

EAST NORRITON TOWNSHIP
SEWER USE ORDINANCE

ORDINANCE NO. 327

AN ORDINANCE AMENDING THE CODE OF EAST NORRITON TOWNSHIP SETTING FORTH UNIFORM REQUIREMENTS FOR DIRECT AND INDIRECT CONTRIBUTORS INTO THE EAST NORRITON TOWNSHIP WASTEWATER COLLECTION SYSTEM, TO EFFECT COMPLIANCE WITH APPLICABLE STATE AND FEDERAL LAWS CONCERNING DISCHARGES OF WASTEWATER AND POLLUTANTS INTO THE SEWER SYSTEM, AND PROVIDING FOR PENALTIES FOR VIOLATION.

THE BOARD OF SUPERVISORS OF EAST NORRITON TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA UNDER AND BY VIRTUE OF THE AUTHORITY GRANTED BY THE SECOND CLASS TOWNSHIP CODE DOES HEREBY ENACT AND ORDAIN:

SECTION 1.

The Code of East Norriton Township, Chapter 162, being Sewers is hereby amended as follows:

Section 162-47 Applicability; administrative officer is amended by deleting the existing paragraph and substituting the new paragraph as follows:

This Article shall apply to the Township of East Norriton and to persons outside the Township who are Users of the Township collection system. Except as otherwise provided herein, the MIP Coordinator of the Township shall administer, implement and enforce the provisions of this ordinance.

Section 162-49 Definitions is amended by adding or substituting the following definitions as follows:

CONSISTENT REMOVAL. shall mean the reduction in the amount of a pollutant or alteration of the nature of the pollutant by the wastewater collection system to a less toxic or harmless state in the effluent which is achieved by the system in 95 percent of the samples taken when measured according to the procedures set forth in Section 403.7(c)(2) of Title 40 of the Code of Federal Regulations, Part 403 - General Pretreatment Regulations for Existing and New Sources of Pollution promulgated pursuant to the Act.

CONTROL AUTHORITY. shall refer to the East Norriton/Plymouth/Whitpain Joint Sewer Authority.

EDU. Equivalent Domestic Unit with the following wastewater characteristics:

Flow	275 gpd
Ammonia - Nitrogen	25 mg/l as N
BOD	250 mg/l
Phosphate	10 mg/l as P
Suspended solids	250 mg/l
TKN	40 mg/l as N

MIP COORDINATOR. The representative delegated the responsibility by the municipality to administer this program.

INTERFERENCE. The inhibition or disruption of the POTW treatment processes or operations which contributes to a violation of any requirement of the receiving treatment facility's NPDES Permit. The term includes prevention of sewage sludge use or disposal by the receiving treatment facility in accordance with 405 of the Act, (33 U.S.C. 1345) or any criteria, guidelines, or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substances Control Act, or more stringent State criteria, including those contained in any State sludge management plan prepared pursuant to Title IV of SWDA applicable to the method of disposal or use employed by the receiving treatment facility.

NEW SOURCE. Any facility from which there is or may be a discharge of pollutants, construction of which began after the publication of the proposed pretreatment standards pursuant to Section 307 (c) of the Clean Water Act (CWA) which will apply to the facility if the standards are promulgated, provided certain locations and construction criteria are met.

PASS THROUGH. Any discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or with discharges from other sources, causes a violation of the POTW's National Pollutant Discharge Elimination System (NPDES) Permit, including an increase in the magnitude or duration of a violation.

SHALL is mandatory; MAY is permissive.

SIGNIFICANT USER. Any non-domestic User of the Authority's wastewater collection system who,

- 1) by definition of process is regulated by the National Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N;

- 2) has a discharge of process wastewater flow of 25,000 gallons or more per average work day;
- 3) has a greater than 5 percent of the flow in the Authority's wastewater collection system;
- 4) any other industrial user designated as significant by the Control Authority on the basis that it has a reasonable potential for adversely affecting the POTW's operations or for violating a pretreatment standard or requirement;
- 5) is found by the Authority, Pennsylvania Department of Environmental Resources (PADER), or the U.S. Environmental Protection Agency (EPA) to have significant impact, either singly or in combination with other contributing Users on the wastewater collection system, the quality of sludge, the system's effluent quality, or air emissions generated by the systems, or has the potential for impact through its discharge and/or spills.

SIGNIFICANT USER PERMIT. As set forth in Section 162-64 of this ordinance.

