and Regulations as amended and supplemented. No application for service, contract, agreement or license shall be inconsistent or conflict with the Rules and Regulations.
- 3.03 The Authority may from time to time, without notice, as it may deem necessary, alter, amend, supplement or repeal these Rules and Regulations, in whole or in part.
- 3.04 The furnishing of sewage service may be refused if sewage flows are found or estimated to be excessive, or if the character of the sanitary wastes to be discharged are determined to be unsatisfactory.
- 3.05 The Authority reserves the right to refuse permission to connect directly or indirectly to the sewer system, to compel discontinuance of use of the sewer system, or to compel pretreatment of sewage and industrial waste by any premises in order to prevent discharges which are deemed to be harmful or which have a deleterious effect upon any portion of the sewer system.
- 3.06 Maintenance and repair of the building lateral sanitary sewer, including the cost thereof, will be the responsibility of the user, customer or premises owner. No work shall be done on any building lateral sanitary sewer without prior issuance of a work permit from the Authority. All work shall be subject to inspection by Authority personnel during the performance thereof. The Authority shall have the right to do all work with respect to connections to the main sewers and charge the user, customer or property owner for the cost of such work, said work to be done in accordance with the requirements hereinafter set forth. Three days notice shall be given to the Authority prior to the commencement of any work on any building lateral sanitary sewer for which approval has been obtained from the Authority.
- 3.07 Each premises shall be served through a separate building lateral sanitary sewer, except where physical conditions prevent the installation of a separate building lateral sanitary sewer as determined by the Authority.

The term "physical conditions" shall apply only to such situations as relate to the plumbing layout in the premises. Any building lateral sanitary sewer, as defined herein, shall be installed in accordance with all Authority requirements relative thereto, and shall be connected only to main lines abutting the property and owned by the Authority, except as otherwise provided, such building lateral sanitary sewers to extend from the street to a straight line at right angles to the street, to the premises where possible. All proposed sewer installations must be approved by the

Authority prior to installation. The use of old building sewers in connection with new buildings will be permitted only when they are found, upon examination and testing by the Authority, to meet all requirements set forth herein.

- 3.08 Any building lateral sanitary sewer which is in disrepair as defined in Section 2.08 is hereby declared to be illegal. Upon receipt of notice from the Authority, the owner shall repair same at their own expense, within the time limits imposed herein.
- 3.09 The Authority is required, pursuant to all Federal and State laws promulgated pursuant to the Clean Water Act of 1977 and the General Pretreatment Regulations found at 40 CFR Part 403, and specifically pursuant to the Pennsylvania Clean Streams Act, 35 P.S. 691.1, et seq., to eliminate or limit inflow and/or infiltration or the discharge of ground water, storm water runoff or other surface or subsurface waters, waste, industrial waste, large quantities of grease, or any other illegal or noxious discharge into the sanitary sewer system.
- 3.10 Inflow and infiltration is hereby declared to be illegal and prohibited. The owner of any premises with inflow and/or infiltration shall eliminate same at the owner's cost prior to connecting the premises to the sewerage system, or if presently connected, within the time limits imposed herein.
- 3.11 In order to identify and eliminate existing and potential sources of discharge and the inflow or infiltration of water other than sanitary sewage from any premises into the Authority's sanitary sewer system and to preserve the hydraulic capacity of the Authority's sewer system and its facilities, the Authority shall undertake a program of systematic inspection and testing of premises receiving sanitary sewer services from the Authority. The Authority shall determine, in its discretion, which portions of its service area shall be subject to said inspections and testing, and which types of inspections and testing, as set forth in paragraph 3.15, shall be utilized.
- 3.12 In connection with its program of systematic inspection and testing of premises as provided for in Section 3.11, the Authority shall conduct inspection and testing of any premises utilizing the procedures set forth in paragraph 3.16 herein. The inspection and testing procedures are intended to determine the overall structural condition of the building lateral sanitary sewer of any premise, as well as to identify existing and potential sources of inflow and infiltration along the length of the lateral, and/or from any other part of the premises.
- 3.13 As a condition of continuing to receive sanitary sewage waste disposal services from the Authority, the owner of any premises to which said services are being provided shall be deemed to have consented to the inspection and testing of said premises. The failure to provide access to the premises for the purposes of inspecting and testing any premises shall constitute a violation of the within Rules and Regulations punishable pursuant to Section 12.14.

3.14 The inspection and testing of any premises shall occur 1) with the consent of the premises owner; or 2) based on the implied consent of the premises owner pursuant to Paragraph 3.13; or 3) pursuant to an appropriate court order authorizing said inspection and testing.

3.15 The types of inspections and testing authorized herein shall include but not be limited to:

- (a) the inspection of inside plumbing, french drains, sump pumps, floor and other miscellaneous types of drains to determine whether or not the same are constructed in such a manner as to permit the discharge of any substance into the public sanitary sewer system;
- (b) the inspection of outside area drains, driveway drains and roof leaders to determine whether or not any of the same are constructed in such a manner as to permit the discharge of any substance into the public sanitary sewer system;
- (c) the inspection of stacks, building traps and clean outs to determine whether the same are present and in proper working order and otherwise comply with existing Authority Rules and Regulations; and
- (d) the inspection of all building lateral sanitary sewers to determine whether or not the same have any inflow or infiltration resulting from any cause whatsoever which is not permitted under the within Rules and Regulations or any applicable Municipal Ordinance.

3.16 The inspections and testing utilized by the Authority may include but not be limited to the following procedures: (i) low pressure air testing, (ii) smoke testing, (iii) dye testing, (iv) dye flooding; (v) internal television video inspection (“CCTV”) of the inside plumbing (building side of the trap), any drains and all building lateral sanitary sewers located on the premises being tested; (vi) or any other method of inspections or testing developed in the future.

3.16.1 In the case of an internal CCTV inspection, the CCTV camera shall be inserted into the building lateral sanitary sewer from either the **Authority’s sewer line, the Authority’s sight tee inspection port (if available)**, or by way of a trap and vent assembly located on or within the premises. **The Owner must provide access to the sight tee observation port and to the vented house trap assembly. If the sanitary sewer lateral does not have the required sight tee observation port and vented house trap assembly they must be provided and installed at the cost of the Owner. Failure to provide these sanitary sewer lateral features as required by the**

Authority's Rules and Regulations will be considered an illegal connection.

3.16.2 In the case of dye testing to certify the property acceptable for sale, dye testing will only be conducted by the Authority when the Owner has provided the Authority access to the sanitary sewer lateral via the sight tee observation port and the vented house trap assembly. If the sanitary sewer lateral does not have the required sight tee observation port and vented house trap assembly they must be provided and installed at the cost of the Owner. Failure to provide these sanitary sewer lateral features as required by the Authority's Rules and Regulations will be considered an illegal connection. Dye testing of rain leaders and downspouts will only be conducted by the Authority at the point where the rain leader or downspout enters the pipe below grade. Access to this point must be provided by and at the sole cost of the Owner. The Authority will not apply testing dye into gutters or any portion of the system that is not accessible from ground level.

3.17 In determining the condition of any building lateral sanitary sewer, the Authority shall utilize the most current grading system developed by the National Association of Sewer Service Companies (NASSCO). The Authority shall designate a representative to determine the condition of any building lateral sanitary sewer according to NASSCO standards or the presence of any illegal connection on or within any premises. A condition grade of 1 to 5 shall be determined based on the existence of defects in all or a portion of the building lateral sanitary sewer. Any building lateral sanitary sewer with a condition grade of 3 or greater shall be considered to be a connection in disrepair and illegal. The repair of same by the premises owner is required to be made after receiving written notification by the Authority within the time limits imposed herein.

3.18 A building lateral sanitary sewer determined by the Authority to have a condition grade of 3 or above shall, in the event of a sale or transfer of said property, be repaired by the premises owner prior to the time of sale. A building lateral sanitary sewer determined by the Authority to have a condition grade of 3 or above shall be repaired by the premises owner within one year of receiving notice from the Authority to repair the same. In the event of a refinancing of property determined to have a condition grade of 3 or above, the premises owner shall have one year from the date of refinancing to complete the repairs. In the event of a transfer, sale, or other conveyance of a property with a condition grade of 3 or above, the premises owner shall complete the repairs prior to the completion of the closing for the sale, transfer, or other conveyance.

3.19 "Deleted"

3.20 "Deleted"

- 3.21 In addition, when the inspections and testing procedures utilized by the Authority determines that inflow and/or infiltration is emanating from any other part of any premises, the owner shall be required to make any necessary repairs or modifications to the premises to eliminate same at the owner's expense within one year of receiving written notice from the Authority to repair or modify same, or upon transfer or refinancing of the premises, whichever first occurs.
- 3.22 The Authority shall provide the premises owner with a written copy of the inspections and testing report. The report shall state whether or not the building lateral sanitary sewer is in compliance with the within Rules and Regulations, and/or whether there exists on the premises any illegal connection.
- 3.23 In the event that any premises owner does not agree with the findings contained in the inspections and testing report, the premises owner may request that the findings be reviewed by the Board of the Authority.
- 3.24 Any repair techniques utilized by the owner of any premises shall comply with these Rules and Regulations.

SECTION 4 - APPLICATIONS AND CONTRACTS FOR CONNECTIONS
AND SERVICE

- 4.01 Every owner of any sewerageable premises within the Authority service area is required to connect to the Authority's sewer system at the expense of said owner, in accordance with applicable Municipal Ordinances
- 4.02 Owners of premises already existing at the time of construction of any portion of the sewerage system and which is benefited, improved or accommodated thereby, shall provide for the discharge of all sewage therefrom into said system. At such time as the sewerage system is ready to accept sewage from existing premises, the owners thereof will be notified by the Authority. Connection of such premises to the sewerage system shall then be made within the time limits and under the terms and conditions set forth herein.
- 4.03 All premises shall be connected to the sewerage system before the same may be used or occupied.
- 4.04 In the event a building lateral sanitary sewer from any premises to the sewerage system is not provided by the Owner as and when required, the Authority may construct or install the same or cause the same to be constructed or installed and collect the cost thereof, including penalties and costs of collection, from the Owner(s) by the filing of a municipal claim or by appropriate legal proceeding.
- 4.05 No construction of any building lateral sanitary sewer shall be made in the service area without first obtaining a sewer connection permit.
- 4.06 For proposed buildings which can be served by the sewerage system, a sewer connection permit from the Authority, as well as any required permit or approval from any other applicable governmental entity, shall be obtained prior to receiving a building permit, and no building permit will be issued until this requirement is met.
- 4.07 No officer, official or employee of any municipality served by WEWJA shall issue or cause to be issued a building permit to any person, corporation or other entity without having first ascertained that the sewer connection permits or approvals referred to in Section 4.06 have been obtained.
- 4.08 In the event any owner or developer of land contends that the premises cannot be served by the sewerage system, the owner or developer shall notify the Authority in writing to this effect prior to any building permit being issued and shall also file with the Municipality a permit from the Municipality's Sewage Enforcement Officer and/or the Department of Environmental Protection to otherwise dispose of the sanitary sewage.

- 4.09 In the event the Authority shall refuse for any reason to issue a sewer connection permit, the Authority shall notify within ten (10) days the owner or developer, as well as the Municipality, in writing, setting forth the reasons for such refusal.
- 4.10 For any premises which can be served by the sewerage system, a sewer connection permit shall be obtained prior to starting any construction of the building lateral sanitary sewer.
- 4.11 All sewer lines constructed within the service area, including any building lateral sanitary sewers, shall comply with these Rules and Regulations.
- 4.12 Every Owner of a premises who hereafter applies for and receives a sewer connection permit from the Authority will pay to the Authority for such permit such amount as required by the Authority, as well as any other amount required by any other applicable governmental entity.
- 4.13 A written application for a sewer connection permit prepared in the form of a Sewer Connection Permit Application furnished by the Authority, together with the application fee, shall be submitted to the Authority for the purpose of requesting a connection to the sanitary sewerage system. A separate application shall be required for each premise or group of premises where an individual sewer service line connection is permitted in accordance with these Rules and Regulations. Said application shall be subject to such service connection fees and charges currently in effect which are payable in advance for each of the respective service areas, which application, together with the Rates and Rules and Regulations of the Authority, shall regulate and control the service to such premises. Said application shall be submitted at least one month, or such shorter time as the Authority may require, before the connection is required. Each application shall be signed by the owner of the premises or his duly authorized agent. The construction of building sewers shall be in accordance with the requirements hereinafter set forth.
- 4.14 A sewer connection permit application is considered a written request for a sewer service connection and must be approved by the Authority or its authorized agent. No application shall be approved until the applicant pays all required fees and complies with these Rules and Regulations. Furthermore, no application shall be approved until all required easements have been recorded. Where the proposed building lateral sanitary sewer must traverse through private property, or through an adjacent parcel under the same ownership as the property receiving the building lateral sanitary sewer, a recorded easement shall be provided.
- 4.15 The approved sewer connection permit application shall be a contract between the owner and the Authority, and shall be binding upon the heirs, successor and assigns of the owner. Charges for sewer service shall commence from the date that sewer service is available to the premises.
- 4.16 To the extent permitted by law, no agreement will be entered into by the Authority with any owner for sewage service until all charges for service and any other

charges due by the owner at any premises now or theretofore owned by him shall have been paid or until satisfactory arrangements for payment of such unpaid bills shall have been made.

- 4.17 All contracts for sewage service shall continue in force until notice is given by the Owner or the Authority of a desire to terminate the contract.
- 4.18 All contracts for sewage service shall be subject to such changes or other modifications as may be directed by action of the Legislature of the Commonwealth of Pennsylvania or a regulatory body.
- 4.19 Two or more parties who join in the application for service shall be jointly and severally liable, provided, however, that irrespective of the number of persons liable for payment the Authority need only prepare and submit a single bill.
- 4.20 In connection with a change in service, any customer making any material change in size, character or extent of equipment or operations utilizing sewage service, or whose change in operations results in a substantial increase in the flow of sewage or industrial waste, shall immediately give the Authority written notice of the nature of the change and, if necessary, amend their application.
- 4.21 Sewage service will be renewed under a proper application when the conditions under which such service was discontinued are corrected, and upon the payment of all charges due from the applicant.
- 4.22 The piping, plumbing and fixtures on the premise of a customer are assumed to be in satisfactory condition at the time service facilities are connected and service furnished. The Authority will not be liable in any case for any accidents, breaks or leakage that in any way are due to the connection to the premises. The Authority may terminate such service if the plumbing and sanitary drainage system is not in accordance with the Rules and Regulations and ordinances of the Municipality.
- 4.23 It shall be unlawful and a violation of these Rules and Regulations for any person to effect a Sale of Premises (as defined under Section 2.30) with respect to any premises presently receiving sewer services or otherwise served by the Sewer System of the Authority without first obtaining a No-Lien Letter and a Document of Certification or a Temporary Document of Certification (as defined under Sections 2.11 and 2.16, respectively).
- 4.24 Prior to the conveyance and/or refinancing of any premises receiving sewage service provided by the Authority, the owner of such premises shall submit an application for a No-Lien letter in the form attached in Appendix A requesting the amount due for current sewage service to the date of the closing, and/or the amount of any other delinquent charges and/or the existence of any sewage liens upon such premises. Such written request shall include the written consent of the owner for the Authority to inspect and/or test the plumbing system servicing the premises prior to the closing.

- 4.25 If the written request for a No-Lien letter is provided to the Authority at least fourteen (14) business days prior to the scheduled closing, such No-Lien letter shall be given by the Authority to the owner of such premises, or the designated agent, no later than three (3) business days prior to the date of closing.
- 4.26 Upon the receipt of the request for a No-Lien letter, the Authority, within ten (10) business days of the receipt of such request, shall inspect and/or test the premises for the presence of any illegal connection, unless the premises has been inspected and/or tested within the preceding five years. The Authority shall conduct the types of inspections and testing which are set forth in paragraph 3.15 of the within Rules and Regulations. The total cost of said inspections and/or testing shall be borne by the seller.
- 4.27 If no illegal connection is discovered as a result of the inspections and/or testing conducted by the Authority, the Authority shall issue a Document of Certification.
- 4.28 If one or more illegal connections are discovered by the inspections and/or testing conducted by the Authority, the Document of Certification will not be issued by the Authority until such illegal connections are eliminated and certification of such is provided by the owner.
- 4.29 The Authority shall provide the premises owner with a written copy of the inspection and/or testing report. The report shall state whether or not the building lateral sanitary sewer is in compliance with the within Rules and Regulations, and/or whether there exists on the premises any illegal connection.
- 4.30 In the event that any premises owner does not agree with the findings contained in the inspections and testing report, the premises owner may request that the findings be reviewed by the Board of the Authority.
- 4.31 A temporary document of certification may be issued at the sole discretion of the Authority when an illegal connection is discovered and the necessary remedial activities to correct such illegal connection would require a length of time such as to create a practical hardship for the owner.
- 4.32 In this situation, the owner may request in writing the Authority to issue a Temporary Document of Certification, which may only be issued when the owner provides the Authority with all of the following:
- (1) A bona fide, executed contract between owner of the premises and a registered plumber or an approved contractor to complete the necessary remedial work with the Authority herein as a third-party beneficiary.
 - (2) Cash security in the amount of said contract is posted with the Authority.
 - (3) The contract required in paragraph (1) shall be reviewed by the Authority's consulting engineer to ensure that the work proposed is adequate to correct

any violation of the within Rules and Regulations, the cost of same to be paid by the owner.

- (4) An agreement by the purchaser to be responsible for all cost overruns related to the remedial work, together with a license by purchaser to enter upon the property to complete work in case of default of the contractor.

- 4.33 The Temporary Document of Certification shall include an expiration date, agreed to by the Authority, and at the expiration date and time the security shall be forfeited, and the Washington – East Washington Joint Authority may use the security to have the necessary remedial work completed.
- 4.34 Any repair techniques utilized by the owner of any premises shall comply with the Authority’s Rules and Regulations.
- 4.35 At the time of the closing, sewage service provided to such premises by the Authority shall be the responsibility of the Purchaser of the property.
- 4.36 The Seller, or the designated agent listing such property for sale, shall, at the time of closing or before, present both the No-Lien Letter and the Document of Certification, and/or the Temporary Document of Certification, to the appropriate closing officer and all amounts due to the Authority for sewage service provided prior to the time of the closing shall be paid at the closing.
- 4.37 Upon the correction or repair of any illegal connection, a Document of Certification shall be issued by the Authority for the premises.
- 4.38 Individual units within a condominium complex may not be sold without individual Certification.
- 4.39 Upon the sale of multiple-unit premises, the Authority may inspect a sufficient number of units which the Authority determines, in its discretion, is necessary to determine compliance with these Rules and Regulations.
- 4.40 The Authority shall determine from time to time the fee required to obtain a Document of Certification and No-Lien Letter.
- 4.41 Each Document of Certification or Temporary Document of Certification shall be valid for a period of five (5) years.

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SECTION 5 - BUILDING LATERAL SANITARY SEWER AND TAP CONNECTIONS

- 5.01 No unauthorized person shall uncover or make any connections with or openings into, use, alter or disturb any sewer owned by the Authority without first having obtained written permission from an authorized official. Permission to use the building lateral sanitary sewer will not be granted until after an inspection has been made of the installation and a determination made that said building lateral sanitary sewer and/or building drain have been constructed to exclude all storm water, downspout, subsoil drains and such other illegal connections, and all industrial wastes prohibited herein are excluded. The types of inspections and testing which the Authority may conduct are set forth in Sections 3.15 (b), (c) and (d) and the procedures which the Authority may utilize are set forth in 3.16.
- 5.02 All systems, other than those owned by the Authority, shall be subject to the regulations set forth herein or to regulations establishing higher standards.
- 5.03 All costs and expenses incidental to the installation and connection of the building lateral sanitary sewer shall be borne by the owner. The owner shall indemnify the Authority from any loss or damage that may directly or indirectly be caused by the installation of the building lateral sanitary sewer. All costs and expenses incident to maintenance, repair, replacement and other work in connection with building lateral sanitary sewers shall be borne by the owner.
- 5.04 All work relating to the installation of sewer tap connections and/or building lateral sanitary sewers shall be performed by the Authority or the owner as the Authority shall determine, but in either case, at the cost of the owner.
- 5.05 All work in public streets, roads, alleys, rights-of-way, and other property shall be approved by the governing agency controlling such areas and the Authority reserves the right to do all work with respect to connection to the main sewer and bill the owner for such work.
- 5.06 The use of existing building lateral sanitary sewers in connection with new structures erected upon any premises will be permitted only when they are found, upon examination and testing by the Authority or persons approved by the Authority or agencies, to meet all requirements set forth herein. When existing septic tanks or other private sewage disposal systems are being abandoned the Authority will require the owner to demonstrate all interior plumbing is watertight and free of extraneous water from foundation drains or any other nonconforming use. Furthermore, the abandonment of septic tanks, or other hollow leaching structures, shall be performed in such a manner as to eliminate the danger of structure collapse in the future. The responsibility for abandonment shall be with the premises owner. When structures are abandoned, the premises owner shall take steps to have a licensed waste hauler empty the chamber of all septage wastes, cave in or remove the lid, drill holes in the bottom of the tank to permit the exit of surface water infiltration, and fill the tank with suitable materials such as soil,

gravel, sand or rock, thereby restoring the original grade of the ground surface. The premises owner may also desire to break up the top, bottom and sides of the tank as much as possible and then backfill the excavation to the ground surface with suitable material. The proper abandonment of all septic tanks must be verified by the Authority.

