

RULES AND REGULATIONS
Applicable to the
Sewer System
Owned and Operated by
TOWANDA MUNICIPAL AUTHORITY
EFFECTIVE JUNE 1, 2013

A. Use of Public Sewers Required

1. The Owner of any Improved Property within the Sewer System service area, benefitted, improved, or accommodated by a Sewer, shall connect such Improved Property with such sewer, in compliance with applicable municipal codes, in such manner as may require, within ninety (90) days after notice to such Authority from Authority to make such connection, for the purpose of discharge of all Sanitary Sewage and Industrial Wastes from such Improved Property, Subject, however, to such limitations and restrictions as shall be established herein or otherwise by the Authority from time to time.

2. Sanitary Sewage and Industrial Wastes from any Improved Property, after connection of such Improved Property with a Sewer as required under Paragraph 1, shall be conducted into a Sewer, Subject, however, to such limitations and restrictions as shall be established herein or otherwise shall be established by the Authority, from time to time.

3. No person shall discharge or shall permit to be discharged into the Sewer System, from any public or private property within the system service area, any Sanitary Sewage or Industrial Wastes in violation of Paragraph 1, except where adequate levels of a suitable pre-treatment process has been provided which is satisfactory to the Authority and the Commonwealth. The costs of construction, operation and maintenance, and other related expenses of pre-treatment shall be at the Owner's expense.

4. No privy vault, cesspool, sinkhole, septic tank or similar receptacle, unless either approved in writing by or required by the Authority, shall be allowed to remain in use or shall be maintained at any time upon any Improved Property which has been connected to a Sewer or which shall be required under Paragraph 1 to be connected to a Sewer. Every such privy vault, cesspool, sinkhole, septic tank or similar receptacle in existence not approved or required by the Authority shall be abandoned, at the expense of the Owner of such Property, by removing its contents and filling with earth, stone or other similar inert material and all inlet and outlet pipes disconnected and sealed if physically possible; and any such privy vault, cesspool, sinkhole, septic tank or similar receptacle not so abandoned and/or not filled shall constitute a nuisance, and such nuisance shall be abated, by the Authority, as provided by law, at the expense of the Owner.

5. No privy vault, cesspool, sinkhole, septic tank, or similar receptacle shall be connected to a Building Sewer at any time unless approved in writing or required by the Authority.

6. The notice by the Authority to make a connection to a Sewer, referred to in Paragraph 1, shall contain a summary of the pertinent portions of the Regulations and specify that such connection shall be made within ninety (90) days from the date such notice is given or such other date as therein established. Such notice may be given at any time when a Sewer is in place which, the opinion of the Authority, is within reasonable distance of the improved property and which can receive and can convey Sanitary Sewage and Industrial Wastes for treatment and disposal from the particular Improved Property, and in the case of Improved Properties within second class townships, within 150 feet of the Sewer. Such notice shall be served upon the Owner by certified mail, return receipt requested, or by personal service.

B. Building Sewers and Connection

7. No Owner or person shall uncover, connect with, make any opening into or use, alter or disturb, in any manner, any part of the Sewer System without first obtaining a permit, in writing, from the Authority.

8. No new connections will be permitted to any portion of the sewer system where the Authority and/or the Commonwealth has determined there to be insufficient capacity to adequately convey and/or treat the sewage or wastes.

9. Application for a permit required under Section B Paragraph 7, shall be made by the Owner of the property served or to be served, or by the duly authorized agent of such Owner. The Authority shall require the payment of a permit fee in such amount as shall be designated by these Regulations.

10. No Person shall make or shall cause to be made a connection of any Improved Property with a Sewer until such Person shall have fulfilled each of the following conditions:

A. Such Person shall have notified the Authority of the desire and intention to connect such Improved Property to a Sewer;

B. Such Person shall have applied for and shall have obtained a permit as required by Paragraph 7.

C. Such Person shall have given the Authority at least twenty-four (24) hours notice of the time when such connection will be made so that the Authority may supervise and inspect or may cause to be supervised and inspected the work of connection and necessary testing; and

D. If applicable, such Person shall have furnished satisfactory evidence to the Authority that any connection fee, which may be charged and imposed by the Authority against the Owner of each Improved Property who connects such Improved Property to a Sewer, has been paid.