SUPERINTENDENT. The person designated by the Control Authority to supervise the operation of the POTW and who is charged with certain duties and responsibilities by this article, or his duly authorized representative.

TOWNSHIP. East Norriton Township Board of Supervisors.

TOWNSHIP AUTHORITY. The East Norriton Township Sewer Authority.

USER. Include Significant Users, Class I Industrial Users, Class II Industrial Users, Class III Industrial Users, and any person who contributes, causes, or permits the contribution of wastewater into the POTW.

CLASS 1 INDUSTRIAL USER. - Any industrial user discharging industrial process wastewater where either:

- (1) the volume exceeds 10,000 gallons per day, or
- (2) the amount of BOD, or suspended solids in the discharge exceeds the mass equivalent of 10,000 gallons per day of domestic waste, or
- (3) the industrial user is subject to Federal Categorical Standards, or
- (4) the industrial user's discharge is determined by the MIP Coordinator to be of such character as to require the regulation of that discharge to protect the public interest.

CLASS 2 INDUSTRIAL USER. - Any industrial user who discharges non-domestic wastewater into the wastewater collection system which is regulated by means of an Industrial Discharge Permit.

CLASS 3 INDUSTRIAL USER. - Any person who discharges non-domestic wastewater into the treatment works.

Section 162-50 Prohibited Substances is amended by deleting existing paragraphs (2),(3),(7) and (9) and substituting the new paragraphs respectively as follows:

- (2) Solid or viscous substance which may cause obstructions to the flow in a sewer or other interference with the operation of the wastewater treatment facility, such as 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, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, wastepaper, wood, plastics, gas, tar, asphalt, residues, petroleum oil, non-biodegradable cutting oil, or other products of mineral oil origin, mud, glass grinding, or polishing wastes in amounts that will cause interference or pass through.
 - (3) Any wastewater having a pH less than 5.0 or greater than 10.0, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel of the POTW or wastewater collection system.
 - (7) Any substance which alone, or with discharges from other sources will cause a pass through at the POTW, resulting in a violation of its NPDES Permit or the receiving water quality standards.
 - (9) Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant or collection system resulting in interference, but in no case wastewater with a temperature at the introduction into the POTWs which exceeds 40 C (104 F).
 - (14) Trucked or hauled wastes except at points designated by the Control Authority.
- B. When the MIP Coordinator determines that a User is contributing to the POTW with any of the above enumerated substances in such amounts as interfere with the operation of the POTW, the MIP Coordinator shall advise the User of the impact of the contribution on the POTW, and develop effluent limitations for such User to correct the interference with the POTW. In

addition, all Users are required to notify the Township of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents, must be made 180 days prior to being introduced into the wastewater treatment system.

Section 162-51 Notification of requirements; changes in status is hereby amended by deleting the existing paragraph and substituting the new paragraph as follows:

Upon the promulgation of the Federal Categorical Pretreatment Standards for a particular industrial subcategory, the Federal Standard, if more stringent than limitations imposed under this Ordinance for sources in that subcategory, is enforceable under this Ordinance, per 40 CFR Section 402.12. The Township shall be responsible to notify all affected Users of the applicable reporting requirements under this regulation. The Township is responsible to notify the affected Users of the promulgation of Categorical Standards, even though local limits may be more stringent. Each User shall be responsible to notify the Township of changes to their status under the Federal, State, or local regulations.

Section 165-52 Modification of Federal Categorical Pretreatment Standards is amended by deleting the existing paragraph and substituting the new paragraph as follows:

Where the Authority's wastewater collection system achieves consistent removal of pollutants limited by Federal Pretreatment Standards, the Township may apply to the approval authority for modifications of specific limits in the Federal Pretreatment Standards. The Township may then modify pollutant discharge limits in the Federal Pretreatment Standards if the requirements contained in 40 CFR Part 403, Section 403.7 are fulfilled and prior approval from the approval authority is obtained.