- 5.07 The drainage system of every premises shall be separately and independently connected to the main sewer. Where one premises exists or is erected in the rear of another having common ownership, and no private sewer is available or can be constructed to the rear premises through an adjoining alley, court yard, or driveway, the building lateral sanitary sewer from the front premises may be extended to the rear premises and the whole considered as one building lateral sanitary sewer.
- 5.08 The plumbing system serving the premises shall be designed and constructed in accordance with the Uniform Construction Code as modified by the Authority, insofar as said code does not conflict with the requirements hereinafter set forth. Said requirements shall govern and shall control the design and construction of the plumbing system except in matters where said requirements are silent.
- 5.09 All sewers below floors of premises and 5 feet outside the premises shall be Schedule 40 Polyvinyl Chloride (PVC) or Acrylonitrile Butadiene Styrene (ABS). Co-mingling of PVC and ABS is prohibited. A running trap with vent shall be installed at the end of the building drain. Vents shall be installed 6” above grade to prevent the inflow of water into the sewer line and may not be located in driveways or other impervious surfaces.
- 5.10 Adaptors from building drains to the building lateral sanitary sewer or building sewer tap connection shall be approved adaptors, shielded and with stainless steel banding clamps with 3000-psi concrete encasement such as donuts or couplings by Calder or Fernco Inc.
- 5.11 Building lateral sanitary sewers may be constructed of the same material as used in the public sewer system.

5.11.1 DUCTILE IRON PIPE

- (a) All ductile iron pipe shall have an ultimate tensile strength of 60,000 pounds per square inch (psi) minimum, a yield point of 42,000 psi minimum and an elongation of 10 percent minimum. Ductile iron pipe shall be manufactured in accordance with ANSI Specification A21.51 and A21.50, AWWA C151 and H3, latest edition.
- (b) All ductile pipe shall be Class 50, unless the Plans call for another class, and double cement lined conforming to ANSI A21.4.

- (c) Joints shall be "push-on" type joints, as shown on Plans or specifically called for.
- (d) Push-on joints shall be in accordance with ANSI A21.4.
- (e) Fittings may be of ductile iron with a pressure rating of 250 p.s.i.

5.11.2 POLYVINYL CHLORIDE (PVC) PIPE

- (a) PVC pipe 6 inches in size and larger and fittings shall conform with the requirements of the latest revisions of ASTM Specification D3034-SDR35. Four-inch pipe shall be Schedule 40 PVC.
- (b) A bell and spigot ring type of joint shall be provided. The bell shall consist of an integral wall section with a solid cross-section rubber ring, factory assembled, securely locked to prevent displacement.
- (c) All bells on branch wyes or fittings shall be factory assembled.
- (d) An "O" ring coupling with stainless steel tightening band and rubber gasket water stop shall be provided for installation in manhole walls for pipe connections.
- (e) Lengths shall not exceed 12.5 feet.
- (f) Pipe and fittings shall be in compliance with this standard. Pipe at maximum intervals of 51-011, and fittings shall be marked:
 - a. Manufacturer's Name or Trademark
 - b. Nominal Size
 - c. Material Designation "PVC"
 - d. ASTM Spec. (D 3034)
- (g) The rubber ring for the bell and spigot joint shall be the elastomeric gasket joint providing a watertight seal.

5.12 The building lateral sanitary sewer shall be minimum six (6) inches in diameter for commercial premises and minimum four (4) inches in diameter for residential premises provided pipe is laid on minimum slope of 1/8 inch/foot and 1/4 inch/foot, respectively. Cleanouts shall be placed at intervals of not more than one hundred (100) feet for commercial premises and not more than fifty (50) feet for residential premises. All building lateral sanitary sewers shall conform to the specifications set forth in Appendix A attached hereto.

5.12.1 Cleanouts consisting of a wye branch, curve, riser and watertight plug are required at intervals specified above, or at all direction changes greater than 45 degrees. The wye branch and curve must be encased in at least 6 inches of concrete. Cleanouts shall not be located in driveways or other impervious surfaces.

5.12.2 Prior to excavation of any trench, the contractor should first expose the building sewer tap connection and the building drain. The trench width shall be kept to minimum width and have a uniform slope at approved grade, and as near as possible at right angles to the street. No 90 degree bends shall be permitted except on an inside vertical end of run. All trenches must be excavated at least 6 inches below the invert of the pipe. Granular 2B limestone backfill (minimum 3/4 inch gravel size) shall be placed in the trench to grade of pipe and after providing bell holes and laying pipe, backfill to a minimum height of 12 inches over the top of the pipe. Granular backfill must be carefully tamped along both sides of the pipe. Remaining backfill, if satisfactory, may be material from the original excavation. Underground detectable marking tape shall be installed a minimum of 2 feet above the pipe along the alignment of the building lateral sanitary sewer. Marking tape shall be minimum 3 inches wide, vivid green with foil backing and marked "Gravity Sewer Line". The building lateral sanitary sewer trench shall have minimum 3 feet horizontal separation and 18 inch vertical separation from other pipelines such as water service lines, gas lines, french drains or storm sewers. Building lateral sanitary sewers shall have minimum 3 feet of cover. An Authority inspector must be present to visually inspect the backfilling of the building lateral sanitary sewer trench. A test tee shall be installed in the building lateral sanitary sewer immediately before the wye, or manhole stub, if connection is to be made directly to a manhole. If unusual trench conditions exist, such as excessive depth, unstable soil, under a stream or other water course, the Authority may require the owner, at his own expense, to encase the building sewer in concrete or take such other steps which, in the opinion of the Authority, are necessary for proper installation. The Authority may refuse a permit to allow a connection directly to the main intercepting sewer and require extensions and connections to a manhole, the manhole, sewer and other work to be accomplished at

the expense of the owner. In no event will a connection be made through a hole cut in the sewer.

In no case shall a building lateral sanitary sewer be laid parallel to a cartway along the same alignment as the main sewer thereby acting as an extension of the main sewer. In such instance, the main sewer shall be extended, per Section 8.04.2, along the cartway and the building lateral sanitary sewer run perpendicular to the main.

- 5.13 In all premises in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means (pumped) and discharged to the building lateral sanitary sewer, the capacity of such units to be subject to approval by the Authority.
- 5.14 The applicant for the building lateral sanitary sewer permit shall notify the Authority when the building drain, building sewer and related facilities are ready for inspection and connection to the public sewer but prior to connection to the trap, and prior to backfilling. Final inspection will not be scheduled until all tapping fees or other charges due and payable have been remitted to the Authority. The inspection of the building drain, building lateral sanitary sewer and related facilities shall include but may not be limited to the following:
 - 5.14.1 Inspection of installation to insure that proper bedding and embedment of the pipe has been accomplished. Concrete encasement has been placed where required. An air test of the lines at a pressure of 5 psi for 15 minutes without any loss of pressure, or a hydrostatic test when no water is lost from a filled service lateral subjected to a minimum of 10 feet of water head for 15 minutes.
- 5.15 All excavations shall be performed in accordance with the latest edition of the OSHA Standards-Employer-Employee Safe Practices for Excavation and Trenching operations.
- 5.16 All building lateral sanitary sewers shall be maintained by the owner or customer at his cost, and the sewer shall be protected properly and maintained by the owner or customer. When repairs, renewals or replacements or other necessary work is required in the aforesaid facilities, the owner or customer shall employ, without delay, competent tradesmen to do the work, at his expense. All leaks shall be repaired immediately. No work shall be done, however, without the approval of and supervision by the Authority.

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SECTION 6 - USE OF SEWERS

- 6.01 All premises benefited, improved or accommodated by the Authority's sanitary sewerage system shall be connected to the system, at the expense of the premises owner.
- 6.02 All connections shall be made in accordance with the Rules and Regulations and other applicable requirements of the Authority.
- 6.03 It shall be unlawful for any person owning any premises accessible to the Authority's sanitary sewerage system to erect, construct, use or maintain or cause to be erected, constructed, used or maintained any privy, cesspool, sinkhole or other receptacle on such premises for receiving sanitary sewage. Sewage holding tanks may be erected, used and maintained only with the permission of the Sewage Enforcement Officer for the Municipality.
- 6.04 No person(s) shall discharge or cause to be discharged any stormwater, groundwater, roof runoff, subsurface drainage, or cooling water into any sewer.
- 6.05 Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers or to a natural outlet approved by the Municipality and other regulatory agencies. Unpolluted industrial cooling water or process waters may be discharged, on approval by the Authority, to a storm sewer, or natural outlet.
- 6.06 No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:
- (a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
 - (b) Any waters containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any waste treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of any wastewater treatment plant.
 - (c) Any waters or wastes having a pH lower than 5 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater works.
 - (d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, either whole or ground by garbage grinders.

- 6.07 Those provisions of Section 10 hereof (Industrial Pretreatment) relating to prohibited discharges into the Authority's sewer system shall apply to all users of the sewer system.
- 6.08 Grease, oil, and sand interceptors shall be provided when, in the opinion of the Authority, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts – or fat, oil and grease concentrations in excess of 100 mg/l, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwellings units. All interceptors shall be of a type and capacity approved by the Authority, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintenance of such interceptors the owner shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates, and means of disposal which are subject to review by the Authority. Any removal and hauling of the collected materials not performed by owner's personnel must, be performed by currently licensed waste disposal firms.

SECTION 7 – SEWAGE COLLECTION, TRANSPORTATION AND
TREATMENT RATES AND TAPPING FEES

- 7.01 All bills for sewer collection, transportation and treatment shall be rendered to the owner of the premises to which the sewer service is furnished, whom shall in all cases be liable for payment of such bills.
- 7.02 Billing of an owner of premises for sewage collection, transportation and treatment shall commence upon connection of any sanitary facilities on said premises to a public sanitary sewer or within sixty (60) days or receipt of notice to connect to the public sanitary sewer, whichever is sooner.
- 7.03 Sewage collection, transportation and treatment rates shall be established by separate resolution of the Authority from time to time. Where billing is based upon water consumption, one Equivalent Dwelling Unit (EDU) shall equal 6,600 gallons if water is billed monthly and 19,800 gallons if water is billed quarterly.
- 7.04 The rates and charges for the following classifications of premises shall be made in accordance with the amount set forth as follows:
- (a) Residential Premises are any premises defined in Sections 2.26 (a), (c), (d), (e), (g), (h), (i), (j), (l), and (m) of the within Rules and Regulations and shall pay a rate charge based upon the volume of potable water purchased by each respective customer as determined by the water company's water meter.
 - (b) Nonresidential Premises are any premises defined in Sections 2.26 (b), (f), and (k) of the within Rules and Regulations and shall pay a charge according to the number of Equivalent Dwelling Units as calculated by the water consumed during the billing period.
- 7.05 The sewage collection, transportation and treatment charges imposed hereunder shall be due and payable immediately upon receipt of the bill by the owner and shall be paid not later than the due date appearing on the bill. Said charges shall be subject to a penalty while payment is delinquent regardless of whether bills are calculated according to the flat rate or water consumption. If the owner of the premises served shall neglect or fail to pay the bill of the Authority for a period of thirty (30) days from the due date thereof, the Authority may proceed to have water service to the property shut off pursuant to the provisions of the Act of April 14, 1949, P.L. 482, as amended (53 P.S. 2261). Interest shall be charged against outstanding delinquent account balances at the legal rate of interest.

- 7.06 In addition to any of the remedies available to the Authority to secure the payment of any delinquent rental accounts for properties not served by a public water supply, the Authority, after providing reasonable notice to the owner or the occupant of any premises, may terminate sewer services until payment of any delinquent account plus costs is made in full.
- 7.07 If, at any time, an account for a premises listed in Section 7.12 (b) is not delinquent (including payment of additional charges imposed in Section 7.05, and the owner pays the entire sewer bill for collection, transportation and treatment for the ensuing year in advance, the owner shall be entitled to a discount in the amount of 5% for each Equivalent Dwelling Unit so paid.
- 7.08 In the event that any premises is razed or destroyed and the owner thereof desires to construct a new building(s) or structure(s) on said real estate, the owner shall first be required to obtain all applicable permits from the Municipality, including but not limited to building, occupancy and/or zoning permits, before re-establishing connections with the public sanitary sewer system. Prior to re-establishing such connections and service, the owner shall also be required to apply for and obtain a sewer permit from the Authority at the cost of \$50.00. The owner shall be entitled to receive a credit for any tapping fee previously paid, provided that the new building or structure is connected at the same point where the previous building or structure was connected, that all fees are paid in full and that the owner pays a \$50.00 reinspection fee. In order to qualify for the credit established hereunder, the new building or structure must be fully constructed and connected within one (1) year of the date of destruction or razing.
- 7.09 In reviewing the application for the sewer permit described in paragraph 7.08, if the Authority determines that the proposed use of a new building or structure, located on a premises listed in Section 7.12 (c), will result in additional EDU's being used on the premises, the owner shall be liable to pay additional tapping fees based on the additional EDU's used on the premises.
- 7.10 The provisions of Section 7.08 and 7.09 shall govern all situations in which the owner of real estate desires to change, in whole or in part, the use of an existing building or structure, or desires to construct additional buildings or structures on such real estate.
- 7.11 Except as otherwise provided herein, all fees shall be due and payable in advance of connecting or construction as determined by the Authority.

7.12

Tapping Fees - Schedule of Rates and Charges

- (a) Upon connection of any sanitary facilities on any premises to a public sanitary sewer, the owner of the premises shall pay a tapping fee according to the most recent calculation of the fee based on Act 57 of the Pennsylvania Legislature.
- (b) For the premises defined in paragraphs 2.26 (a), (c), (d), (e), (g), (h), (i), (j), (l), and m of the within Rules and Regulations, a single tapping fee in an amount established by separate resolution of the Authority.
- (c) For the premises defined in paragraph 2.26 (b), (f), and (k) of the within Rules and Regulations a tapping fee for each EDU attributed to the premises based on water consumption in an amount established by separate resolution of the Authority. Where the water consumption cannot be readily ascertained, an estimate shall be made thereof and a tapping fee based upon that estimate. After fifteen (15) months of operation, the immediately past twelve (12) month period shall be measured and an adjustment made thereof according to the number of average Equivalent Dwelling Units consumed during that twelve (12) month period, and a tapping fee shall be paid based upon that estimate at the rate set forth herein.

7.13

Where it is necessary in the opinion of the Authority that a saddle be installed in order to accommodate connection of any sanitary facilities to a public sanitary sewer, the owner shall pay the then prevailing charge for each said saddle installed.

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SECTION 8 - SEWER LINE EXTENSIONS AND
SYSTEMS INCLUDING TREATMENT WORKS

8.01 No sewers shall be extended from the sewers of the Authority, and no sanitary sewerage systems and/or treatment works shall be constructed or other work done without prior written approval of the Authority, permits from the Pennsylvania Department of Environmental Protection, and permits, licenses and/or approvals as required from all Federal, State, County and local agencies.

The work shall be done in accordance with these Rules and Regulations, and other applicable requirements. Any work in areas involving facilities served by the Authority and/or facilities extended into adjoining municipal subdivisions shall be in accordance with the aforesaid requirements and any higher standards as may be established by the municipal subdivision in which the work is located.

The applicant must prepare at his cost all contract plans and specifications, rights-of-way plans and contract documents, and prepare at his cost other material which may be required to obtain permits, licenses and/or other approvals and to prepare the applications relative thereto and shall pay all related fees.

The plans and reports involving strictly sanitary sewerage extensions shall be stamped with the seal of a Registered Professional Surveyor or Registered Professional Engineer. All other plans and reports involving pump stations and/or treatment works shall bear the seal of a Registered Professional Engineer (PA).

8.02 Regulations Relative to Sewerage

8.02.1 General - The construction of all sewerage and sewage treatment plant facilities shall be subject to the applicant, owner and/or developer obtaining at his cost all permits and approvals required by Federal, State, County and other agencies.

No applications for such permits shall be submitted until preliminary approval of the project is obtained from the Authority.

8.02.2 Township, Authority and Others - All procedures and work must be in accordance with all applicable Rules and Regulations of the Authority, as amended and supplemented from time to time.

The work and plans relative to sewerage must comply with all Municipal subdivision and other ordinances and regulations including the obtaining of highway occupancy permits in the name of the Authority.

8.03

Application for Approval of Sanitary Sewerage Systems - A written application on a form furnished by the Authority (*Preliminary Application*), unless otherwise indicated, must be submitted for the approval of a sewer line extension, sanitary sewerage system, including pumping stations and treatment facilities, and/or other work, and the obtaining or furnishing sewage service therefrom. A deposit, payable to the Washington - East Washington Joint Authority, shall accompany the application to cover preliminary Authority costs, including plan review by the Authority's engineer and the cost of preparation of any agreement with the Authority. The deposit will also be used to cover the costs of planning/sewerage module review and submission to DEP, the Act 14 notifications, other miscellaneous administrative costs and an on-site inspector from the Authority. After completion of the sanitary sewer by the developer and the acceptance thereof by the Washington - East Washington Joint Authority and the expiration of the eighteen (18) month maintenance bond, if there remains any monies not spent by the Authority for plan review, inspection of construction and legal fees, such monies shall be returned to the developer. In the event the deposit is insufficient for the purpose provided, the developer will, at the request of the Authority, deposit additional funds to defray additional costs and expense. An itemized accounting of all such monies will be supplied to the developer, if requested. A deposit of \$800 shall be required for plans of development up to ten lots and a deposit of \$1,800 shall be required for plans of development of eleven lots or more.

The application shall be subject to the Authority's Rules and Regulations and the execution of an agreement. All applications for sewage service must be accompanied by plans, documents, reports and other materials as may be required by the Authority. The submission of the application must be in strict accordance with the Rules and Regulations of the Authority.

8.04

Procedure for Submission of Reports and Plans

8.04.1 General - The applicant shall submit preliminary plans and reports to the Authority for general review and recommendations followed by applications, final plans and reports.

The general design of all proposed sewerage facilities shall be in complete compliance with the requirements of the Department of Environmental Protection and all applicable Rules and Regulations of the Authority and ordinances of the Municipality.

8.04.2 Preliminary Plans - The applicant shall submit preliminary plans and reports, in duplicate, in accordance with the following:

1. The Preliminary Application and planning deposit shall be submitted to the Authority.
2. A professional engineer's report setting forth a full description of the proposed system and the basis of

design. A comparable report prepared by a professional surveyor may be submitted when the development involves sanitary sewers exclusively.

This report must include a statement and description of the extent of area which it is proposed to include within the system at the present time, and in the future; the estimated present and future population to be served; the estimated per capita rates or volume of sewage to be provided for; the general character of the sewage and the proportion and nature of any industrial wastes; and such other data and information as the Authority may require.

Where industrial wastes will be treated, all applications for service, regardless of location of the premises, must be accompanied by a detailed report setting forth the quantities and character of the wastes, the proposed rates of discharge and such other facts as the Authority may require.

The report must include a detailed summary of the drainage areas and areas to be served; the sewerage system, showing sizes of sewers, distances between manholes, grades, capacities and future ultimate flows in main and intercepting sewers. If treatment facilities are to be constructed, a summary of dimensions, sizes, capacities and all pertinent data relative to each unit, types and capacities of all equipment, general plant and operating descriptive data, total plant capacities and such other data as may be required. If pumping stations are to be constructed, the type, head and capacities of pumping equipment, the type and size of motors, types and capacities of comminuting equipment and screens, descriptions of other equipment, sizes, capacities and other data relative to wet and dry wells, descriptions of operation and other data.