11. Except as otherwise provided in this Paragraph 11, each Improved Property shall be connected separately and independently to a Sewer lateral via a single separate Building Sewer. Grouping of more than one Improved Property on one Building Sewer shall not be permitted, except under special circumstances and for good sanitary reasons or other good cause shown, and then only after special permission of the Authority, in writing, shall have been secured and only subject to such rules, regulations and conditions as may be prescribed by the Authority or appropriate Municipal Codes. Owner shall be wholly responsible for all costs to abate nuisance including Attorneys fees, court cost, expert witness fees, etc., if he took it upon himself to make unpermitted connections without prior approval, or if approval sought retroactively is denied by the Authority.

12. All costs and expenses, including electrical costs, of construction and connection of a Building Sewer to the Sewer System shall be borne by the Owner of the Improved Property to be connected; and such Owner shall indemnify and shall save harmless the Authority and its agents from all loss or damage that may be occasioned, directly or indirectly, as a result of construction of a Building Sewer or of connection of a Building Sewer to the Sewer System. Owner shall satisfactorily protect the public at all times during the work and restore public property upon completion.

13. A Building Sewer shall be connected to the Sewer System at the place designated by the Authority and where, if applicable, the Lateral or septic tank inlet is provided.

14. If the Owner of any Improved Property benefitted, improved or accommodated by a Sewer, after ninety (90) days notice from the Authority requiring the connection of such Improved Property with a Sewer, in accordance with Paragraph 1, shall fail to connect such Improved Property as required, the Authority may make such connection and may collect from such Owner the costs and expenses thereof including engineering fees and cost, Attorneys fees and cost. And any other fees, cost and expenses by a municipal claim, an action in assumpsit or such other legal proceeding as may be permitted by law.

15. All connections to the Sewer System shall be done in such a manner as to prevent diversion of any and all water which enters the trench from also entering the Sewer System.

16. A Ready to Serve Charge shall be imposed by the Authority upon all Improved Properties that are required to connect to the Sewer System but have failed to do so within ninety (90) days after notice to connect to the Sewer System has been issued in accordance with these regulations. The Ready to Serve Charge shall be an

amount equal to the user charge applicable to the type of property involved and shall be billed and collected at the same time and in the same manner as those charges imposed upon connected users of the Sewer System.

17. Upon determination by the Authority that a Building Sewer is improperly connected or constructed, is discharging prohibited wastes or is damaged or has deteriorated so as to permit prohibited wastes to enter the system, and notice thereof having been given to the Owner thereof, the Owner shall be required to construct a new Building Sewer in compliance with Paragraphs 7 to 15 hereof.

18. All building sewers shall be subject to inspection and approval by the Authority before backfilling of the trench. All new or replacement building sewers shall be airtight and watertight and shall be air tested at the expense of the Owner. Air testing shall be witnessed and verified by the Authority. All building sewers shall be not less than Four (4) inches inside diameter and shall be of acceptable material specified by Operator unless a smaller diameter line, no less than One-one half (1 1/2) inches inside diameter, shall be acceptable under sound engineering practices for the forced discharge of sewage from a system incorporating a grinder pump. Such smaller diameter lines shall conform to Schedule 80 ABS or SDR 126 for polyvinyl chloride (PVC) pipe and a check valve and gate valve shall be installed on the discharge side of each grinder pump.

19. All septic tanks required as part of the Variable Grade portion of the Sewer System shall be purchased and installed by the Authority or its agent and all costs thereof shall be billed to the Owner of the Improved Property and shall become the property of the Sewer System. If a septic tank is required to be located beyond the curb or ditch line or outer edge of the berm, whichever the case may be, an easement of Twenty (20) feet by Thirty (30) feet for location of the tank and an easement of Fifteen (15) feet in width for the lateral from the tank to the sewer main will be provided by the Owner to the Sewer System.

20. The Authority shall be responsible for the maintenance of all laterals from the Sewer main to the curb or ditch line or outer edge of berm, whichever the case may be. In the case of the Variable Grade portion of the Sewer System, the Authority shall be responsible for the maintenance and repair of the lateral from the sewer main to the tank and for maintenance of the septic tank, including periodic removal of septic tank contents.