Section 165-53 Specific Pollutant Limitations is amended by deleting the existing paragraph and substituting the new paragraphs as follows:

A. No person shall discharge wastewater containing in excess of:

Parameter	Max. Conc. from Industrial Connections to POTW (mg/l)
Arsenic	1.63
Cadmium	0.75
Chromium (hexavalent)	N/A
Chromium (total)	16.68

Copper	1.93
Cyanide	site specific
Lead	7.43
Mercury	0.0007
Nickel	3.31
Oil & Grease	100.00
pH	Not less than 5.0 S/U or greater than 10.0 S/U
Silver	0.42
Zinc	4.0

B. All wastewater entering the Township's collection system shall be pretreated to normal domestic levels unless otherwise stated in writing by the Township by way of the User Permit. These levels shall be:

BOD -	250 mg/l
Suspended Solids -	250 mg/l
Ammonia Nitrogen -	25 mg/l as N
TKN -	40 mg/l as N

The Township or its designated representative, may grant exceptions to the Biological Oxygen Demand (BOD) and Total Suspended Solids (TSS) limitations if requested in writing by any Class 1 industrial User (significant user) in an amount not to exceed 1,000 mg/l in the event they are unable to adhere to the general limitations set forth herein. The granting of any exception to said limitations under this paragraph is solely with the discretion of the Township through its designated representative and shall be granted on a conditional basis only. The Township shall make its determination whether to grant an exception on a case by case basis based on the impact on the operations of the POTW and its ability to operate within the standards established by this ordinance. Any party who is aggrieved from the decision of the Township or its designated representative regarding its request for an exception to the aforementioned limitations may avail themselves of the appeal procedure under Section 162-78 of this Ordinance.

C. Where any User requires greater than five percent (5%) of the POTW capacity on an average daily mass basis, more stringent limitations shall be imposed.

Section 162-54 Applicability of State Requirements is amended by deleting the existing paragraph and substituting the new paragraph as follows:

State requirements and limitations on discharges shall apply in any case where they are more stringent than Federal requirements and limitations, or those in this Article.

Section 162.57 Accidental or Slug Discharges is amended by deleting the existing paragraph and substituting the new paragraph as follows:

Each User shall provide protection from accidental or slug discharges of prohibited materials or other substances which have the potential to cause interference or pass through at the POTW and are regulated by this Ordinance. Slug discharges include any discharge of a non-routine, episodic nature, including, but not limited to, an accidental spill or a non-customary batch discharge. Facilities to prevent accidental discharge, or slug 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 detail this protection shall be submitted to the Township for review, and shall be approved by the Township before construction of the facility. The slug control plan shall contain a description of discharge practices (including non-routine batch discharge); a description of stored chemicals; procedures for immediate notification to the POTW of slug discharges, and written procedures to prevent adverse impacts from any accidental spill (i.e. operation and maintenance, general housekeeping and training). All existing Users shall complete such a plan within 90 days after notification by the MIP Coordinator of this requirement. No Users who commences contribution to the POTW after the effective date of this Ordinance shall be permitted to introduce pollutants into the system until the accidental discharge and slug discharge procedures have been approved by the Township. Review and approval of such plans and operating procedures shall not relieve the User or from the responsibility to modify its facility, as necessary, to meet the requirements of this Ordinance. In the case of an accidental discharge or slug discharge (either accidental or intentional), it is the responsibility of the User to immediately telephone and notify the POTW of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions.

Chapter 162 is amended by adding Emergency notification procedure as Section 162-57.1 as follows:

Within five (5) days following an accidental discharge, the User shall submit to the Township and to the applicable POTW a detailed written report describing the cause of the discharge and the measures to be taken to mitigate any expense, loss, damage, or other liability which may be

incurred as a result of damage to the POTW or aquatic life or any other damage to person or property. Such report shall not relieve the User of any fines, civil penalties, or other liability which may be imposed by this article or other applicable law.

Chapter 162 is amended by adding Section 162-57.2 Discharge of Hazardous Wastes as follows:

Each User must notify, in writing, the POTW, the State and the EPA of any substance, which if otherwise disposed of, would be considered a hazardous waste under 40 CFR, Part 261. The notification must include the name of the hazardous waste as set forth in 40 CFR, Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the industrial user discharges more than 100 kilograms of such waste per calendar month to the POTW, the notification should also contain the following information to the extent such information is known and readily available to the user; an identification of the hazardous constituents contained in the wastes, and estimation of the mass of constituents in the waste stream expected to be discharged during the following twelve months. All notifications must take place within 180 days of the effective date of the rule or for new discharges, within 180 days before the discharge of the hazardous waste. If a new substance is classified as hazardous under the Resource Conservation Recovery Act (RCRA), the User must notify the POTW, the State, and EPA of the discharge of such substances within 90 days of the effective date of the rule. In the case of notification made, the industrial user shall have a PADER certified program in place to reduce the volume or toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

Section 162-58 is amended by deleting the existing paragraph and substituting the new paragraph as follows:

Section 162-58 Notice to Employees: A notice shall be permanently posted on the User bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge. Employers shall ensure that all employees who may cause or suffer such a dangerous discharge to occur, are advised of the emergency notification procedures.