3. Preliminary plans showing the following:

Sewers - Layout of all sewers and manholes, showing sizes, distances between manholes and type of sewers.

Design features should be submitted at least in sketch form for special conditions, inverted siphons and such other features. No sewer depth (measured to invert) shall be greater than 15 feet without specific Authority

approval. Dead end sewers not over 200 feet in length shall terminate in standard manholes or cleanouts. Dead ends over 200 feet long shall terminate in standard manholes unless future extension of said dead end will include a manhole within 400 feet of the upper most manhole, in which case a temporary cleanout will be permitted. Furthermore, unless greater length is necessary to serve the property, end structures shall be placed 5 feet beyond the down grade property line on the last lot served.

Pump Stations and Treatment Plants - Plans showing property lines, general plant layout, dimensions, types and sizes of all equipment, hydraulic profile and other pertinent features.

4. Outline specifications for pumping stations and sewage treatment plants and description of proposed materials, and equipment.

8.04.3 Final Plans and Reports – After the Authority’s Manager has received replies and recommendations from the Authority’s Solicitor and/or Engineer, the Manager shall notify the developer of the findings and recommendations resulting from the above mentioned review and the amount of the performance bonds, etc. If applicable, any corrections to planning modules will be made at this time. The modules will then be submitted to the Township for their approval and adoption of a resolution adding the subdivision to the Township’s “Official Plan”. The applicant shall submit four (4) copies of final plans and reports and other required items, all in accordance with the following:

1. A formal letter of request for final approval, satisfactory to the Authority's solicitor, an agreement and such other documents as may be required.
2. An engineer's report setting forth the information and data required in the preliminary report. If no revisions or additional data is required, the preliminary report may be suitable as the final report. In addition, the applicant shall prepare all application forms, modules, reports and such other data as required by the Pennsylvania Department of Environmental Protection.
3. All applications, plans, exhibits and supporting data required for submittal to all agencies having

jurisdiction in order to obtain licenses, permits and approvals.

4. Final plans prepared by a qualified Registered Professional Engineer, or by a qualified Registered Surveyor when the development involves sanitary sewers exclusively, showing the following:

Master plan, if first submission of several phases, additions or sections of large development.

U.S.G.S. Topographic Map to indicate general location.

P.A. One Call serial number.

Sewers - These plans must show the boundary line of the municipality or sewer district to be provided sewers; all existing and proposed streets, watercourses, and other salient topographic features; contour lines for intervals of not more than 10 feet; and the surface elevations at street intersections and at points where changes of slope occur. The plans must show clearly the locations of all existing sanitary sewers, but need not show the locations of drains used exclusively for surface or subsoil water.

If sewers are proposed for only a part of the natural or artificial drainage areas, there must be indicated upon the plans how it is proposed, in general, to provide sewerage for each of the drainage areas in which it is not at the time planned to provide sewers. In the case of sewer extensions, the plans need show only the section wherein sewers are to be extended.

In all cases the plans must clearly show the following: Size of the sewer, the character of the sewer material, the slope, the elevation at the location of all points of change of slope, the direction of flow, the location of all manholes, flushing manholes, inverted siphons, pumping stations, the elevations of all stream beds, the direction of stream flow, the high and low water elevations of all water surfaces and such other data and showing all profiles.

The detailed plans shall include plans of all sewers, regular and special sewer appurtenances, structures of all types and such other features.

Pumping Station and Treatment Plants - These plans shall indicate all phases of the project including architectural, general, structural, mechanical, plumbing, heating and ventilating, electrical and other work, prepared in accordance with sound engineering practice. These plans shall show property lines of all sites, existing and proposed connections, existing and proposed utilities, roadways, drainage facilities and all physical features.

The plans shall provide for complete fencing of all pumping stations and treatment plants and other such facilities.

5. Complete detailed specifications for all work and other contract documents.

8.04.4 Plan Preparation - All final plans must be uniform in size and in accordance with requirements set forth in the Sewerage Manual of the Pennsylvania Department of Environmental Protection.

The plans shall be prepared on sheets 24 by 36 inches in size, with a one-inch border on the left side and a one-half-inch border on all other sides. Each plan sheet shall include an appropriately sized title block.

The general plan shall be on a scale not smaller than 300 feet to one inch, preferably, and not more than 100 feet to one inch. All other plans shall be drawn to a scale to permit all necessary information to be shown plainly. Sewer profiles shall be on a horizontal scale of not more than 50 feet to the inch and a vertical scale of not more than 10 feet to the inch, and plan views of sewers shall be drawn to the same scale as the profile view.

8.04.5 Record Plans - Subsequent to completion of the work, the applicant shall submit to the Authority one (1) set of Record reproducible mylars, four (4) 24" x 36" paper sets, four (4) laminated 11" x 17" paper sets, and a disk containing record drawings of as-built conditions in a software format approved by the Authority (AutoCAD Version 13.0 or higher). No service will be furnished or permitted to be furnished until record plans are submitted and approved.

8.05 Responsibility for Cost - The cost of all sanitary sewerage systems and related costs shall be borne by the applicant requesting approval thereof.

The cost of such work shall include the following:

1. The cost of all sewer lines of the size required for the project, none to be less than eight inches in size, of all manholes and other sewer appurtenances.
2. The cost of connections to existing sewers.
3. The cost of all pump stations and treatment facilities, of all grading, landscaping, fencing and other work.
4. The cost of all land and rights of way, the rights of way and land to be conveyed to the Authority.
5. The cost of obtaining all permits, licenses and such other approvals.
6. Authority costs for the review of the plans and specifications, field work, if any, legal work, including the preparation of agreements with the Authority, administrative and such other costs in connection with the project.
7. The cost of a resident engineer or inspectors furnished by the Authority to supervise and/or inspect construction of the project or projects. Such costs shall be the per diem rate (wages plus benefits) currently in effect, plus mileage costs and expenses. If the initial payment referred to in Item 7.03 becomes exhausted, additional deposits shall be made in accordance with the Authorities rate schedule.
8. The payment of all tapping, customer facility, connection and other fees.

8.06 Agreement - The applicant shall enter into a Developer's Agreement with the Authority, prior to final approval for and the commencement of any work; the agreement shall include but may not be limited to the following:

1. The cost of all work shall be paid by the applicant or owner, except as otherwise indicated.
2. The materials and workmanship shall be in accordance with the requirements of the Authority.

3. The ownership title to all sewer collection system shall be conveyed to and vested in the Authority, including easements, sewer lines, pumping and all related facilities.
4. The Authority shall have the right to make further extensions beyond or laterally from all sewers, such extensions not to be considered as connections subject to any refund, and the right to enlarge or improve sewage treatment facilities.
5. Reimbursement of any costs to an applicant for connections to the facilities installed by the applicant shall be provided only if and to the extent required by law and shall be subject to the execution and delivery of a formal reimbursement agreement.
6. Treatment works will not be accepted by the Authority for operation until the satisfactory operation of the facilities is assured.
7. The applicant shall provide permanent 20-foot wide easements, or the width as required, in all plans of lots for all sanitary sewers, and for future extensions as required by the Authority. For sewers to be constructed outside the limits of a subdivision plan, the applicant shall obtain all required permanent easements at least 20 feet in width. All easements shall be obtained and provided at the cost of the applicant and conveyed to the Authority prior to requesting final approval of the work.
8. The applicant shall provide all insurance, bonds and other such items as required by the Authority.

8.07 Security and Insurance - The applicant shall furnish, at his cost, all bonds or other acceptable security and insurance as provided herein or as required by the Authority. The general requirements shall include but not be limited as follows:

1. Performance and Labor and Material Security

The applicant with whom an agreement is executed shall furnish to the Authority surety bonds, letters of credit or other similar type of financial security authorized by Section 5607(d)(23) of the Authorities Act in an amount equal to 110% of the estimated cost of the facilities to be installed by the applicant, all of which financial security shall be in form and substance satisfactory to the Authority and conditioned upon the prompt performance of the construction of such facilities and the prompt payment of all material furnished and all labor supplied or performed in the installation of such facilities.

2. Maintenance Guarantee and Security

The applicant shall maintain all facilities and all work performed in good condition and repair for a period of 18 months from the date of the Authority's acceptance thereof and, as security for such maintenance, shall furnish to the Authority a surety bond, letter of credit or any other type of financial security authorized by Section 5607(d)(23) of the Authorities Act in an amount equal to 15% of the actual cost of the facilities installed by the applicant and in form and substance satisfactory to the Authority.

3. Insurance

The applicant shall, following the execution of the agreement, submit to the Authority certificates of insurance in accordance with the following requirements and subject to the approval and acceptance by the Authority:

- a. Workmen's Compensation Insurance - The applicant shall take out and maintain during the life of the agreement workmen's compensation insurance for all of his employees employed on the project, and in case any work is sublet, the applicant shall require the subcontractor similarly to provide workmen's compensation insurance for all of the latter's employees, unless such employees are covered by the protection afforded by the applicant.
- b. Public Liability and Property Damage Insurance - The applicant shall take out and maintain during the life of the agreement such public liability and property damage insurance as shall protect him and any subcontractor performing work covered by the agreement from claims for personal injury, including accidental death, as well as claims for property damage which may arise from operations under the agreement, whether such operations be by himself or by any subcontractor or by anyone directly or indirectly employed by either of them, and the amounts of such insurance shall be as follows:

Public liability insurance in an amount of not less than \$100,000 for injuries, including accidental death, to any one person, in an amount of not less than \$300,000 on account of one accident; and property damage insurance in an amount not less than \$50,000 to any one person and subject to the same limit for each

person, in an amount of not less than \$100,000 on account of one accident.

- c. Insurance Covering Special Hazards - Hazards relative to the use of boats or other means of water travel going to or coming from the site, relative to the use of automobiles or trucks on the site or going to or coming from the site, and relative to blasting shall be covered in the same amounts by rider or riders to the public liability and/or property damage insurance policy or policies herein elsewhere required to be furnished by the applicant or by separate policies of insurance.

8.08 Construction Specifications

8.08.1 General - The design, installation and construction of all sewers, pumping stations, sewage treatment plants and other related facilities shall be in strict accordance with the *Specifications for the Construction of Sanitary Sewer Lines and Appurtenances* as established by the Authority, with all applicable requirements of the Municipality and as approved by the Consulting Engineer for the Authority.