C. Charges, Surcharges, and Fees

21. General

Charges, surcharges and fees as provided for herein shall be imposed upon and collected from the Owner of each Improved Property benefitted, improved, or accommodated by the Sewer System. Payment shall be made in accordance with the

provisions of Part C. herein (Paragraphs 21 to 29).

22. Connection Fees

The connection fees shall be established by the Authority by resolution from time to time.

23. User Charges

A user charge shall be imposed upon and collected from the Owner of each Improved Property connected to the Sewer System, effective as of the date of connection or as otherwise provided for in Paragraph 16. The user charge amount shall be applicable to the type of establishment involved on either a flat rate, metered rate or estimated rate basis. The Authority reserves the right to select which user charge rate basis described below shall be applicable to each property served by the Sewer System and to revise the same, from time to time, as necessary.

The charge amounts shall be established from time to time by the Authority.

24. Flat Rate Basis for Dwelling Units, Commercial Establishments, Industrial Establishments and Institutional Establishments.

The charge amounts shall be established from time to time by the Authority.

If the use or classification of any Improved Property changes during a billing period, the user charge shall be prorated by the Authority to the nearest calendar month. The appropriate credit or charge shall appear on the statement for the next billing period.

The right is reserved for the Operator, from time to time, to establish additional flat rate classifications and to establish rates therefore; and further, from time to time, to alter, modify, revise and/or amend flat rate classifications and the applicable thereto. Copies of building permits shall be forwarded to the Authority as they are issued from all municipalities served by this System.

25. Metered Rate Basis for Commercial, Industrial, or Institutional Establishments:

User charges for any Improved Property constituting a Commercial Establishment, an Industrial Establishment or Institutional Establishment not enumerated in Paragraph 24A, may be based upon:

A. Metered volume of potable water usage, adjusted, if appropriate, by the Authority, or

B. Actual metered volume of wastewater discharge to the Sewer System.

The Authority reserves the right to require sewer meters at appropriate establishments. Said sewer meter to be purchased and maintained by the owner of the establishment and installed by owner to the Authority's specification. Meter shall be calibrated by a certified manufacturer's representative every six months and reported to the Authority.

In either of the foregoing cases, such user charges shall be computed in accordance with the metered rates established by Authority Resolution from time to time.

26. Estimated Rate Basis for Certain Commercial, Institutional and Industrial Establishments:

When the volume of potable water usage or wastewater discharge is not metered and flat rate charges are deemed by the Authority to be inappropriate, user charges for Sanitary Sewage and/or Industrial Wastes discharged to the Sewer System from any Improved Property constituting a Commercial, Institutional, or Industrial Establishment, may be based upon the Authority's estimate of potable water consumption of said Improved Property and billed in accordance with the Metered Rate Schedule provided herein.

27. Multiple Use Improved Properties:

A Multiple Use Improved Property exists where two or more billing units, i.e., dwelling units or commercial, institutional or industrial establishments, or combinations thereof, share a common connection to the Sewer System or a common structure. In such cases, each such billing unit shall pay a separate user charge as though it was housed in a separate structure or situated on a separate parcel of improved property and had a direct and separate connection to the Sewer System, computed in accordance with the appropriate section of Part C of these Regulations.

28. Volume and Composition Surcharges:

The Owner of any Improved Property which shall discharge Sanitary Sewage and/or Industrial Wastes to the Sewer System of a volume greater than any established or limited gallonage per day (gpd) shall pay a volume surcharge of \$5.00 for each 1000 gpd or fraction thereof above any pre-established limits in an amount established by Authority Resolution from time to time.

The Owner of any Improved Property which shall discharge Sanitary Sewage and/or Industrial Waste to the Sewer System having either a B.O.D. greater than 220

ppm, a Suspended Solids content greater than 220 ppm, a total phosphorus as P content greater than 10 ppm and/or an ammonia nitrogen as N greater than 25 ppm, shall pay a strength of waste surcharge, in addition to applicable volume charges, for each pound per day (lb/day) by which the B.O.D. exceeds that amount which would have been received from Sewage with a concentration of 220 ppm, for each lb/day by which the Suspended Solids exceed that amount which would have been received from Sewage with a concentration of 220 ppm, for each lb/day by which the ammonia nitrogen as N exceeds that amount which would have been received from sewage with a concentration of 25 ppm, and for each lb/day by which the total phosphorus as P exceeds that amount which would have been received from sewage with a concentration of 10 ppm in amounts to be established by the Authority Resolution from time to time.

Surcharges for B.O.D., suspended solids, ammonia nitrogen, and phosphorus shall be determined in accordance with the following formula:

$$\text{Surcharge} = [(\text{Concen. (actual)} - \text{Concen. (max.)}) \times 8.34 \times \text{Flow (GPD)}] / 1,000,000 = \text{lbs/day for surcharge assessment}$$

Surcharges shall be paid in addition to all user charges computed in accordance with provisions of this with this Article. The strength of Sanitary Sewage and/or Industrial Wastes to be used for establishing the amount of surcharge shall be determined periodically at the discretion of the Authority either:

(1) by suitable sampling and analysis of such wastes for an appropriate period, as determined by the Authority, during a time of normal plant operation; or

(2) from estimates made by the Authority; or

(3) from known relationships of products produced to strengths of such wastes for those industries where such factors have been established. In establishing such waste strengths for surcharge purposes by analysis, analyses shall be made in accordance with procedures outlined in the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association, Inc.

29. Owner supplied Information:

The Owner of any Improved Property discharging Sanitary Sewage and/or Industrial Wastes to the Sewer System shall furnish to the Authority, upon written request, all information deemed essential by the Authority for the determination of applicable fees, charges and surcharges.

The costs of obtaining such information shall be borne by such Owner of such Improved Property. All such data shall be kept confidential.

Upon failure of the Owner to provide adequate information, the Authority may

estimate applicable fees, charges and surcharges based upon available information, or until such time as actual information is received. There shall be no rebate of past Owner payments if actual information reveals that such payments were overestimated. Conversely, if the Authority determines that such payments were underestimated, payment with any associated penalties and/or surcharges shall be payable retroactively.

D. Sewer Collection System Extensions

30. Extensions made by Authority

If, for reasons of health, safety and welfare of citizens, or for economical reasons, or for purposes of orderly community development, or because of mandates by State or Federal regulating agencies, or for other reasonable cause, the Authority may cause an extension of the Sewer System, costs of said extension may be assessed, on a front foot basis, or other basis permitted by statute and regulation, against each property benefitted in accordance with the appropriate Borough or Township Code, or Municipal Authority's code, whichever the case may be.

31. Other Extensions

A. Whenever application is received by the Authority for Sewer service requiring an extension by the sewer main to provide such service, the Authority and/or its Engineer shall first determine the feasibility of said extension in terms of Sewer Treatment and Collection System Capacity and other related consideration.

B. If deemed feasible, the Authority may choose to construct said extension with it's own forces or to require the Owner of property to be served to construct the extension.

C. In the case of construction by the Authority, a deposit must be made by the Owner/s to cover the entire estimated costs of said construction, as determined by the Authority. If, upon completion, the actual costs exceed or are less than the deposit, addition charges shall be assessed the Owner/s, or a refund made, whichever the case may be.

D. In the case of construction by Owner/s or his agent, the Authority shall require said construction to be in accordance with specifications of the Authority.

Further, the Authority shall have the right to require the provision of appropriate bonds, inspection during construction by its agent, the submission of engineered plans and any other reasonable requirements which it feels appropriate.

E. Before connection to the Sewer System, the Authority shall be satisfied that the extension is acceptable in all respects.

F. Upon connection to the Sewer System, the extension shall become part of the Towanda Sewer System and the owner shall execute or cause to be executed all

necessary deeds of easements, bills of sale, and other requisite documentation.

G. The Owner/s shall be entitled to recover pro rata portions of the cost in the event of additional connections to their extension as permitted or required by law.