Section 162-59 is amended by deleting the existing paragraph and substituting the new paragraph as follows:

Section 162-59, Schedule of charges and fees:

A. It is the purpose of this section to provide for the recovery of costs from Users of the Township's wastewater collection system for the implementation of the program established herein. The applicable charges or fees shall be set forth in the Township's Schedule of Charges and Fees.

B. Fees

(1) The Township may adopt by resolution of the Board of Supervisors, as may be amended from time to time charges and fees which may include:

- a. Fees for reimbursement of costs of setting up and operating the Township's pretreatment program. These fees shall be established based on the following percentages, which relates to the time required to be devoted by the MIP coordinator for each class of User; Class I - 90 %, Class II - 8%, Class III - 2%
- 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 Township of pollutants otherwise subject to federal pretreatment standards.
- g. Other fees the Township may deem necessary to carry out the requirements contained herein.

These fees relate solely to the matters covered by this Ordinance and are separate from all other fees chargeable by the Township.

Section 162-60 is amended by deleting the existing paragraph and substituting the new paragraph as follows:

Section 162-60, Unlawful Dischargers: It shall be unlawful to discharge to any sanitary sewer within the Authority, or in any area under the jurisdiction of said Township, or to the POTW any wastewater, except as authorized in writing by the Township in accordance with the provisions of this Ordinance.

Section 162-61 is amended by deleting the existing paragraph and substituting the new paragraph as follows:

Section 162-61, User Connection Permit; information to be provided.

- A. All Industrial Users proposing to contribute to the POTW shall obtain an Industrial User permit before contributing to the POTW.
- B. The Superintendent and/or the Township shall require a User of sewer services to provide information needed to determine compliance with this Ordinance or other applicable local, State, or Federal laws, rules, or regulations. These requirements may include:
 - 1. Wastewater discharge peak rate and volume records over a specified time period.
 - 2. Information on raw materials, processes, and products affecting wastewater volume and quality.
 - 3. Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control.
 - 4. A plot plan of sewers on the User's property showing sewer facility locations and all proposed sewer connections to these facilities.
 - 5. Details of systems to prevent and control storm water from entering municipal sewers.
 - 6. Payment of all costs incurred for the information described in Article 162-61 through 162-72 shall be paid by the User of the sewer services in addition to other charges and sewer rentals.
- C. All measurements, tests, and analyses of the characteristics of waters and wastewaters to which reference is made in this Ordinance shall be determined in accordance with procedures established by the EPA pursuant 40 CFR, Part 136, as amended. Sampling methods, locations, times, durations, and frequencies are to be determined on an individual basis, subject to approval by the Township.
- D. The User shall be responsible for submitting all applicable county, regional, state, or federal permits or planning documents required for approval of sewer connection.

Section 162-62 is amended by deleting the existing paragraph and substituting the new paragraph as follows:

Section 162-62, User or Significant Users:

- A. All Users proposing to connect to or contribute to the POTW shall obtain an appropriate user permit before connecting to or contributing to the POTW. All existing Users connected to or contributing to the POTW shall apply for an appropriate user permit within 30 days after the effective date of this Ordinance.
- B. The User, where applicable, must also comply with the requirements of the Federal Categorical Pretreatment Standards, for a particular industrial subcategory. Where a User becomes subject to a new National Categorical Pretreatment Standard, but has not previously submitted an application for a User permit as required by Section 162-61, the User shall apply for a User permit within 180 days after the promulgation of the applicable National Categorical Pretreatment Standard.

Section 162-63 is amended by deleting the existing paragraph and substituting the new paragraph as follows:

Section 162-63, Permit Application:

- A. All Users required to obtain a permit, shall complete and file with the Township an application in the form prescribed by the Township and be accompanied by the required fee. In support of the application, the User shall submit in units and terms appropriate for evaluation the following information:
 - (1) Name, address, and location (if different from the property address).
 - (2) SIC number, according to the Standard Industrial Classification Manual, Bureau of the Budget 1972 as amended.
 - (3) Wastewater constituents and characteristics, including but not limited to those mentioned in Section 2 of this Ordinance, as determined by a laboratory certified by the Pennsylvania Department of Environmental Resources; sampling and analyses 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.
 - (4) Time and duration of contribution.