

Pennsylvania-American Water Company  
City of Coatesville Division  
(Hereinafter referred to as the "Company")

D/B/A

Pennsylvania American Water

RATES, RULES AND REGULATIONS  
GOVERNING THE FURNISHINGS OF  
WASTEWATER COLLECTION AND DISPOSAL SERVICE  
IN CERTAIN MUNICIPALITIES AND TERRITORIES LOCATED  
THEREIN IN CHESTER COUNTY.

ALL IN THE COMMONWEALTH OF PENNSYLVANIA

Filed in compliance with Pennsylvania Public Utility Commission Order  
A-230073F0011 entered December 21, 2006.

Issued: January 4, 2007

Effective: January 5, 2007

By: D. W. Warnock, President  
Pennsylvania-American Water Company  
800 West Hersheypark Drive  
Hershey, PA 17033

LIST OF CHANGES

Changes

This tariff supplement adds an unmetered charge for a portion of Highland Township as ordered by the Pennsylvania Public Utility Commission at A-230073F0011, entered December 21, 2006.

Indicates Increase, (D) Indicates Decrease, (C) Indicates Change

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TABLE OF CONTENTS

	<u>Page Number</u>
Title Page -----	1
List of Changes -----	2 Fourteenth Revised
Table of Contents -----	3 Fourteenth Revised
Table of Contents Continued -----	4 First Revised
Table of contents Continued -----	5 First Revised
Schedule of Charges -----	6 Second Revised
This Page Held For Future Use -----	6A Eleventh Revised
This Page Held For Future Use -----	6B First Revised
This Page Held For Future Use -----	6C First Revised
This Page Held For Future Use -----	6D First Revised
Schedule of Miscellaneous Fees -----	7
Schedule of Miscellaneous Fees Continued-----	8
Schedule of Miscellaneous Fees Continued-----	9
Rules and Regulations	
Rule 1, Introduction -----	10
Rule 2, Purpose -----	10
Rule 3, Effective Date -----	12
Rule 4, Definitions	
Section 4.01. Definitions -----	12
Section 4.02. Abbreviations -----	19
Rule 5, Sewer Service	
Section 5.01. Sewer Service Agreements ----	20
Section 5.02. Sewer Discharge Permits ----	21
Section 5.03. Deposits -----	22
Rule 6, Conditions of Installation, Disconnection And Use	
Section 6.01. Service limited to Premise --	22
Section 6.02. Connect/Disconnection -----	22
Rule 7, Use of the Treatment Works	
Section 7.01. General Prohibitions on Wastewater Discharges -----	23
Section 7.02. Specific Prohibitions -----	23
Section 7.03. Local and Discharge Limits --	25
Section 7.04. Federal Pretreatment Standards	25
Section 7.05. State Requirements -----	26
Section 7.06. Company's Right of Revision -	26
Section 7.07. Excessive Discharge -----	26
Section 7.08. Unacceptable Wastes -----	26
Section 7.09. Pretreatment Facilities Design	27
Section 7.10. Pretreatment Facilities Maint.	27
Section 7.11. High Strength Wastes -----	27

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**Issued: January 4, 2007**

**Effective: January 5, 2007**

TABLE OF CONTENTS

	<u>Page Number</u>
Rule 8, Notification, Inspection, Testing and Control For Industrial Wastes	
Section 8.01. Industrial Waste Analysis ----	27
Section 8.02. Notification of Change -----	28
Section 8.03. Admission to Property -----	28
Section 8.04. User Held Harmless -----	28
Section 8.05. Control Manhole -----	28
Section 8.06. Measurements and Tests -----	29
Section 8.07. Submission of Plans -----	29
Section 8.08. Pretreatment Facilities Oper.-	29
Section 8.09. Accidental Discharges -----	29
Rule 9, Discharge Permit System	
Section 9.01. Permitted Discharge -----	30
Section 9.02. New Users -----	31
Section 9.03. Permit Conditions Compliance -	31
Section 9.04. Types of Permits -----	31
Section 9.05. Renewal of Industrial Waste Discharge Permit -----	31
Section 9.06. Duration of Industrial Waste Discharge Permits.	32
Section 9.07. Changes to Industrial Waste Discharge Permits -----	32
Section 9.08. Transfer of Industrial Waste -	32
Section 9.09. Procedure for Obtaining an Industrial Waste Discharge Permit -----	32
Section 9.10. Industrial Waste Discharge Permit Conditions -----	33
Section 9.11. Suspension or Revocation of Permits -----	33
Rule 10, