

RESOLUTION S-2002-09F
RESOLUTION OF THE HOLLIDAYSBURG SEWER AUTHORITY
AMENDING AND RESTATING THE RULES, REGULATIONS AND
SETTING RATES FOR THE OPERATION OF THE SEWER SYSTEM OF
THE HOLLIDAYSBURG SEWER AUTHORITY

PART I

**SEWER CONNECTION, OPERATIONS, RATES AND CHARGES, METER READING,
BILLING AND SEWER USE**

A. Rules and Regulations; Definitions

§1001 General. The following Rules and Regulations are hereby established to govern the management and operation of the Hollidaysburg Sewer Authority Sanitary Sewerage System. These rules and regulations shall hereafter form and be a part of every contract for sewer service supplied by the Authority; and every customer utilizing the facilities of the Authority, agrees to be bound thereby.

§1002 Definitions of Terms Used in Sewer Regulations. Unless the context specifically indicates otherwise, the meanings of the terms used in this Part shall be as follows:

Abnormal Waste - any waste or sewage discharged to the sewer system having a concentration of any constituent including, but not limited to, biological oxygen demand 5 (BOD5), suspended solid (TSS), oil and grease (O&G) ammonia nitrogen (NH3), and/or total phosphorous (P), appreciably in excess of that normally found in municipal domestic sewage.

(This section revised 6/5/2000, 9/03/2002)

Authority - the Hollidaysburg Sewer Authority.

Authority Sanitary Sewerage System - all separate sanitary sewers, all combined sewers, all sewage pumping stations, all sewage treatment works, and all other facilities provided and owned or leased as lessee by the Authority for the collection, transportation and treatment of sanitary sewage and industrial wastes with their appurtenances, and any additions, extensions or improvements thereto that may be made by the Authority. It shall also include sewers within Authority Service Area, which serve two (2) or more persons and discharge into the Authority Sanitary Sewerage System, even though those sewers may not have been constructed by the Authority. It does not include separate Storm Sewers or culverts which have been constructed for the sole purpose of carrying storm runoff, the discharge from which is not and does not become tributary to the Authority's sewage treatment facilities.

Authority Service Area - The geographical area served exclusively by the Hollidaysburg Sewer Authority, as designated in the Act 537 Sewage Facilities Plan approved by the Pennsylvania Department of Environmental Protection, the U. S. Environmental Protection Agency or another agency of the state or federal government having jurisdiction over sewage facilities planning, and as also set forth in the Intergovernmental Agreement dated July 1, 1975, as amended.

B.O.D. (Biochemical Oxygen Demand) - the quantity of oxygen utilized in the biochemical oxidation of the organic matter in said sewage or industrial waste under standard laboratory procedure in five (5) days at twenty degrees Celsius (20EC), expressed in parts per million by weight. It shall be determined by one of the acceptable methods set forth in "Standard Methods for the Examination of Water and Wastewater" current edition or other methods accepted by either the Pennsylvania Department of Environmental Protection or the United States Environmental Protection Agency, or their respective successor departments or agencies. *(This section revised 6/5/2000)*

Borough - the Borough of Hollidaysburg, PA.

Combined Sewer - a sewer designed or operated by the Authority with the intent to receive both sewage and storm water runoff. *(This section revised 6/5/2000)*

Customer - the person owning the property as hereinafter classified that has the use of the

sewer system.

A. Domestic customers include but are not limited to the following:

- (1) A residence under one roof and occupied by one family.
- (2) A combination of buildings in one common enclosure occupied by one family.
- (3) Each side of a double house or each unit of a group of row houses occupied by separate families.
- (4) Each apartment in a building having a number of apartments, where each apartment unit is metered individually.
- (5) Each side or part of a house occupied by one family even though the closet and/or other fixtures be used in common.
- (6) Each apartment complex or housing complex, comprised of multiple housing units, where the entire complex is served by a single tap and single master meter.

