

SEWER LINE CHARGE
AMENDMENT

ORDINANCE NO. 4-1994

AMENDING AND SUPPLEMENTING ORDINANCE NO 5-1987,
SANITARY SEWAGE DISCHARGE REQUIREMENTS, AND SERVICE CHARGES

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE
SHENANGO TOWNSHIP BOARD OF SUPERVISORS, THAT SECTIONS OF
ORDINANCE NO. 5-1987 BE AMENDED AS FOLLOWS:

SECTION I (b) DEFINITIONS

Unless the context specifically indicates otherwise, the
following terms and phrases, as used in this ordinance,
shall have the meanings hereinafter designated:

- (1) **Act of "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 for Pretreatment Regulations and Requirements.** The Regional Administrator of the EPA.
- (3) **Authority.** The New Castle Sanitation Authority and its successors or assigns.
- (4) **Authority Representative of Industrial User.** An authorized representative of an Industrial User may be: (1) A principal executive officer of at least the level of vice-president, if the Industrial User is a corporation; (2) A general partner of proprietor if the Industrial User if a proprietorship, respectively; (3) 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.
- (5) **Biochemical Oxygen Demand (BOD).** The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five (5) days at 20 degrees centigrade, expressed in terms of parts per million (p.p.m.) or milligrams per liter (mg/l) by concentration. BOD shall be determined by one of the acceptable methods described in the latest edition of "Standard Methods for the Examination of Water, Sewage and Industrial Wastes," published jointly by the American Public Health Association, the American Water Works Association, and the Federation of Sewage and Industrial Wastes Association, hereinafter termed an "acceptable method."
- (6) **Building Sewer.** A sewer conveying wastewater from the premises of a User of the POTW.

(19) **Garbage.** Solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of food products and produce.

(20) **Grab Sample.** A sample which is taken over a period of time not to exceed fifteen minutes from a waste stream on a one-time basis with no regard to the flow in the waste stream.

(21) **Holding Tank Waste.** Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.

(22) **Incompatible Pollutant.** Any pollutant which is not a "compatible pollutant" as defined in this section.

(23) **Indirect Discharge.** The discharge or the introduction of pollutants from any nondomestic source regulated under Section 307 (b) (c) or (d) of the Act, (33 U.S.C. 1317), into the POTW (including holding tank waste discharged into the system).

(24) **Industrial Process Wastewater.** In addition to any ground water, surface water, and storm waters from the site which is introduced into a treatment works, the liquid waste or liquid borne waste resulting from the processes employed by any person identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented under one of the following divisions (Divisions A;B;C;D;E;G;J;K; and I)

(25) **Industrial User.** Any person who discharges, causes, or permits the discharge of nondomestic wastewater into the treatment works and/or is a source of Indirect Discharge which does not constitute a "discharge of pollutants" under regulations issued pursuant to Section 402 of the Act (33 U.S.C. 1342).

(26) **Interference.** A discharge which (alone or in conjunction with a discharge or discharges from other sources): (i) inhibit or disrupt the operation of the POTW, its treatment process or its sludge processes so as to contribute to, or cause a violation of any condition of the authority's NPDES Permit under which the POTW operates, or prevent the use or disposal of sewage sludge from the Authority's treatment plant, or (ii) discharging industrial process wastewater which, in combination with existing domestic flows are of such volume and/or strength as to exceed the POTW design capacity, or (iii) exceeding the threshold concentrations of organic or inorganic pollutants that are inhibitory to biological treatment processes as specified in the "Federal Guidelines for State and Local Pretreatment programs," EPA 430/9-76-017a, Volume 1, 1977

- (7) Categorical Standards. National Categorical Pretreatment Standards or Pretreatment Standard.
- (8) City. The City of New Castle, Lawrence County, Pennsylvania, and its successors and assigns.
- (9) Compatible Pollutant. Biochemical oxygen demand, suspended solids, pH and fecal coliform bacteria, and such additional pollutants as are now or may be in the future specified and controlled in the Authority's NPDES Permit, where the Authority's POTW is designed to treat pollutants to the degree required by the authority's NPDES Permit.
- (10) Composite Sample. A sample consisting of several effluent portions collected during a specific time period and combined to constitute a representative sample.
- (11) Control Authority. The term "control authority" shall refer to the New Castle Sanitation 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) Council. The City Council of New Castle, now or hereafter constituted, and any duly appointed agent or representative of the City.
- (14) Direct Discharge. The discharge of treated or untreated wastewater directly to the waters of the State of Pennsylvania.
- (15) Discharge. The releasing, spilling, leaking, pumping, pouring, emitting, emptying, or dumping of a pollutant into the waters of the State or onto the land or into wells from which the pollutant might flow or drain into said waters, and shall include the release of any pollutant into the Authority's POTW.
- (16) Domestic Wastewater. The liquid waste or liquid borne waste (1) resulting from the non-commercial preparation, cooking and handling of food and/or (2) consisting of human excrement and similar wastes from sanitary conveniences.
- (17) Dwelling Unit. A single family home, a single apartment or condominium with sanitary facilities, or a trailer attached to sanitary facilities, or a single unit of a duplex (even if there is only one sanitary facility for both units of the duplex.)
- (18) Environmental Protection Agency, or 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.

