

EAST NORRITON TOWNSHIP
SEWER USE ORDINANCE

ORDINANCE NO. 347

AN ORDINANCE OF THE 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 PENALTIES FOR VIOLATION.

162-46 Purpose and Policy

- A. This Article sets forth uniform requirements for direct and indirect contributors into the wastewater collection of East Norriton Township to effect compliance with applicable state and federal laws required by the Clean Water Act of 1977 and the General Pretreatment Regulations (40 CFR Part 403).
- B. The objectives of this Article are:
- (1) To prevent the introduction of pollutants into the municipal wastewater system which will interfere with the operation of the system or contaminate the resulting sludge at the POTW's servicing the township.
 - (2) To prevent the introduction of pollutants into the municipal wastewater system which will be inadequately treated and thus pass through the system into receiving waters or the atmosphere or otherwise be incompatible with the system.
 - (3) To improve the opportunity to recycle and reclaim wastewaters and sludges from the system.
 - (4) To provide for equitable distribution of the cost for the implementation of the Authority's Municipal Industrial Pretreatment Program.
- C. This Article provides for the regulation of direct and indirect contributors to the municipal wastewater system through the issuance of permits to certain nondomestic users and through enforcement of general requirements for the other users; authorizes monitoring and enforcement activities; requires user reporting; assumes that existing customer's capacity will not be preempted, and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

162-47 Applicability; administrative officer

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 Article.

162-48 Construal

Nothing contained in this ordinance shall be construed as preventing any special agreement or arrangement between the township and any significant users within or out of the township, whereby a waste of unusual strength or character may be accepted by the township by special agreements in writing, executed prior to such acceptance, containing safeguards, limitations, and conditions acceptable to the township. Notwithstanding anything hereinabove to the contrary, categorical pretreatment standards may not be waived in establishing these special agreements.

162-49 Definitions

- A. Unless the context specifically indicates otherwise, the following terms and phrases as used in this Article shall have the meanings hereinafter designated:
1. Act or "The Act." The Federal Water Pollution Control Act, also known as the "Clean Water Act," as amended, 33 U.S.C. 1251 et. seq.
 2. Approval Authority. U.S. Environmental Protection Agency
 3. Authorized Representative of Industrial User. 1) a principal executive officer of at least the level of vice president, if the industrial user is a corporation; 2) a general partner or proprietor if the industrial user is a partnership or proprietorship, respectively; 3) a duly authorized official or representative if the industrial user is a governmental entity; 4) a duly authorized representative of the individual designated above, if such representative is responsible for the overall operation of the facilities from which the indirect discharge originates.
 4. Biochemical Oxygen Demand (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five (5) days at twenty degrees Celsius (20 C), expressed in terms of weight and concentration [milligrams per liter (mg/l)].
 5. Building Sewer. A sewer conveying wastewater from the premises of a user to the POTW.

6. Categorical Standards. National Categorical Pretreatment Standards or pretreatment standards.
7. Class I 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.
8. Class II 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.
9. Class III Industrial User. Any person who discharges non-domestic wastewater into the treatment works.
10. Consistent Removal. The reduction in the amount of a pollution 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 ninety-five (95%) of the samples taken when measured according to the procedures set forth in 403.7(c)(2) of Title 40 of the Code of Federal Regulations, Part 403 - General Pretreatment Regulations of Existing and New Sources of Pollution, promulgated pursuant to the Act.
11. Control Authority. Refers to the East Norriton-Plymouth-Whitpain Joint Sewer Authority.
12. Cooling Water. The water discharged from any use, such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.
13. Direct Discharge. The discharge of treated or untreated wastewater directly to the waters of the Commonwealth of Pennsylvania.

14. EDU. Equivalent Domestic Unit with the following wastewater characteristics:
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| 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 |
15. Environmental Protection Agency (EPA). The U.S. Environmental Protection Agency or, where appropriate, the term may also be used as a designation for the Administrator or other duly authorized official of said agency.
16. Grab Sample. A sample which is taken from a waste stream on a one-time basis, with no regard to the flow in the waste stream and without consideration of time.
17. Holding Tank Waste. Any waste from holding tanks, such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.
18. Indirect Discharge. The discharge or the introduction of pollutants into the collection system, including holding tank waste discharged into the system. See 40 CFR 403.3(g) and Sections 307(b), (c) and (d) of the Clean Water Act of 1977, as amended.
19. Industrial User. An industrial source of indirect discharge.
20. 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.
21. MIP Coordinator. The representative delegated the responsibility by the municipality to administer this program.

22. National Categorical Pretreatment Standard or Pretreatment Standard. Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307 (b) and (c) of the Act (33 U.S.C. 1317), which applies to a specific industry and in accordance with 40 CFR Chapter I, Subchapter N and 40 CFR Parts 401-471.
23. National Pollution Discharge Elimination System or NPDES Permit. A permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).
24. National Prohibitive Discharge Standard or Prohibitive Discharge Standard. Any regulation developed under the authority of 307 (b) of the Act and 40 CFR Section 403.5.
25. New Source. Any discharge which there is or may be a discharge of pollutants, construction of which is began after the publication of 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 that certain locations and construction criteria are met.
26. 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 POTWs National Pollutant Discharge Elimination System (NPDES) Permit including an increase in the magnitude or duration of a violation.
27. Person. Any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, any other legal entity or their legal representatives, agents or assigns. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context.
28. pH. The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.
29. Pollutant. 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.
30. Pollution. The manmade or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.