B. Commercial customers include but are not limited to the following:

- (1) Stores
- (2) Garages
- (3) Gas stations
- (4) Barber shops
- (5) Beauty shops
- (6) Clubs
- (7) Restaurants
- (8) Theaters
- (9) Business offices
- (10) Professional offices
- (11) Banks
- (12) Hotels and motels
- (13) Hospitals
- (14) Schools

- (15) Public buildings
- (16) Institutional homes
- (17) Pool rooms
- (18) Bowling alleys
- (19) Fraternal organizations

C. Industrial customers include but are not limited to the following:

- (1) Factories
- (2) Junk yards
- (3) Repair shops
- (4) Laundries
- (5) Assembly plants
- (6) Slaughterhouses
- (7) Dairies

Equivalent Dwelling Unit (EDU) - For the purpose of calculating the estimated sewage flows that will generated by a connection to the Authority Sanitary Sewerage System, that part of a multiple family dwelling, a single family dwelling or commercial or industrial establishment with flows equal to four hundred (400) gallons per day.

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

House Connection - that part of the sewer line from the service lateral to the outer wall of the building to be served.

Industrial User - any person or Customer who discharges Industrial Waste into the Authority Sanitary Sewerage System.

Industrial Pretreatment Program - Activities authorized or allowed by Part 2 of these Rules

and Regulations or Ordinance Number 737, as amended, of the Borough of Hollidaysburg, regarding the regulation and control of Industrial Users to the extent required by the federal minimum pretreatment regulations set forth in 40 C.F.R. Part 403.

Industrial Wastes - Any liquid, gaseous or waterborne wastes from industrial processes or commercial establishments, as distinct from sanitary sewage.

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

Person - any individual, partnership, association or corporation.

pH - the logarithm to the base 10 of the reciprocal of the hydrogen ion concentration expressed in moles per liter. It shall be determined by one of the acceptable methods described in the latest edition of Standard Methods for the Examination of Water and Sewage published by the American Public Health Association, American Water Works Association and the Water Environment Federation.

Pollutant - Any substance which, when discharged into the environment, causes, contributes to, or increases pollution.

(This section added 9/03/2002)

Premises Accessible to The Authority Sanitary Sewerage System - any real estate abutting on or adjoining any street in which there is a sewer of the public sanitary sewerage system, or any real estate which might be connected to that system by construction of a private sewer of not more than one hundred feet (100') in length.

Properly Shredded Garbage - the wastes from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.

Sanitary Sewage - 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.

Sanitary Sewer - a sewer which carries sanitary sewage and to which storm, surface, and ground waters are not intentionally admitted.

Service Lateral - that part of the sewer line from the main sewer to the curb line or to the property line if there is no curb.

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

Sewer Charge - that charge to a customer for discharging sanitary sewage to the Authority Sanitary Sewerage System.

Sewer - a pipe or conduit for carrying sewage or other waste liquids.

Storm Water Runoff - that portion of the rainfall which reaches a drain.

Storm Sewer - a sewer which is intended to carry storm water runoff, surface waters, ground water drainage, etc., but which is not intended to carry any sanitary sewage or polluted industrial waste.

Suspended Solids - solids that either float on the surface or are in suspension in water sewage, industrial waste or other liquids, and which are removable by laboratory filtration. The quantity of suspended solids shall be determined by one of the acceptable methods set forth in "Standard Methods for the Examination of Water and Wastewater" or by other methods accepted by either the Pennsylvania Department of Environmental Protection or the United States Environmental Protection Agency, or their respective successor departments or agencies. *(This section revised 6/5/2000)*

Surcharge - A fee charged to recover costs associated with the treatment of abnormal

waste discharges. Said surcharge fee shall be in addition to any other fees charged or assessed by the Authority.

(This section added 9/03/2002)

Treatment Works - that portion of the Authority Sanitary Sewerage System owned by the Authority, located in Frankstown Township, which is designed to provide treatment of Sewage and to discharge treated effluent to the environment.

Unpolluted Water or Waste - any water or waste containing none of the following: free of emulsified grease or oil; acid or alkali; phenols or other substances imparting taste and odor to receiving waters; toxic or poisonous substances in suspension, colloidal state or solution; obnoxious or odorous gases. It shall contain not more than ten thousand (10,000) parts per million by weight of dissolved solids of which not more than two thousand five hundred (2,500) parts per million shall be as chloride and not more than ten (10) parts per million each of suspended solids and B.O.D. The color shall not exceed fifty (50) parts per million. Analyses for any of the above-mentioned substances shall be made in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater" or by other methods accepted by either the Pennsylvania Department of Environmental Protection or the United States Environmental Protection Agency, or their respective successor departments or agencies. *(This section revised 6/5/2000)*

"Shall" is mandatory, "May" is permissible.