32. Assessments

A. Front Foot Assessments

The Authority, as stated in Paragraph 30, may assess the costs of extension to the Sewer System against the properties benefitted in accordance with the appropriate Borough and Township Code, or Municipal Authority's Act, whichever the case may be.

B. Benefit Assessments.

In lieu of a front foot assessment, a benefit assessment may be imposed by the Authority upon the owners of irregular shaped properties with sewer frontage when it is determined that a front foot assessment would result in a payment inequitable to the benefit derived from the Sewer System.

E. Time and Method of Payment, Discontinuance of Service

33. All bills are due and payable and payment is required by the due date. As stated in Water Rule 36, and thereafter, the Authority reserves the right to discontinue service as set forth in those Rules, substituting sewer for water in all cases.

34. All bills for the use of sewer service are charged against the owner of the premises served, and the property where the sewer service is used. Failure to receive bills for sewer service does not relieve the owner from liability to pay. The burden is upon the owner of the property to keep track of all unpaid sewer bills. All unpaid bills for sewer service three (3) months or more delinquent, may result in a lien against said property in the amount of said unpaid bills together with any legal costs and filing fees related to said lien. The Authority shall also have the ptinn of filing with the District Magistrate for any unpaid bills or use any other leg means of collection.

35. All water passing through a meter or otherwise used by a consumer, shall be charged for in accordance with the schedule of rates, rents, and charges in effect at the time and no allowance will be made for excessive consumption due to leaks or waste.

36. Billings for flat rate user charges, ready to serve charges, surcharges, permit application fees, connection fees, and/or assessments shall be due and payable upon the applicable due date, at the office of the Authority and the appropriate amount, computed in accordance with these Regulations, shall constitute the net bill. If such billings are not paid within thirty (30) calendar days after each billing date, an additional sum of ten percent (10%) shall be added to such net bill, which net bill, plus such additional sum,

shall constitute the gross bill. Payment made or mailed and postmarked on or before the last day of such thirty (30) calendar day period shall constitute payment within such period. If the end of such thirty (30) calendar day period shall fall on a legal holiday or on a weekend, then payment made on or mailed and postmarked on the next succeeding regular business day shall constitute payment within such period.

37. The Owner of an Improved Property, prior to connection to the Sewer System, shall provide the Authority with, and thereafter shall keep the Authority advised of, the correct mailing address of such Owner. Failure of any Person to receive bills shall not be considered an excuse for nonpayment, nor shall such failure result in an extension of the period of time during which the net bill shall be payable.

38. For purposes of complying with tenant notice requirements, the owner of any tenant-occupied property shall notify the Authority from time to time on a current (within ten days of changes) basis of the names and current addresses of all tenants of the tenant-occupied property.

All fees, charges, surcharges and assessments as herein specified and other requirements herein imposed on Owners of Property improved, benefitted or accommodated by the Sewer System are part of an implied contract, and every such owner shall be bound by provisions of these Regulations as the terms of said implied contract.

39. No officer, member or employee of the Authority is authorized or empowered to vary fees, charges, surcharges or assessments imposed herein or other provisions of these Regulations without action by the Authority.

F. Special Agreements

40. Notwithstanding any provision in these Regulations to the contrary, the Authority shall have the right to enter into special agreements with the Owner of any Improved Property with respect to special or additional terms and conditions upon which Sanitary Sewage and/or Industrial Wastes may be discharged to the Sewer System and with respect to payments to be made to the Authority in connection therewith. In such event, such service and payments shall be governed by the terms and conditions of such special agreements.

G. Filing and Collection of Liens

41. Billings for ready to serve charges, surcharges, connection fees and/or assessments imposed by these Regulations upon the Improved Property connected to and

served by the Sewer System which are not paid within thirty (30) days after each monthly due date, may, at the discretion of the Authority, be filed as a lien against the Improved Property so connected to and served by the Sewer System, which lien shall be filed in the appropriate office of the County of Bradford, Pennsylvania, as provided by law, and shall be collected in the manner provided by law for the filing and collecting of municipal claims or collected by any other legal means.

H. Prohibited Wastes

42. No Person shall discharge or shall cause to be discharged any storm water, surface water, spring water, ground water, roof runoff, subsurface drainage, building foundation drainage, cellar drainage or drainage from roof leader connections into the Sewer System.

43. The Authority reserves the right to refuse permission to connect to the Sewer System, to compel discontinuance of use of the Sewer System or to compel pretreatment of Industrial Wastes by an Industrial Establishment, in order to prevent discharges deemed to be harmful or to have a deleterious effect upon any part of the Sewer System.

44. Except as otherwise provided, no person shall discharge or cause to be discharged to the Sewer System any matter or substance:

A. Having a sustained temperature higher than 120 degrees F. or less than 32 degrees F.;

B. Containing more than 80 mg/l of fat, oil or grease:

C. Containing any gasoline, benzene, niaptha, fuel, oil, paint products, acid or other inflammable or explosive liquids, solids, or gases;

D. Containing any solid wastes resulting from preparation, cooking and dispensing of food and from handling, storage and sale of produce, which wastes commonly are known as garbage, which have not been ground by household type garbage disposal units or other suitable garbage grinders;

E. Containing any ashes, cinders, sand, mud, straw, string, shavings, metal, glass, rags, feathers, tar, cotton, dental floss, wool or other fibers, plastics, wood, paunch manure or any other solid or viscous substances capable of causing obstructions or other interferences with proper operation of the Sewer System;

F. Having a pH lower than 6.0 or higher than 9.0, or having any other corrosive property capable of causing damage or hazards to structures or equipment of the Sewer System or any Sewer or to any Person engaged in operation and maintenance of the Sewer System;

G. Containing toxic or poisonous substances in sufficient quantity to injure or to interfere with any sewage treatment process, to constitute hazards to humans or animals or to create any hazards in waters which shall receive treated effluent from the Sewer System;

H. Containing dye from any source that will result in a treatment plant effluent exceeding limits in compliance with applicable State or Federal regulations or which will be detrimental or injurious to the environment, sewer system, its personnel, or treatment process or water quality;

I. Containing radio-active substances and/or isotopes of such half-life or concentration that will result in a treatment plant effluent exceeding limits in compliance with applicable State or Federal regulations or which will be detrimental or injurious to the environment, sewer system, its personnel, or treatment process or water quality;

J. Having a chlorine demand in excess of 15 mg/l at a detention time of 20 minutes;

K. Prohibited by any permit issued by the Commonwealth of Pennsylvania or the U.S. Environmental Protection Agency;

L. Containing wastes which are not amenable to biological treatment or reduction in existing treatment facilities, specifically non-biodegradable compounds;

M. Having a B.O.D. content greater than two hundred twenty (220) ppm;

N. Having a Suspended Solids content greater than two hundred twenty (220) ppm;

O. Having a Total Phosphorous as P content greater than ten (10) ppm;

P. Having an Ammonia Nitrogen as N content greater than 25 ppm;

Q. Having a slug flow greater than five percent (5%) of the average daily sewage flow at the Sewer System treatment plant;

R. Having any waste containing toxic or poisonous substances in excess of the following limits, measured at the point of discharge to the Sewer System:

Substance Maximum Concentration In PPM

Arsenic	0.01
Cadmium (as Cd)	0.00125

Chromium (as Cr)	0.05
Copper (as Cu)	0.05
Cyanides	0.1
Lead	0.05
Mercury	0.0005
Molybdenum (as Mo)	0.025
Nickel (as Ni)	0.01
Phenol	0.005
Silver	0.05
Zinc (as Zn)	0.125

Provided, however, that deviations from the above schedule may be authorized by the Authority in its sole discretion, upon an affirmative showing by the Owner requesting the same that such deviation will not be harmful to the Sewer System and upon approval by the Authority's Consulting Engineers.

S. Containing any substance not mentioned in the foregoing list that will pass through the treatment works and exceed the maximum permitted levels for such substance under the requirements of the State or other governmental agencies or which will be detrimental or injurious to the environment, sewer system, its personnel, or treatment process or water quality;

45. In no circumstances shall a Person discharge or cause to be discharged into the Sewer System any of the substances listed in Paragraph 45 above, without first securing a written permit to do so from the Authority.