8.09 Inspection of Construction - All construction of sewerage facilities in the Authority's service area shall be subject to inspection by representatives of the Authority during the progress of the work to assure that such construction is accomplished in accordance with the approved plans and specifications. The costs of such inspection shall be paid by the applicant.

At least 10 days prior to starting construction, the applicant shall notify the Authority of the anticipated starting date of his proposed construction and the schedule of operation through completion of the project. At the time of this notification, a meeting shall be arranged between the applicant, the construction foreman and representatives of the Authority to completely review all aspects of the construction project, prior to commencing with construction. No construction will be permitted without such a meeting.

Upon completion of the construction work, a detailed final inspection shall be made by the Authority to determine that the completed facilities have been constructed in accordance with the approved plans and specifications. Approval will not be given by the Authority until all discrepancies and deficiencies revealed by this final inspection have been satisfactorily corrected.

Inspection fees as outlined herein and in the Rules and Regulations of the Authority and the Municipality shall be paid by the applicant, as previously indicated.

SECTION 9 - AUTHORITY CONTRIBUTION

- 9.01 This Section 9 governs the contribution of the Authority, if any, to the cost of main sewer line extensions undertaken by land developers where the Authority, in furtherance of its Master Sewer Plan for Sewage Collection and Treatment, requires the size of such lines to exceed the size of lines actually necessary for service to the developer's project.
- 9.02 Where the difference between the diameter size of pipe specified in a Master Plan or otherwise required by the Authority and the minimum diameter size of pipe necessary for service to a development is eight (8) inches or more, the contribution by the Authority shall be an amount equal to the difference between the estimated cost of the acquisition, construction and installation of the pipe required by the Authority and the estimated cost of the acquisition, construction and installation of the pipe necessary for service to that development.
- 9.03 Where the amount of the Authority's contribution determined pursuant to Section 9.02 hereof exceeds the amount set forth in Section 5614 of the Authorities Act relating to competition in the award of contracts, as the same may be amended from time to time, (such amount being \$10,000 on the date hereof), the Developer may elect to:
- (a) undertake the installation of the line extension and receive a contribution by the Authority in an amount equal to the amount set forth in Section 5614 of the Authorities Act, or
 - (b) request the Authority to install the line extension in accordance with the requirements of Section 5614 of the Authorities Act and pay the costs of the line extension less a credit in an amount determined under Section 9.02 hereof, as appropriate.
- 9.04 In the case of an election made under Section 9.03(b) hereof, the developer will pay an amount equal to all costs of the project, including all engineering, inspection, administrative and other indirect costs, less the Authority's contribution. In addition, appropriate deposits will be obtained before design work is commenced and before the construction contract is awarded.
- 9.05 In all cases, the determination of the amount of the Authority's contribution by the Authority shall be final and conclusive, absent manifest error.

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SECTION 10 - INDUSTRIAL PRETREATMENT

10.01 This Section 10 sets forth uniform requirements for direct and indirect contributions into the wastewater collection and treatment system (the "Wastewater System") of the Authority.

The objectives of this Section 10 are to:

- (a) prevent the introduction of pollutants into the Wastewater System which will interfere with the operation of such System or contaminate the resulting sludge;
- (b) prevent the introduction of pollutants into the Wastewater System which will pass through such System, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with such System;
- (c) improve the opportunity to recycle and reclaim wastewaters and sludges from the Wastewater System; and
- (d) provide for equitable distribution of the cost of the Wastewater System.

This Section 10 provides for the regulation of direct and indirect contributors to the Wastewater System through the issuance of permits to certain nondomestic users and through enforcement of general requirements for other users, authorizes monitoring and enforcement activities, requires user reporting and provides for the setting of fees for the equitable distribution of costs resulting from the program established hereunder.

This Section 10 shall apply to all Users (as such term is hereinafter defined) of the Wastewater System.

10.02 Definitions

In addition to words and terms defined elsewhere in this Section 10, the following words and terms used in this Section 10 shall have the following meanings, respectively, unless the context hereof otherwise clearly requires:

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

"Authority" means The Washington - East Washington Joint Authority, Washington County, Pennsylvania.

"Authorized Representative of Industrial User" means (i) a principal executive officer of at least the level of vice president if the Industrial User is a corporation, (ii) a general partner or proprietor if the Industrial User is a partnership or proprietorship, respectively or (iii) a duly authorized representative of any individual designated above if such representative is responsible for overall operation of the facilities from which the indirect discharge originates.

"Biochemical Oxygen Demand" or "BOD" means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five (5) days at 20° centigrade expressed in terms of weight and concentration (milligrams per liter (mg/l)).

"Board" means the Board of the Authority.

"Building Sewer" means a sewer conveying wastewater from the premises of a User to the Treatment Works.

"Categorical Standards" means the National Categorical Pretreatment Standards or Pretreatment Standard.

"Cooling Water" means the water discharged from any use, such as air conditioning, cooling or refrigeration, or water to which the only pollutant added is heat and also includes non-contact cooling water.

"Commonwealth" means the Commonwealth of Pennsylvania.

"DEP" means the Pennsylvania Department of Environmental Protection.

"Direct Discharge" means the discharge of treated or untreated wastewater directly into the waters of the Commonwealth.

"Environmental Protection Agency" or "EPA" means the United States Environmental Protection Agency.

"Grab Sample" means a sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.

"Holding Tank Waste" means any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks and vacuum-pump tank trucks.

"Indirect Discharge" means the discharge or the introduction of nondomestic pollutants from any source regulated under Section 307(b) or Section 307(c) of the

Act into the Treatment Works (including holding tank waste discharged into the Treatment Works).

"Industrial User" means a source of indirect discharge located within the Authority service area which does not constitute a "discharge of pollutants" under regulations issued pursuant to Section 402 of the Act.

"Interference" means the inhibition or disruption of the treatment processes or operations of the Treatment Works which contributes to a violation of any requirement of the Authority's NPDES Permit and shall also include prevention of sewage sludge use or disposal by the Authority in accordance with Section 405 of the Act or any criteria, guidelines or regulations developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or more stringent Commonwealth criteria (including those contained in any Commonwealth sludge management plan prepared pursuant to Title IV of the Solid Waste Disposal Act) applicable to the method of disposal or use employed by the Authority.

"National Categorical Pretreatment Standard or Pretreatment Standard" means any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Sections 307(b) or 307(c) of the Act which applies to a specific category of Industrial User.

"National Prohibitive Discharge Standard or Prohibitive Discharge Standard" means any regulation developed under the authority of Section 307(b) of the Act and 40 CFR Section 403.5.

"New Source" means any source, the construction of which is commenced after the publication of proposed regulations prescribing a Section 307(c) Categorical Pretreatment Standard which will be applicable to such source if such standard is thereafter promulgated within 120 days of proposal in the Federal Register; and where the Categorical Pretreatment Standard is promulgated more than 120 days after its proposal, "New Source" means any source, the construction of which is commenced after the date of promulgation of the Standard.

"National Pollution Discharge Elimination System Permit" or "NPDES Permit" means a permit issued pursuant to Section 402 of the Act.

"Person" means 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.

"pH" means the logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.

"Pollution" means the man-made or man-induced alteration of the chemical, physical, biological or radiological integrity of water.

"Pollutant" means any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged into water.

"Pretreatment" or "Treatment" means the reduction of the amount of pollutants, the elimination of pollutants or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into the Treatment Works; the reduction or alteration can be obtained by physical, chemical or biological processes, or process changes by other means, except as prohibited by 40 CFR Section 403.6(d).

"Pretreatment Requirements" means any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard imposed on an Industrial User.

"Significant Industrial User" means any Industrial User of the Wastewater System who (i) has in its wastes toxic pollutants, as such term is defined in Section 307 of the Act or in laws and regulations of the Commonwealth or (ii) is found by the Authority to have significant impact, either alone or in combination with other contributing Industrial Users, on the Wastewater System, the quality of sludge, the Wastewater System's effluent quality or air emissions generated by the Wastewater System.

"Standard Industrial Classification" or "SIC" means a classification pursuant the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972.

"Storm Water" means any flow occurring during or following any form of natural precipitation and resulting therefrom.

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

"Treatment Works" means the Authority's Wastewater Treatment Plant and any other wastewater treatment facility owned and operated by the Authority, together with all additions thereto, and shall include any sewers that convey wastewater thereto, but shall not include pipes, sewers or other conveyances not connected to a facility providing wastewater treatment, and shall include any sewers that convey wastewater to such Treatment Works from persons who are users of the Treatment Works by contract or agreement with the Authority.

"Toxic Pollutant" means any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the EPA under the provisions of Section 307(a) of the Act or other Federal legislation.

"User" means any person who contributes causes or permits the contribution of wastewater into the Treatment Works.

"Wastewater" means the liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities and institutions, together with such unpolluted water as may be present, whether treated or untreated, which is contributed into or permitted to enter the Treatment Works.

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

"Wastewater Discharge Permit" means a permit contemplated by the provisions of Subsection 10.05.2 hereof.

10.03 Regulations

10.03.1 General Discharge Prohibitions

No User shall contribute or cause to be contributed, directly or indirectly, any pollution or wastewater which will interfere with the Treatment Works. These general discharge prohibitions apply to all Users of the Treatment Works whether or not the User is subject to National Categorical Pretreatment or other Pretreatment Requirements. No User shall contribute any of the following substances to the Treatment Works:

- (a) Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient, either alone or by interaction with other substances, to cause fire or explosion or be injurious in any other way to the Treatment Works or to the operation of the Treatment Works. At no time, shall two successive readings on an explosion hazard meter, at the point of discharge into the Wastewater System (or at any point in the Wastewater System) be more than five percent (5%) nor any single reading over ten percent (10%) of the lower explosive limit of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers,

alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances which the Authority, the Commonwealth or EPA has notified the User is a fire hazard or a hazard to the Wastewater System.

- (b) Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the Treatment Works including, but not limited to, grease, garbage with particles greater than one-half inch (1/2") in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining, or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes.
- (c) Any wastewater having a pH less than 5.5 or more than 9.0, unless the Treatment Works is specifically designed to accommodate such wastewater, or wastewater having any other corrosive property capable of causing damage or constituting a hazard to structures, equipment or personnel of the Treatment Works.
- (d) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the Treatment Works, or to exceed the limitation set forth in a Categorical Pretreatment Standard. A toxic pollutant shall include, but shall not be limited to, any pollutant identified pursuant to Section 307(a) of the Act.
- (e) Any noxious or malodorous liquids, gases or solids which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair.
- (f) Any substance which may cause the Treatment Work's effluent or any other product of the Treatment Works,

such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the Treatment Works cause the Treatment Works to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act, any criteria, guidelines or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substance Control Act, or Commonwealth regulations applicable to the sludge management method being used.