B. Sewer System Connection, Application and Maintenance Requirements.

§1101. Existing Occupied Buildings to be Connected to Accessible Sewer. All persons owning any occupied building now erected within the Authority Service Area upon Premises Accessible to the Authority Sanitary Sewerage System shall, if not already connected, at their own expense, make connection with the sanitary sewerage system within three (3) months after the effective date of this Part.

§1102. Newly Constructed Buildings to be Connected to Sewer. All persons owning any

premises within the Authority Sanitary Service Area accessible to the Authority Sanitary Sewerage System upon which a building is hereinafter erected shall, at the time of erection of such building, and at their own expense, make the connection with the Authority Sanitary Sewerage System.

§1103. Connection of Buildings Hereafter Becoming Accessible to Sewer. All persons owning any occupied building within the Authority Sanitary Service Area upon premises which hereinafter becomes accessible to the Authority Sanitary Sewerage System shall, at their own expense, make the connection with the public sanitary sewerage system within three (3) months after notice to do so from the Authority or its authorized representative.

§1104. Manner of Making Connections. All connections to the Authority Sanitary Sewerage System shall be in full accord with a plumbing code or other applicable ordinances, regulations or specifications of the municipality where the customer is located, or regulations of the Authority.

§1105. Privies, Cesspools and Similar Receptacles Unlawful. No person owning any building within the Authority Sanitary Service Area, on Premises Accessible to the Authority Sanitary Sewerage System, shall erect, construct, use or maintain, or cause to be erected, constructed, used or maintained any privy, cesspool, sinkhole, septic tank or other receptacle on such premises for receiving sanitary sewage.

§1106. Unlawful Receptacles Constitute Nuisance; Abatement Thereof. Any person who erects, constructs or maintains a privy, cesspool, sinkhole or septic tank or other receptacle for receiving sanitary sewage on any property within the Authority Sanitary Service Area accessible to the Authority Sanitary Sewerage System in violation of this Part shall be deemed, and shall be declared to be erecting, constructing and maintaining a nuisance. The Authority or its agent shall give notice to the Borough or other appropriate municipality of the existence of said nuisance.

§1107. Authority for Authority to Do Work and Collect Cost. If the person owning or occupying any building or buildings shall neglect or refuse to comply with the provisions of these regulations, the Authority or its agent may serve a written notice upon said person, or upon the tenant or person in possession of the premises, if said owner or owners cannot be found on the said premises, requiring said owner or owners to comply in every respect with the provisions of these regulations within forty-five (45) days after the service of such notice, and if said owner or

owners shall neglect or refuse to comply with said notice, the Authority or its agent may perform or cause to be performed such work and labor, and furnish or cause to be furnished such material as may be necessary to comply with the provisions of these regulations at the cost and expense of such owner or owners together with ten percent (10%) additional thereof, and all charges and expenses incident thereto, which sum shall be collected from said owner or owners for the use of the Authority as debts are by law collectible, or the said Authority may, by its proper officer, file a municipal claim or lien therefor against said premises as provided by the Act or Acts of Assembly in such cases made and provided.

§1108. Application. Any property owner or properly authorized agent desiring a sewer connection into a property must first make a written application on the form furnished by the Authority or its agent, stating the street and lot number or location, the name of the owner and tenant, the purpose for which service will be used, the estimated or proposed sanitary sewage to be discharged by the new sewer connections and the guarantee that such service will continue for at least one year and the exact time when the trench from curb to property will be ready for making the connection.

§1109. Effect of Application; Connection Fee. The application shall be signed by the owner of the premises, or his duly authorized agent, and such application shall, together with these rules and regulations and amendments there of regulate and control the sewer service for such premises. Such application shall be accompanied by the sewer connection fee five hundred fifty dollars (\$550), for each connection which shall be for the use of the Authority, and an inflow/infiltration fee of seven hundred dollars (\$700) for each EDU, or part thereof that will result from the connection.

§1110. Responsibility of Customer. The customer desiring to use the sewage facilities will be responsible for the proper observance of these rules and regulations.

§1111. Restrictions on Allowing Others to Connect to House Connection. No owner or tenant of any premises connected with the Authority Sanitary Sewerage System shall permit any other person or premises to use or connect with the House Connection except upon written permission of the Authority or its Agent.

§1112. Requirements for Separate House Connections. A separate House Connection will

be required as a unit or as one of a pair or row, but a single House Connection will be permitted to serve a school, factory, apartment house or other permanent multiple-unit structure whose individual apartments or units may not be subject to separate ownership.

§1113. Supervision over Work. No sewer connection, or disconnection, shall be made except under the supervision, control and approval of the Authority or its agent, unless authorized in advance by the Authority or its Agent.

§1114. Installation and Maintenance of Service Laterals. Upon approval of the application of any person for sewer service and connection to an existing authority sewer main, the Authority may install a service lateral and will be responsible for the maintenance and repairs of the service lateral between the main and the curb line or the property line if there is no curb.

§1115. Installation and Maintenance of House Connections. The House Connections must be installed and maintained by and at the expense of the Customer.

§1116. Manner of Installation of House Connections. All House Connections from buildings to the Service Lateral hereafter installed shall be constructed of a type of pipe that shall meet with the approval of the Authority, shall have permanently tight joints, a minimum grade of one percent (1%), the best possible alignment and adequate cover to protect the pipe from crushing or frost action. The entire installation shall be inspected and approved by the Authority or its Agent before the line is covered and connection made.

§1117. Repairs, Alterations and Additions to House Connections. No repairs, alterations or additions to any House Connections of the Authority Sanitary Sewerage System shall be made, unless the person desiring to make the same shall first notify the Authority or its Agent and receive permission for doing so.

§1118. Supervision over Work. The construction or repair of House Connections shall be subject to supervision and inspection by the Authority or its Agent. All backfilling of trenches shall be made by thoroughly compacting six-inch (6") layers of earth to a minimum height of twelve inches (12") above the pipe bell.

§1119. Certain Waste Water Not Permitted in New Construction. In all new construction no roof or cellar drainage, surface water, waste from hydrants or ground water from underground drainage fields or foundation drains shall be permitted in the sanitary sewer system or any combined sewer. The Authority or its Agent shall have the right to require the Customer to close up or disconnect from the sewer system any service lateral or house connection operating in violation of this rule upon failure by the Customer to correct the violation within thirty (30) days of date of notice to do so. *(This section revised 6/5/2000)*

§1120. Size of House Connection. The Authority or its Agent shall specify the size of the House Connection.

§1121. Violation by One or More Customers on Same House Connection or Service Lateral. Where two (2) or more Customers are supplied through the same House Connection or Service Lateral, any violation of the rules and regulations of the Authority by either or any of said Customers shall be deemed a violation as to all, and the Authority or its Agent shall take such action as could be taken against a single Customer, except that such action shall not be taken until the Customer who is not in violation of the Authority's rules has been given reasonable opportunity to connect the House Connection to the main sewer line as required by these regulations.

§1122. Non-liability of Authority; Responsibility of Customer. The Authority and its Agent shall not be liable for any damage or expense resulting from leaks, stoppages or defective plumbing or from any other cause occurring to any premises or within any house or building. It is expressly stipulated by and between the Authority and the customer that no claims shall be made against the Authority or its Agent on account of the breaking or stoppage of, or any damage to any Service Lateral, House Connection or any other Authority Sewer.

§1123. Repair of Leaks. All leaks in service pipes and fixtures in and upon the premises supplied inside the curb line, must be promptly repaired by the owner or occupant. On failure to make such repairs with reasonable dispatch, the Authority or its Agent upon five (5) days notice may discontinue the service to the premises and the service will not be resumed again until all necessary repairs are made and all bills, including labor, supplies and expenses incurred in discontinuing the service are paid in full.

C. Discontinuance of Service; Extension of Street Mains

§1201. Notice of Vacation of Premises. When the premises are vacated, the property owner shall give notice at the office of the Authority or its Agent and he will be responsible for the sewer charges until such notice is given.