46. Whenever a Person or Owner of any improved property is authorized by the Authority and the appropriate governmental agencies to discharge any Sanitary Sewage or Industrial Waste containing any of the substances or possessing any of the characteristics referred to in Paragraph 45 of these Regulations, such discharge shall be subject to the continuing approval, inspection and review of the Authority's Consulting Engineer. If, in the opinion of the Authority's Consulting Engineer, such discharges are causing, may cause or will cause damage to the Sewer System, the Authority shall order the Person causing such discharge to cease doing so forthwith, or to take other appropriate action as may be required by the Authority, to mitigate or reduce the harmful characteristics of said discharge.

47. Nothing contained in this Article shall be construed as prohibiting any special agreement or arrangement between the Authority and the Owner of an Improved Property from which Industrial Wastes of unusual strength or character may be discharged into the Sewer System.

48. Where necessary, in the opinion of the Authority, the Owner of an Improved Property shall construct, operate and maintain, at the expense of the Owner, adequate levels of suitable pretreatment systems and facilities in order to comply with Paragraph 45 of these Regulations.

Plans, specifications and any other pertinent information relating to proposed facilities for preliminary treatment and handling of Industrial Wastes shall be submitted for approval of the Authority. No construction of any such facility shall commence until approval has been obtained, in writing, from the Authority, and until approval has been obtained from any regulatory body having jurisdiction.

Whenever facilities for preliminary treatment and handling of Industrial Wastes are provided, such facilities shall be continuously maintained, at the expense of the Owner, in satisfactory operating condition. The Authority shall have access to such facilities at all times for purposes of inspection and sampling.

I. Admission of Industrial Wastes into the Sewer System

49. No person shall discharge or cause to be discharged into the Sewer System any Industrial Wastes without prior application for and receipt of a written permit from the Authority.

50. Required Survey Data

Any person desiring to make or use a connection through which Industrial Wastes shall be discharged into the Sewer System shall file with the Authority a completed "Industrial Wastes Questionnaire," furnished by the Authority, which shall supply pertinent data, including estimated quantity of flow, characteristics, and constituents of the proposed discharge. The cost of obtaining all such data shall be born by the Person or owner of an improved property desiring to make or use the connection to the Sewer System. All such data shall be kept confidential.

51. Industrial Waste Contribution Reports

A. Ten (10) days prior to the first day of March, June, September, and December of each year, each major contributor of industrial waste shall file with the Authority a report of the quality and quantity of their discharge. The report forms shall be supplied by the Authority and shall be in a format similar to EPA 7550-22, Page IV1.

52. Major contributors shall consist of those whose total discharge exceeds 10,000 gallons per day, has in its waste a toxic pollutant or, in the judgment of the Authority, would have a significant impact on the Authority's treatment plant or the quality of its effluent.

Sampling, Flow, Measurements, Testing and Inspection

A. When required by the Authority, the Owner of any Improved Property serviced by a building sewer carrying industrial waste shall install, at his expense, a suitable control manhole together with such necessary meters and other appurtenances in the building sewer, to facilitate observation, sampling and measurement of the waste. Authority shall have access to such manhole at all times for said purposes.

B. All measurements, tests, and analysis of the characteristics of waters and wastes to which reference is made herein shall be determined in accordance with the latest edition of "Standard Methods for Examination of Water and Waste Water," published by the American Public Health Association and shall be determined by or under the direct supervision of a "qualified analyst" at the control manhole provided, or upon suitable samples taken at such control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the Sewer System and to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premises is appropriate or whether a grab sample or samples be taken.)

53. Changes in Type of Wastes

Any Industrial Establishment discharging Sanitary Sewage and/or Industrial Wastes into the Sewer System and contemplating a change in the method of operation which will alter the characteristics and/or volume of wastes being discharged shall notify the Authority, in writing, at least ten (10) days prior to consummation of such change.

54. Grease, Oil, Sand Removal

Grease, oil, and sand interceptors shall be provided by the Owner of any Industrial, Commercial or Institutional Establishment, when required by the Authority, for the proper handling of liquid wastes containing excessive grease, inflammable wastes, sand, or other harmful substances. All interceptors shall be of a type and capacity approved by the Operator and constructed or installed at a satisfactory location in accordance with plans approved by the Authority prior to installation or commencement of construction.