(33 U.S.C. 1251 et. seq.), the Federal Clean Air Act (42 U.S.C. 7401 et. seq.), the Federal Toxic Substances Control Act (15 U.S.C. 2601 et. seq.) Marine Protection, Research and Sanctuaries Act, or more stringent state criteria (including those contained in any state sludge management plan prepared pursuant to Title IV of the SWDA) applicable to the method of disposal or use employed by the POTW.

(27) **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 specific category of Industrial Users (See 40 CFR Chapter 1, Subchapter N or 40 CFR 401-471)

(28) **National Pollution Discharge Elimination System or NPDES Permit.** A permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).

(29) **National Prohibitive Discharge Standard or Prohibitive Discharge Standard.** Any regulation developed under the authority of 307 (b) of the Act of 40 CFR, Section 403.5.

(30) **New source.**

(A) Any building, structure, facility or installation from which there is or may be a discharge of Pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under Section 307(c) of the act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:

(i) The building, structure, facility or installation is constructed at a site at which no other source is located; or

(ii) The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or

(iii) The production or wastewater generating processes or the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source should be considered.

(b) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility or installation meeting the criteria or paragraphs (ii), or (iii) above but otherwise alters,

replaces, or adds to existing process or production equipment.

(c) Construction of a new source as defined under this paragraph has commenced if the owner or operator has:

(i) Begun, or caused to begin as part of a continuous onset construction program:

- Any placement, assembly or installation of facilities or equipment, or
- Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly or installation of new source facilities or equipment; or

(ii) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

(31) **Pass Through.** A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, which is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).

(31) **Person.** Any individual, partnership, copartnership, firm company, corporation, association, joint stock company, trust estate, governmental entity or any other legal entity, or their legal representative, agents or assigns. the masculine gender shall include the feminine, the singular shall include the plural where indicated by the context.

(33) **pH.** The logarithm (base 10) of the reciprocal of the concentration of hydrogenions in grams per liter of solution. Solutions with a pH greater than seven (7) are said to be basic, solutions with a pH less than seven (7) are said to be acidic, pH equal to seven (7) is considered neutral. Analysis shall be performed in accordance with an approved test procedure.

(34) **Pollutant.** Any dredged spoil, solid waste, incinerator residue, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, medical wastes, biological materials, radioactive substance, thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial municipal and agricultural waste and certain

characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity or odor).

(35) **Pollution.** The man-made or man-induced alteration of the chemical, physical, biological, or radiological integrity of water.

(36) **Pretreatment or Treatment.** The reduction of the amount 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 of alteration can be obtained by physical, chemical or biological processes, or process changes or other means, except as prohibited by 40 CFR, Section 403.6 (d).

(37) **Pretreatment Requirements.** Any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard imposed on an Industrial user.

(38) **Pretreatment Standards.** Shall mean prohibited discharge standards; categorical pretreatment standards, and local limits.

(39) **Publicly Owned Treatment Works (POTW).** A treatment works as defined by Section 212 of the Act (33 U.S.C. Section 1292) which is owned by the Authority. This definition includes any devices or systems used in collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances which convey wastewater to a treatment plant.

(40) **POTW Treatment Plant.** That portion of the POTW designed to provide treatment to wastewater.

(41) **Properly Shredded Garbage.** Wastes from the preparation, cooking, and dispensing of food and from handling, storage and sale of food products and produce that have 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.

(42) **Shall** is mandatory, **May** is permissive.

(43) **Significant Industrial User.**

1. A user subject to categorical pretreatment standards;
or

2. A user that:

(a) Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW

(excluding sanitary, noncontact cooling, and boiler blowdown wastewater);

(b) Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or

(c) Is designated as such by the authority on the basis that it has a reasonable potential for adversely affecting the POTW's operation, including its NPDES compliance status, or for violating any pretreatment standard or requirement.