§1202. Notice of Change of Ownership of Improved Property. Each property must give the Authority or its Agent written notice of any change of ownership of any improved property.

§1203. Procedure for Obtaining Abatement from Sewer Charges. Property owners desiring an abatement from sewage bills shall report same in writing or call in person at the office of the Authority or its Agent. All vacancies shall date from the day reported at the office of the Authority or its Agent. When vacancy is properly reported, an allowance will be made for the period of vacancy, but not for a period of less than one (1) calendar month.

§1204. Privilege to Investigate. The Authority and its Agent shall have the right of access at all reasonable times to all parts of any premises connected with the Authority Sanitary Sewage System for the purpose of examining and inspecting the connections, fixtures and water meters or for disconnecting service for any proper cause.

§1205. Extension of Street Mains. When application has been received for sewer service requiring an extension of sewer mains or interceptors within the Authority Sanitary Service Area, or when application has been received for extension of main into newly developed tracts of land the applicant shall enter into an agreement with the Authority and its agent, to include, but not limited to the following: to construct the extensions and other required appurtenances according to the Authority's specifications, to dedicate the completed facilities to the Authority, to provide construction inspection services of an inspector approved by the Authority, to provide a guaranty of the constructed facilities for one year after the construction is completed and has passed all required tests, to post performance guaranty prior to starting construction which shall consist of a bond or an irrevocable letter of credit to the Authority, and to bear the entire cost of the installation and before any work is commenced, the applicant shall deposit with the Authority or its Agent an amount sufficient to cover the entire estimated cost of the installation. If the actual cost is less than

estimated, the difference shall be refunded to the applicant. If the actual cost is greater than estimated, the applicant shall pay the Authority or its Agent the difference upon completion of the installation.

D. Sewer Charge Schedule of Rates

§1301. Sewer Charge Established. There is hereby levied and assessed against all Persons having a connection with the public sanitary sewerage system or otherwise discharging sewage, industrial wastes, water or other liquids either directly or indirectly into said system or any part thereof, a service charge payable as hereinafter provided and in the amount hereinafter provided, except as otherwise provided herein.

§1302. Schedule of Sewer Charges. (1) The Sewer Charge for any person having any connection with the Authority Sanitary Sewerage System and discharging sewage, industrial waste, water or other liquids into said system, shall be based upon the quantity of water used on or in said premises as the same is measured by the Authority's meter or meters therein used, subject to the provisions of §1305, and shall be charged monthly as set forth in the Schedule of Fees and Charges. The Schedule of Fees shall be adopted, on an annual basis, by resolution of the Authority, which shall establish the rates charged for water service and water usage and shall establish the fees charged for each service provided by the Authority. The Borough, acting as agent for the Authority, shall collect said fees and charges on behalf of the Authority. Said Schedule of Fees shall be incorporated herein by reference.

(This section revised 6/5/2000, 9/3/2002)

(2) The foregoing charge shall not be applicable to the Townships of Allegheny, Blair, Frankstown and Logan or their respective sewer authorities or any other municipality or its authority which may become parties to a sewage service agreement of the Borough and the Hollidaysburg Sewer Authority dated as July 1, 1975, as amended, provided that, as set forth in §1308, nothing in this section shall preclude the Authority from entering into a separate service agreement or contract with any of the aforementioned municipalities, or their respective authorities, wherein the said charges may be applied. *(This section revised 6/5/2000)*

§1303. Penalty Added to Unpaid Sewer Charge or Fees; Monthly Billing. The fee schedules set forth in §1302 shall be subject to a penalty of one and one quarter (1&1/4) percent per month if account is not paid in full after thirty (30) days after due date of bill. The Customer shall be billed monthly for the Sewer Charge in accordance with the billing practices of the Authority. *(This section revised 6/5/2000, 9/03/2002)*

§1304. Combined Billing. The registration of water on two or more meters at one premise, and used by one Customer, may be combined and billed to said user as though registered on one meter if the Authority so elects.