31. POTW Treatment Plant. That portion of the POTW designed to provide treatment to wastewater.
32. Pretreatment Standard. Any substance or procedural requirement related to pretreatment other than a national pretreatment standard imposed on a user.
33. Pretreatment or Treatment. The reduction of the amount of pollutants, the elimination of pollutants or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. 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).
34. Publicly Owned Treatment Works (POTW). A treatment works as defined by Section 212 of the Act (33 U.S.C. 1292). This definition includes any sewers that convey wastewater to a POTW treatment plant, but does not include pipes, sewers, or other conveyances not connected to a facility providing treatment.
35. Significant User.
- (1) Any non-domestic user of the Township'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; or
 - 3) contributes a process waste stream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW; or
 - 4) is found by the Authority, Pennsylvania Department of Environmental Resources (PADER) or the United States 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 spill.
- (2) 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.

36. Significant User Permit. As set forth in Section 162-62 of this Article.
37. Standard Industrial Classification (SIC). A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget 1972.
38. State. The Commonwealth of Pennsylvania.
39. Stormwater. Any flow occurring during or following any form of natural precipitation and resulting therefrom.
40. 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.
41. Suspended Solids. The total suspended matter that floats on the surface or is suspended in water, wastewater or other liquids, and which is removable by laboratory filtering.
42. Township. East Norriton Township Board of Supervisors.
43. Township Authority. The East Norriton Township Board of Supervisors.
44. Toxic Pollutant. Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the EPA under the provisions of CWA 307(a) or other acts.
45. User. Includes 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.
45. Wastewater. The liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any groundwater, surface water and storm water that may be present, whether treated or untreated, which is contributed into or permitted to enter the POTW.
46. Waters of the State. All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulation of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portion thereof.

B. Abbreviations. The following abbreviations shall have the designated meanings.

. BOD	Biochemical Oxygen Demand
. CFR	Code of Federal Regulations
. COD	Chemical Oxygen Demand
. EPA	Environmental Protection Agency
. l	Liter
. mg	Milligrams
. mg/l	Milligrams per liter
. NPDES	National Pollutant Discharge Elimination System
. POTW	Publicly Owned Treatment Works
. SIC	Standard Industrial Classification
. SWDA	Solid Waste Disposal Act, 42 U.S.C. 6901, et. seq.
. TSS	Total suspended solids
. USC	United States Code

C. Word usage. "Shall" is mandatory; "May" is permissive.

162-50 Prohibited substances.

A. No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will interfere with the operation of the collection system or performance of the POTW. These general prohibitions apply to all such users of a POTW, whether or not the user is subject to National Categorical Pretreatment Standards or any other national, state, or local pretreatment standards or requirements. A user may not contribute the following substances to any POTW:

- (1) Any liquids, solids, or gases which by reason of their nature or quantity, are or may be sufficient, either alone or by interaction with other substances, to cause fire or explosion, or be injurious in any other way to the POTW or to the operation of the POTW. At no time shall two successive readings on an explosion hazard meter at the point of discharge into the system (or at any point in the system) be more than five percent (5%), nor any single reading over ten percent (10%) of the lower explosive limit (LEL) of the meter. In addition, wastestreams with a closed-cup flashpoint of less than 140 F (60 C) are prohibited. Prohibited materials include, but are not limited to gasoline, kerosene, naptha, benzene, toluene, xylene, ethers, alcohols, ketones, hydrides and sulfides.

- (2) Solid or viscous substances which may cause obstruction to the flow in a sewer or pass through and/or other interference with the operation of the wastewater treatment facilities or collection system, such as, but not limited to grease, garbage with particles greater than one-half (1/2) inch 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.
- (4) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure, to interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters or the POTW, or to exceed the limitation set forth in a Categorical Pretreatment Standard. A toxic pollutant shall include, but not be limited to any pollutant identified pursuant to Section 307(a) of the Act.
- (5) 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.
- (6) Any substance which may cause the POTW's effluent or any other product of the POTW, 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 POTW cause the POTW 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 state criteria applicable to the sludge management method being used.

- (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.
- (8) Any wastewater with objectionable color not removed in the treatment process, such as but not limited to dye wastes and vegetable tanning solutions.
- (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 POTW which exceeds 40 C (104 F).
- (10) Any pollutants, including oxygen demanding pollutants (BOD, etc.), released at a flow rate and/or pollutant concentration which cause interference to the POTW. In no case shall a sludge 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 24-hour concentration, quantities or flow during normal operation.
- (11) Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable state or federal regulations.
- (12) Any wastewater which causes a hazard to human life or creates a public nuisance.
- (13) Stormwater, groundwater, roof runoff, subsurface drainage or cooling water.
- (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, this notification must be made one hundred eighty (180) days prior to being introduced into the wastewater treatment system.