- (g) Any substance which will cause the Treatment Works to be in violation of its NPDES or Commonwealth Permit or the receiving water quality standards.
- (h) Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.
- (i) Any wastewater having a temperature which will inhibit biological activity in the Treatment Works resulting in interference, but in no case wastewater with a temperature at the introduction into the Treatment Works which is in excess of 40°C (104°F) or less than 0°C (32°F) unless the Treatment Works is designed to accommodate such temperature.
- (j) Any pollutants, including oxygen demanding pollutants (BOD, etc.) released at a flow rate and/or pollutant concentration which a User knows or has reason to know will cause interference with the Treatment Works. In no case shall a slug load have a flow rate or contain concentration or qualities of pollutants that exceed for any time period longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration, quantities or flow during normal operation.
- (k) Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Authority in

compliance with applicable Commonwealth or Federal regulations.

- (l) Any wastewater which causes a hazard to human life or creates a public nuisance.

When the Authority determines that any User is contributing to the Treatment Works any of the above-enumerated substances in such amounts as to interfere with the operation of the Treatment Works, the Authority shall (i) advise such User of the impact of the contribution on the Treatment Works and (ii) develop effluent limitations for such User to correct the interference with the Treatment Works.

10.03.2 Federal Categorical Pretreatment Standards

Upon the promulgation of Federal Categorical Pretreatment Standards for a particular industrial subcategory, the Federal Standard, if more stringent than limitations imposed under this Section 10 for sources in that subcategory, shall immediately supersede the limitations imposed under this Section 10. The Authority shall notify all affected Users of the applicable reporting requirements under 40 CFR Section 403.12.

10.03.3 Commonwealth Requirements

Commonwealth requirements and limitations on discharges into the Wastewater System shall apply in any case where they are more stringent than Federal requirements and limitations or those contained in this Section 10.

10.03.4 Authority's Right of Revision

The Authority reserves the right to establish more stringent limitations or requirements on discharges to the Wastewater System if deemed necessary to comply with the objectives set forth in Subsection 10.01 hereof.

10.03.5 Excessive Discharge

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 the limitations contained in the Federal Categorical Pretreatment Standards, or in any other pollutant-specific limitation developed by the Authority or the Commonwealth (Comment: Dilution may be an acceptable means of complying with some of the prohibitions set forth in Subsection 10.03.1 hereof, e.g. the pH prohibition.)

10.03.6 Accidental Discharges

Each User shall provide protection from accidental discharge of prohibited materials or other substances regulated by this Section 10. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the User's own cost and expense. Detailed plans showing facilities and operating procedures to provide such protection shall be submitted to the Authority for review and shall be approved by the Authority before the commencement of construction of the facility. All existing Users shall complete such a plan within 120 days after the effective date of this Section 10. No User who commences contribution to the Treatment Works after the effective date of this Section 10 shall be permitted to introduce pollutants into the Wastewater System until accidental discharge procedures have been approved by the Authority. Review and approval of such plans and operating procedures shall not relieve the User from the responsibility to modify the User's facility as necessary to meet the requirements of this Section 10. In the case of an accidental discharge, it is the responsibility of the User to immediately notify the Authority of the incident. The notification shall include location of discharge, type of waste, concentration, volume and corrective actions.

Within five (5) days following an accidental discharge, the User shall submit to the Authority a detailed written report describing the cause of the discharge and the 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 Treatment Works, fish kills or any other damage to persons or property; nor shall such notification relieve the User of any fines, civil penalties or other liability which may be imposed by this Section 10, any other provisions of the Authority's Rules and Regulations or any applicable law.

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

10.04 Fees

10.04.1 Purpose

It is the purpose of this Subsection to provide for the recovery of costs from Users of the Wastewater System for the implementation of the pretreatment program established in this Section 10. The applicable charges or fees shall be set forth in the Authority's Schedule of Rates and Charges.

10.04.2 Charges and Fees

The Authority may adopt charges and fees which may include:

- (a) fees for reimbursement of costs of setting up and operating the Authority's pretreatment program;
- (b) fees for monitoring, inspections and surveillance procedures;
- (c) fees for reviewing accidental discharge procedures and construction;
- (d) fees for permit applications;
- (e) fees for filing appeals;
- (f) fees for consistent removal (by the Authority) of pollutants otherwise subject to Federal Pretreatment Standards and
- (g) other fees as the Authority may deem necessary to carry out the requirements contained herein.

Fees and charges established hereunder relate solely to the matters covered by this Section 10 and are separate from all other fees and charges which may be imposed by the Authority upon Users of the Wastewater System.

10.05 Administration

10.05.1 Wastewater Discharges

It shall be unlawful to discharge without a Wastewater Discharge Permit to any natural outlet within the Township or in any area under the jurisdiction of the Authority or to the Treatment Works any wastewater except as authorized by the Authority in accordance with the provisions of this Section 10.

10.05.2 Wastewater Discharge Permits

10.05.2.1 General Permits

All Significant Industrial Users proposing to connect to the Wastewater System or to contribute to the Treatment Works shall obtain a Wastewater Discharge Permit before connecting to the Wastewater System or contributing to the Treatment Works. All existing Significant Users connected to the Wastewater System or contributing to the Treatment Works shall obtain a Wastewater Discharge Permit as hereinafter provided.

10.05.2.2 Permit Applications

Users required to obtain a Wastewater Discharge Permit shall complete and file with the Authority an application in the form prescribed by the Authority, and accompanied by a fee as set forth in the Authority's Schedule of Rates and Charges. Existing Users shall apply for a Wastewater Discharge Permit within 90 days after the effective date of this Section 10, and proposed new Users shall apply at least 90 days prior to connecting to the Wastewater System or contributing to the Treatment Works. In support of the application, the User shall submit, in units and terms appropriate for evaluation, the following information:

- (a) Name, address, and location, (if different from the address);
- (b) SIC number;
- (c) Wastewater constituents and characteristics as required by the Authority including, but not limited to, those mentioned in Subsection

10.03.1 hereof as determined by a reliable analytical laboratory; sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304(g) of the Act and contained in 40 CFR, Part 136, as amended;

- (d) Time and duration of contribution;
- (e) Average daily and 30 minute peak wastewater flow rates, including daily, monthly and seasonal variations if any;
- (f) Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections, and appurtenances by the size, location and elevation;
- (g) Description of activities, facilities and plant processes on the User's premises, including all materials which are or could be discharged;
- (h) Each product produced by type, amount, process or processes and rate of production;
- (i) Type and amount of raw materials processed (average and maximum per day);
- (j) Number and type of employees, and hours of operation of plant and proposed or actual hours of operation of pretreatment system; and
- (k) Any other information as may be deemed by the Authority to be necessary to evaluate the Wastewater Discharge Permit application.

The Authority will evaluate the data furnished by the User and may require additional information. After evaluation and acceptance of the data furnished, the Authority may issue a Wastewater Discharge Permit subject to terms and conditions provided herein.

10.05.2.3 Permit Conditions

Wastewater Discharge Permits shall be expressly subject to all provisions of this Section 10 and all other applicable regulations, user charges and fees established by the Authority. Permits may contain the following:

- (a) Limits on the average and maximum wastewater constituents and characteristics;
- (b) Limits on average and maximum rate and time of discharge or requirements for flow regulations and equalization;
- (c) Requirements for installation and maintenance of inspection and sampling facilities;
- (d) Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedule;
- (e) Compliance schedules;
- (f) Requirements for submission of technical reports or discharge reports (see Subsection 10.05.3);
- (g) Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the Authority and affording Authority access thereto;
- (h) Requirements for notification of the Authority of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the Wastewater System;
- (i) Requirements for notification of slug discharges and
- (j) Other conditions as deemed appropriate by the Authority to ensure compliance with this Section 10.

10.05.2.4 Duration of Permits

Wastewater Discharge Permits shall be issued for a specified time period, not to exceed three years. A Wastewater Discharge Permit may be issued for a period less than a year or may be stated to expire on a specific date. The User shall apply for reissuance of such User's Wastewater Discharge Permit not later than 180 days prior to the date of the expiration of such Permit. The terms and conditions of the Wastewater Discharge Permit may be subject to modification by the Authority during the term of such Permit as limitations or requirements as identified in Subsection 10.03 hereof are modified or other just cause exists. The User shall be informed of any proposed changes in such User's Wastewater Discharge Permit at least 30 days prior to the effective date of change. Any changes or new conditions in such Permit shall include a reasonable time schedule for compliance.

10.05.2.5 Permit Transfers

Wastewater Discharge Permits are issued to a specific User for a specific operation. A Wastewater Discharge Permit shall not be reassigned or transferred or sold to a new owner, new User, different premises, or a new or changed operation without the prior written approval of the Authority. Any succeeding owner or User shall be subject to all of the terms and conditions of the existing Wastewater Discharge Permit.

10.05.3 Reporting Requirements

10.05.3.1 Periodic Compliance Reports

(1) Any User subject to a Pretreatment Standard, after the compliance date of such Pretreatment Standard, or, in the case of a New Source, after commencement of the discharge into the Treatment Works, shall submit to the Authority copies of all base-line monitoring reports which the User is required to file with EPA or DEP.

(2) The Authority may impose mass limitations on Users which are using dilution to meet applicable Permit Requirements, or in other cases where the imposition of mass limitations are appropriate.

10.05.4 Monitoring Facilities

The Authority shall require monitoring facilities, provided and operated at the User's expense, to allow inspection, sampling, and flow measurement of the building lateral sanitary sewer and/or internal drainage systems. The monitoring facility should normally be situated on the User's premises, but the Authority may, when such a location would be impractical or cause undue hardship on the User, allow the facility to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles.

There shall be ample room in or near such sampling manhole or facility to allow accurate sampling and preparation of samples for analysis. The facility and all sampling and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the User.

All sampling and monitoring facilities shall be provided in accordance with the Authority's requirements and all applicable Municipal construction standards and specifications. Construction shall be completed within 90 days following written notification by the Authority.