§1305. Meters to be Installed for Measurement of Water Obtained from Other Sources. In the event any person, firm or corporation discharging sanitary sewage, industrial waste, water or other liquids into the Authority Sanitary Sewerage System either directly or indirectly, obtains part or all of the water used from sources other than the Authority, such user of other water shall, at no expense to the Authority, install and maintain water meters satisfactory to the Authority for measuring all water usage other than that obtained from the Authority, and the quantity of water used to determine the Sewer Charge as above set forth shall be the sum of the quantity measured by all such meters plus the quantity of water obtained from the Authority, provided, the Authority may accept the metered measure of water used as provided by another water supplier.

§1306. Special Arrangements Where Portion of Water Used Does Not Enter Sewer System. In the event it be established to the satisfaction of the Authority that a portion of the water measured by the above-named water meter or meters does not and cannot enter the Authority Sanitary Sewerage System, and in event that the total water used by said person, firm or corporation exceeds one hundred thousand (100,000) gallons per quarter, then the Authority may determine, in such manner and by such method as it may deem practical, the percentage of the metered water entering the sanitary system, or the Authority may require or permit the installation of additional meters in such a manner as to determine either the quantity of water excluded from the sewerage system, or the quantity of water, sewage or industrial waste actually entering the sewerage system, exclusive of storm water runoff. The Sewer Charge shall be based upon the quantity of water estimated, measured or computed by the Authority to be actually entering the Authority Sanitary Sewerage System, exclusive of storm water runoff.

§1307. Procedure for Reducing Sewer Charge Because of Water Not Entering Authority Sanitary Sewer System. Customers requesting consideration for a reduction in the Sewer Charge because of water not entering the Authority Sanitary Sewerage System shall make written application to the Authority for such consideration, giving the name of the firm, industry or business, address, Authority account number, and supporting data fully describing other sources of water, if any, as well as disposition of water alleged not to be entering the Authority Sanitary Sewerage System. The application shall be accompanied by a sketch to approximate scale showing the plan of the property, water distribution system, sewer layout, existing meters, and proposed meters in the scheme to determine the quantity of flow entering, or not entering, the Authority Sanitary Sewerage System. The cost of furnishing, installing and maintaining any meters other than those utilized to measure water purchased from the Authority shall be borne by the applicant. The type, size, location, arrangement and maintenance of such meters shall be subject to the approval of the Authority.

§1308. Contracts with Other Municipalities. Nothing in these regulations shall preclude the right of the Authority entering into contracts with other municipalities for the treatment of their sewage under a schedule of charges differing from those above set forth herein.

§1309. Industrial User Fees. To provide for the recovery of costs from Industrial Users of the Sewer System for the implementation of the Industrial Pretreatment Program established herein. The applicable charges or fees are hereby established.

- A. Fees for reimbursement of costs of setting up and operating the Industrial Pretreatment Program;
- B. Fees for monitoring, inspections and surveillance procedures;
- C. Fees for reviewing accidental Discharge procedures (SPCC Plans) and construction;
- D. Fees for Wastewater Discharge Permit applications;
- E. Fees for filing appeals;
- F. Fees for consistent removal (by the Sewage Treatment Plant) of Pollutants otherwise subject to Categorical Standards; and
- G. Other fees as the Authority may deem necessary to carry out the requirements contained herein.

E. Surcharge for Certain Abnormal Wastes *(Revised 6/5/2000)*

§1401. Surcharge for Discharge of Certain Abnormal Wastes Although the sewage treatment works is capable of treating certain abnormal wastes as heretofore defined in §1002, the actual treatment of such wastes may increase the cost of operating and maintaining the Authority Sanitary Sewerage System. Therefore, there is hereby levied and assessed against each person, industry or corporation discharging such abnormal waste into the Authority Sanitary Sewerage System, a surcharge, or surcharges, which shall cover such additional cost to the Authority, as set forth in §1402 through §1405 of this Part 1. Such surcharges shall be in addition to the regular Sewer Charge set forth in §1302 of these regulations, and shall be payable as hereinafter provided and in the amount hereinafter provided. *(This section revised 6/5/2000, 9/03/2002)*

§1402. Determination of Strength of Abnormal Waste. The strength of any abnormal waste discharged into the Authority Sanitary Sewer System, the discharge of which is to be subject to surcharge, shall be determined from evaluation of samples collected from the source of said discharge. Wastewater from these sources shall be collected and evaluated at a frequency and in accordance with methodologies established by the Pretreatment Coordinator or duly authorized representative. The sampling point shall be at the most representative location as determined by the Pretreatment Coordinator or duly authorized representative. Except as hereinafter provided, the strength of the abnormal waste so found by analysis shall be used for establishing the surcharge, or surcharges hereinafter provided for. However, the Authority may, if it so elects, accept the results of routine sampling and analyzes by the producer of said wastes in lieu of making its own sampling and analyzes. All analysis must be performed in accordance with the requirements set forth in 40 CFR Part 136. The Authority shall charge a fee as set forth in the referenced Fee Schedule (§1302) for the collection and analysis of said wastes or will accept sampling and analysis results from a certified commercial laboratory. *(This section revised 6/5/2000, 9/03/2002)*

§1403. Surcharge Parameters. The maximum concentration levels in milligrams per liter (mg/l) that may be discharged into the Authority Sanitary Sewer System are three hundred (300) for biochemical oxygen demand, one hundred fifty (150) for oil and grease, three hundred fifty (350) for suspended solids, twenty (20) for ammonia-nitrogen, and sixteen (16) for total phosphorous. Discharge of concentrations that exceed the limits set forth herein may result in a surcharge.

(This section revised 9/3/2002)

§1404. Surcharge Fee. (1) In the event any waste or sewage is found, by the Authority or its agent, to exceed the maximum concentration levels established in §1403, the producer of said waste shall be surcharged a fee for each pollutant as specified in §1401 of these regulations. Said surcharge fee shall be calculated based on the operations and maintenance costs per pound of pollutant received at the wastewater treatment facility. The surcharge fee shall be calculated by applying the following formulas:

- $R(B) = Q[(BOD) - 300](8.34)(B)$
- $R(O) = Q[(O\&G) - 150](8.34)(O)$
- $R(T) = Q[(TSS) - 350](8.34)(T)$
- $R(N) = Q[(NH_3) - 20](8.34)(N)$
- $R(S) = Q[(P) - 16](8.34)(S)$

Where:

R(B) = Surcharge Fee for BOD; R(O) = Surcharge Fee for Oil and Grease; R(T) = Surcharge Fee for Total Suspended Solids; R(N) = Surcharge Fee for Ammonia-Nitrogen; and R(S) = Surcharge Fee for Phosphorus

Q= Flow in Million Gallons per Day (MGD), (This value is obtained from water usage during the surcharge period).

BOD, O&G, TSS, NH₃, P = Average value for each pollutant in milligram per liter (mg/l) as determined by laboratory analysis and specified in §1402.

B= Treatment cost per pound of BOD

O= Treatment cost per pound of Oil & Grease

T= Treatment cost per pound of TSS

N= Treatment cost per pound of NH₃

S= Treatment cost per pound of P

* The multiplier 8.34 is a conversion factor to convert gallons to pounds

No discount shall be granted for wastes having concentrations below the surcharge levels.

(This section revised 9/03/2002)

§1405. Billing of Surcharges; Penalties. Surcharges provided herein will be billed on a monthly or quarterly basis and shall be subject to the same penalty as set forth in §1303 of subpart 1D and shall apply to sewage discharge of other municipal or authority sewer systems connected to the Authority Sanitary Sewerage System. *(This section revised 6/5/2002, 9/03/2002)*

F. Billing Practices; Refunds

§1501. Billing Practices. The Sewer Charge and the surcharges where applicable, provided for in this Part 1, shall be payable in monthly payments in accordance with the billing practices of the Authority, provided that surcharges assessed against other municipal or authority discharges to the Authority Sanitary Sewerage System may be paid quarterly.

§1502. Access to Water Meters. All Customers using metered water service shall permit access to their water meter by the Authority meter reader or its agent's meter reader at all reasonable times. This includes meters installed under §1305 of this Part.

§1503. Meter Reading Schedule; When Bill May Be Estimated; Adjustments. The Authority or its agent shall read meters at least once every sixty (60) days or as regularly as possible. In the event that scheduled reading of meters cannot be obtained because of inability to gain access to the meter location, or for any other reason, the Authority and its agent reserve the right to estimate the amount of the bill. The bills so determined shall have the same force and effect as if the meter had been read and shall be paid in accordance with the terms of the applicable schedule. The bills so rendered may be subject to review in the case of unusual circumstances reported by the Customer, in writing to the Authority or its Agent, or wherever irregularity in use is readily apparent to the Authority or its Agent; provided, however, that the Authority and its Agent shall be under no obligation to make such adjustments.

§1504. Effect of Failure to Receive Bill. Failure to receive a bill shall not exempt any Customer from loss of discount. The presentation of a bill to the customer is only a matter of accommodation and not a waiver of this rule.

§1505. Right of Authority to Change Rates, Rules and Regulations. The Authority reserves the right to change or amend from time to time the rates, rules and regulations.

G. Storm Water Runoff

§1601. Discharge to Sanitary Sewers Prohibited. The discharge of storm water runoff to separate sanitary sewers is hereby prohibited and persons presently discharging storm water runoff to separate sanitary sewers shall cease and desist such. A sewer or any portion thereof which has been carrying both sewage and storm water runoff shall become a sanitary sewer when storm water runoff has been or may be excluded therefrom, and carried away by storm sewer. Persons previously discharging storm water runoff to a combined sewer shall cease and desist such discharge within ninety (90) days after a combined sewer is converted to a sanitary sewer.

§1602. Provisions to Exclude Storm Water Required. All persons connecting to the Authority Sanitary Sewerage System shall provide adequate means for excluding storm water runoff in the event connection is made to a separate sanitary sewer; or at such time as a combined sewer becomes a sanitary system. The discharge of storm water runoff is prohibited for all new connections to the Authority's sewer system, whether or not said connection is to a combined sewer or a sanitary sewer.

§1603. Discharge to Natural Watercourses Allowed. The provisions of this Part 1.G. should not prohibit the present discharge of storm water runoff to combined sewers, or directly to natural watercourses within the Authority Sanitary Sewer Service area, provided said discharges to a natural watercourse are in compliance with all storm water ordinances or regulations of the Borough, the municipality where the runoff is generated, the laws of the Commonwealth or the United States Government. It shall be the responsibility of the property owner to comply with these ordinances, regulations and laws.

§1604. Cancellation of Application or Discontinuance of Service. Application may be canceled or sewer service may be discontinued on forty-eight (48) hours' notice for violation of any rules and regulations hereinbefore set forth.

H. Penalties.

§1701. Recovery of Delinquent Sewer Service Charges; Authority to Close Sewer Connection. Each Sewer Charge or surcharge levied hereby pursuant to this Part 1 shall be a debt due the Authority and shall be a lien upon all the property of the user of such service, and if the same is not paid within thirty (30) days after it shall have been rendered, it shall be deemed delinquent and may be recovered by civil action in the name of the Authority. In event of failure to pay the Sewer Charge or surcharges within sixty (60) days after they become delinquent, the Authority shall be authorized to remove or close the sewer connection and shall have the right to enter upon the property of the user of the service for such purpose and to take such steps as may be necessary to accomplish such removal or closing. The expense of such removal or closing, as well as the expense of restoring any such service, shall likewise be a debt due the Authority and a lien upon all of the property of the user and may be recovered by civil action in the name of the Authority, or such sewer service shall not again be turned on, nor the sewage connection restored until all service charges, including the expense of removal, closing and restoration shall have been paid. Change of ownership or occupancy of premises found delinquent shall not be cause for reducing or eliminating these penalties. The Authority may request the supplier of water to discontinue said water service as a means of collecting delinquent sewer charges in lieu of reconnecting the sewer connections.

§1702. Notice of Violation; Removal or Closing of Connection. All persons violating any portion of the rules and regulations promulgated in this Part 1 shall be in violation of this Part. Notice of said violation shall be sent through the U.S. mail and if, after thirty (30) days of elapsed time no action on the violation is taken, the sewer connection shall be removed or closed and reconnecting shall not be made until after a correction of the violation has been made. The expense of such removal or closing and the expense of restoring the sewer service shall be a debt due the Authority and a lien upon all of the property of the user, and may be recovered by civil action in the name of the Authority.

RESOLVED by the Authority this 3rd day September, 2002

Vice - Chairman

ATTEST:

Assistant Secretary

PART 2

INDUSTRIAL PRETREATMENT REGULATIONS

[RESERVED]