55. The use of mechanical garbage grinders in Industrial or Commercial Establishments shall be permitted without prior approval from the Borough.

56. The Authority has the right to require Industrial Establishments having large variations in rates of waste discharge to install suitable regulating devices for equalizing waste flows to the Sewer System.

57. Pre-Treatment Facilities

A. Whenever a Person or Owner of an improved property requests permission to discharge Sanitary Sewage or Industrial Waste containing any substance prohibited in Part C of these Regulations, the Authority may require said Person or Owner to provide, at his own expense, pre-treatment of such wastes to reduce or eliminate objectionable flows, substances or characteristics prior to discharge into the Sewer System.

B. Whenever a Person or Owner of an improved property is required by the Authority to provide pre-treatment facilities, no construction on such facilities shall commence until:

1. Construction drawings, specifications, and other pertinent information relating to the proposed facilities are submitted by said Person to the Authority's Consulting Engineer, and

2. The Authority's Consulting Engineer gives written approval of the construction of the proposed facilities.

C. Whenever approved pre-treatment facilities are placed in operation, said facilities shall be continuously and satisfactorily maintained by the Person who installed them or by the Owner thereof, at their expense. The Authority, shall have the right to inspect said facilities at all times to insure they are being properly maintained and operated in accordance with the then current Ordinances, Rules and Regulations of the Authority, Borough and/or Township.

J. Biennial Review of User Charge System

58. The Authority shall review not less often than every two (2) years the waste contribution of each user or user class, the total costs of operation and maintenance of the treatment works and the Authority user charge system. The Authority shall maintain such records as are necessary to document compliance with regulations of the Commonwealth and the United States Environmental Protection Agency. The Authority shall revise the charges, surcharges and fees for users or user classes as necessary to accomplish the following:

A. Maintain the proportionate distribution of operation and maintenance costs among users and user classes as required by regulations of United States Environmental Protection Agency.

B. Generate sufficient revenue to pay the total operation and maintenance costs necessary for the proper operation and maintenance (including equipment replacement) of the various portions of the Sewer System.

C. Generate sufficient revenue to finance, in whole or in part, expansion of

the Sewer System for present and/or future users and user classes.

D. Apply excess revenues collected from a class of users to the costs of operation and maintenance attributable to that class for the next year and adjust the rate accordingly.

E. Distribute the costs of operation and maintenance of all flow not directly attributable to users (i.e., infiltration/inflow) among all users of the sewer system in the same manner that the costs of operation and maintenance are distributed among users, or user classes, for their actual use.

All fees, penalties and charges collected shall be used for the purpose of operating, maintaining and replacement of the Sewer System or retirement of the debt incurred for same.

K. Enforcement and Administration

59. Any person or user of the Sewer System who shall introduce sewage or substances into the System that shall result in a fine to the Authority or its agents by any regulatory agency shall be held responsible for payment of said fine plus costs and other expenses incurred by the Authority or its agents.

60. The Authority, and appropriate municipalities as the case may be, shall have the power and authority to bring civil actions for mandatory injunctions and damages as necessary to enforce these Regulations. All costs including reasonable attorney's fees, engineering and witness fees, and other expenses, incurred by the Authority and municipalities for such purpose shall be recoverable from the party, whether or not an Owner, against whom the action is brought.

61. The Authority shall have the right of access to any part of any Improved Property served by the Sewer System as necessary for purposes of inspection, observation, measurement, sampling and testing and for performance of other functions, relating to service rendered by the Authority through the Sewer System.

62. The Owner of any Improved Property connected to the Sewer System shall be responsible for all acts of tenants or other occupants of such Improved Property insofar as such acts shall be governed by provisions of these Regulations.

63. The Authority or its agents shall not be liable for a deficiency or failure of service when occasioned by an emergency or required repairs, or failure from a cause beyond their control; the Authority reserves the right to restrict the use of the Sewer System whenever public welfare may require it; and the Authority or its agents shall not be responsible for any damage or expense to any Person or to an Improved Property or to any Billing Unit resulting from any leak, stoppage or defect in the Sewer System.