10.05.5 Inspection and Sampling

The Authority shall inspect the facilities of any User to ascertain whether the purpose of this Section 10 is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the Authority and its employees, agents and representatives ready access at all reasonable times to all parts of the premises for the purposes of inspection, sampling, records examination or in the performance of any of their duties. The Authority shall have the right to set up on the User's property such devices as are necessary to conduct sampling inspection, compliance monitoring and/or metering operations. Where a User has security measures in force which would require proper identification and clearance before entry into the User's premises, the User shall make necessary arrangements with its security personnel so that upon presentation of suitable identification, personnel from the Authority will be permitted to

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

10.05.6 Pretreatment

Users shall provide necessary wastewater treatment as required to comply with this Section 10 and shall achieve compliance with the Permit Requirements within the time limitations as specified by the Federal Pretreatment Regulations or within the time limitation in any compliance schedule issued by the Authority. Any facilities required to pretreat wastewater to a level acceptable to the Authority shall be provided, operated, and maintained at the User's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the Authority for review, and shall be acceptable to the Authority before the commencement of construction of the pretreatment facility. The review of such plans and operating procedures will in no way relieve the User from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the Authority under the provisions of this Section 10. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the Authority prior to the User's initiation of the changes.

All records relating to pollutant levels and compliance with Permit Requirements may, at the discretion of the Authority, be made available to officials of the EPA or the DEP upon request.

10.06 Enforcement

10.06.1 Harmful Contributions

The Authority may suspend the wastewater treatment service, water service or a Wastewater Discharge Permit, or any of the foregoing, when such suspension is necessary, in the opinion of the Authority, in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health, safety or welfare of persons, to the environment, causes interference to the Treatment Works or causes the Authority to violate any condition of its NPDES Permit.

Any person notified of a suspension of the wastewater treatment service, water service or the Wastewater Discharge Permit shall immediately stop or eliminate the contribution. In the event of a failure of the person to comply voluntarily with the suspension order, the Authority shall take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent

or minimize damage to the Treatment Works or endangerment to any person. The Authority shall reinstate the Wastewater Discharge Permit or the wastewater treatment service, or water service, as the case may be, upon proof of the elimination of the non-complying discharge. A detailed written statement submitted by the User describing the causes of the harmful contribution and the measures taken to prevent any future occurrence shall be submitted to the Authority within 15 days of the date of occurrence.

10.06.2 Revocation of Permit

Any User who violates the following conditions of this Subsection 10 or applicable Commonwealth or Federal regulations is subject to having such User's Wastewater Discharge Permit revoked in accordance with the procedures of Subsection 10.06 of this Section 10:

- (a) Failure of a User to factually report the wastewater constituents and characteristics of such User's discharge;
- (b) Failure of the User to report significant changes in such User's operations, or wastewater constituents and characteristics;
- (c) Refusal of reasonable access to the User's premises for the purpose of inspection or monitoring; or
- (d) Violation of conditions of the User's Wastewater Discharge Permit.

10.06.3 Notification of Violation

Whenever the Authority finds that any User has violated or is violating this Section 10, such User's Wastewater Discharge Permit or any prohibition, limitation or requirement contained herein, the Authority may serve upon such person a written notice stating the nature of the violation. Within 30 days of the date of the notice, a plan for the satisfactory correction of such violation shall be submitted to the Authority by the User.

Show Cause Hearing

The Authority may order any User who causes or allows an unauthorized discharge to enter the Treatment Works to show cause before the Board or its designee why the proposed enforcement action should not be taken. A notice shall be served on the User specifying the time and place of a hearing to be held by the Board or its designee regarding the violation, the reasons why the action is to be taken, the proposed enforcement action, and directing the User to show cause before the Board or its designee why the proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least (ten) days before the hearing date. Service may be made on any agent or officer of a corporation.

The Board may conduct the hearing and take the evidence, or may designate any of its members or any officer or employee of the Authority to:

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

At any hearing held pursuant to this Section 10, testimony taken must be under oath and may be recorded stenographically or otherwise.

After the Board has reviewed the evidence, and recommendations, if any, it may issue an order to the User responsible for the discharge directing that, following a specified time period, the Wastewater Discharge Permit be revoked and sewer service be discontinued unless adequate treatment facilities, devices or other related appurtenances shall have been installed or existing treatment facilities, devices or other related appurtenances are properly operated. The Authority may issue further orders or directives as are necessary or appropriate under the circumstances.

In the case of any hearing convened to consider enforcement action against a User served by another municipality or

Authority, a copy of the notice of such hearing will be served on such Authority and a representative of such Authority shall be entitled to be present at and to participate in such hearing to the same extent that such representative would be entitled to participate if such representative were a member of the Board, including the right to vote on any motion involving enforcement action.

10.06.5 Legal Action

If any person discharges sewage, industrial wastes or other wastes into the Wastewater System contrary to the provisions of this Section 10, Federal or Commonwealth Pretreatment Requirements, or any order or directive of the Authority, the Authority may commence, or cause to be commenced, an action for appropriate legal or equitable relief in the Court of Common Pleas of Washington County, Pennsylvania.

10.07 Costs

Any User found by the Authority to be in violation of any provision of this Section 10 shall pay to the Authority immediately upon demand by it an amount equal to all overhead, administrative, engineering, legal and other costs incurred by the Authority, in connection with or as a result of, directly or indirectly, any such violation, including without limitation, all fines and penalties imposed against the Authority by EPA or DEP or any court or any other governmental body having jurisdiction over the Authority.

10.08 Severability

If any provision, paragraph, word, Section, Subsection or article of this Section 10 is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, Sections and Subsections shall not be affected and shall continue in full force and effect.

10.09 Conflict

All other provisions, Sections or Subsections of these Rules and Regulations inconsistent or conflicting with any part of this Section 10 are hereby repealed to the extent of such inconsistency or conflict.

10.10 Effective Date

This Section 10 shall become effective immediately upon its adoption by the Board of the Authority.

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SECTION 12 - MISCELLANEOUS REGULATIONS

- 12.01 Authorized employees of the Authority shall have access to the customer's premises at all reasonable hours and after the provision of reasonable notice for the purpose of inspection, repair and/or replacement of service lines, service line extensions, building sewers, manholes and other appurtenances; observation, measurement, sampling and testing of sewage or industrial wastes; and any other justifiable purposes.
- 12.02 The Authority shall have the right to make such excavations as are required for the proper execution of the work.
- 12.03 No workmen, owner or tenant, or other unauthorized person shall interfere with the Authority's property, or do work on service line connections, service line extensions, building sewers and such other facilities, except in accordance with requirements as previously set forth. The violation of the foregoing may result in termination of service, at the option of the Authority.
- 12.04 No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the Authority's sewage works facilities, including the building sewers and such other service facilities. Any person violating this provision of these Rules and Regulations shall be subject to immediate arrest under applicable provisions of the Pennsylvania Criminal Code.
- 12.05 The Authority will consider a request to discontinue billing for sewer services in the event any premises is going to be vacant, or if the premises is unlivable and/or will be demolished or repaired.
- 12.06 In order for billing to be discontinued for a vacant home, a premises owner must discontinue and cap all sink drains; remove the toilet and cap or plug opening; and verify that water service has been disconnected. The premises owner must then notify the Authority to schedule an inspector to visit the site to confirm that all of the appropriate measures have been taken.
- 12.07 In the case of any dilapidated premises, the inspector will visit the site and make a determination as to whether it is in a livable condition. In situations where a premises owner is reducing the number of rental units, the inspector may also request that separate kitchen facilities be removed and capped.
- 12.08 In all situations, the premises owner will be given a form to sign, agreeing to notify the Authority in the event the premises is re-occupied. The form also states that the premises owner will be responsible for all billing, back to the original date, in the event the unit is occupied without notifying the Authority. All notifications to the

Authority must be by Certified Mail. Billing will be discontinued as of the date of the inspector's visit and approval. No credits will be issued for service prior to that date.

- 12.09 No agent or employee of the Authority shall have the power to bind the Authority by any promise, agreement or representation not provided for in these Rules and Regulations without approval of the Board of the Authority.
- 12.10 All notices and bills relating to the Authority or its business shall be deemed to have been properly served if left upon the premises, or if mailed to the premises owner, or directed to or left at the address for the premises or the owner, as shown on the records of the Authority.
- 12.11 The Authority will send all such notices and bills to the address given on the application for sewer service until a notice of change of address, in writing, has been filed with the Authority by the applicant.
- 12.12 All notices of general character, affecting or likely to affect a large number of customers or owners of premises, shall be deemed to have been properly given or served if advertised in the newspaper designated by the Authority.
- 12.13 Complaints concerning service or of bills rendered must be made in writing and delivered to the main office of the Authority.
- 12.14 Nothing in these Rules, nor any contract, nor representation, verbal or written, of the Authority or any of its employees shall be taken or construed in any manner to be or constitute a guarantee to provide unreasonable sewer capacities or facilities, whether for domestic, commercial, industrial, manufacturing or other general uses, or for any other special purposes; but the Authority will at all times and under all conditions endeavor to maintain the efficiency of its service.
- 12.15 The Authority shall have the right to restrict the use of sewers as to capacity and character of sewage.
- 12.16 The Commonwealth of Pennsylvania and any agency thereof is entitled to a 30-day period from the due date of any bill, within which it may pay for water or sewage service without the imposition of a penalty.
- 12.17 Pursuant to Section 5607(d)(17) of the Municipality Authorities Act of 2001, June 19, P.L. 287, No. 22, as amended, any person who shall violate any of the provisions of these Rules and Regulations shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred dollars (\$300.00), plus the costs of prosecution, provided that each day a violation shall continue, after notice thereof by the Authority, shall constitute a separate offense subject to a total fine of not more than one thousand dollars (\$1,000.00) in any instance; and the Authority shall have the further right, where the same is applicable, to remove or close the

sewer connection until the provisions of this chapter are complied with. The expense of such removal or closing and the expense of restoring the sewage service shall be a debt due the Authority and a lien upon the premises served and may be filed and collected in the same manner provided by law for the filing and collecting of municipal claims.

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

12.19 Any of the preceding rules and regulations relating to design criteria, construction and installation specifications, advance deposits and the payment of costs and expenses incurred by the Authority, including but not limited to costs and expenses for the review of plans and specifications, resident engineering and inspection and legal services shall apply to all privately owned sewerage systems within the jurisdiction of the Authority.