(3) Upon finding that a user meeting the criteria in Subsection (2) has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the authority may at any time, on its own initiative or in response to a petition received from a user, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such user should not be considered a significant industrial user.

(44) Significant Noncompliance

The term significant noncompliance shall mean:

A. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of wastewater measurements taken during a six (6) month period exceed the daily maximum limit or average limit for the same pollutant parameter by any amount;

b. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during six (6) month period equals or exceeds the product of the daily maximum limit or the average limit multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);

C. Any other discharge violation that the Superintendent believes has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of POTW personnel or the general public;

D. Any discharge or pollutants that has caused imminent endangerment to the public or to the environment, or has resulted in the Superintendent's exercise of its emergency authority to halt or prevent such a discharge;

E. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in

a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;

F. Failure to provide within thirty (30) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical pretreatment standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;

G. Failure to accurately report noncompliance; or

H. Any other violation(s) which the superintendent determines will adversely affect the operation or implementation of the local pretreatment program.

(45) **Slug Load or Slug.** Any discharge of a nonroutine episodic nature or at a flow rate or concentration which could cause a violation of the prohibited discharge standard(s) in Section III of this ordinance.

(46) **State.** State of Pennsylvania.

(47) **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.

(48) **Storm Water.** Any flow occurring during or following any form of natural precipitation and resulting therefrom.

(49) **Superintendent.** The person designated by the Authority to supervise the operation of the publicly owned treatment works and who is charged with certain duties and responsibilities by this article, or his duly authorized representative.

(50) **Suspended Solids.** The total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids, and which is removable by laboratory filtering. Quantitative determination of suspended solids shall be made by an acceptable method.

(51) **Tenant.** Lessee, guest, or occupant other than owner.

(52) **Toxic Pollutant.** Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the provision of CWA 307(a) or other Acts.

(53) **User.** Any person who contributes, causes or permits the contribution of wastewater into the Authority's POTW.

(54) **Wastewater.** The liquid and water-carried wastes from dwellings, commercial building, industrial facilities, and institutions, together with any ground water, surface water, and storm water that may be present, whether treated or untreated, which is discharged into or permitted to enter the authority's treatment works.

(55) **Wastewater Contribution Permit.** As set forth in Section V(b) of this ordinance.

(56) **Waters of the Commonwealth.** All streams, lakes, ponds, marshes, water courses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public, or private, which are contained within, flow through, or border upon the State of Pennsylvania or any portion thereof.

(57) **Water Utility.** The Western Pennsylvania Water Company or any other utility, public or quasi-public corporation supplying water within the territorial limits of the Township of Shenango.

(c) **ABBREVIATIONS**-The following abbreviations shall have the designated meanings:

BOD	-	Biochemical Oxygen Demand
CFR	-	Code of Federal Regulations
DER	-	PA Department of environmental Resources
EPA	-	Environmental Protection Agency
l	-	Liter
mg	-	Milligrams
mg/l	-	Milligrams per liter
NPDES	-	National Pollutant Discharge Elimination System
POTW	-	Publicly Owned Treatment Works
ppm	-	Parts per million
SIC	-	Standard Industrial Classification
SWDA	-	Solid Waste Disposal Act, 42 U.S.C. 6902, et.seq.
<u>USC</u>	-	United States Code
TSS	-	Total Suspended Solids

SECTION III. REGULATIONS

(A) GENERAL DISCHARGE PROHIBITIONS

No user shall introduce or cause to be introduced, directly or indirectly into the POTW, any pollutant or wastewater which causes pass through or interference. These general prohibitions apply to all such Users of the Authority's POTW whether or not the User is subject to national Categorical Pretreatment Standards or any other

National, State or local Pretreatment Standards or Requirements.

(B) PROHIBITIONS

A User may not contribute the following substances to the 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 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. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, exlene, ethers, alcohols, ketone, adelhydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances which is a fire hazard or a hazard to the system and any wastestream with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using test methods specified in 40 CFR 261.21.

(2) Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities 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 or fleshings, entrials, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rage, spent grains, spent hops, waste paper, wood, plastics, gas, tar asphalt residues, residues from refinding, or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes.

(3) Any wastewater having a pH less than 5.5 or greater than 9.0, unless the POTW is specifically designed to accommodate such wastewater, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment and/or personnel of the POTW.

(4) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic affect in the receiving waters of 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 toxic pollutant identified pursuant to Section 307 (a) of the Act.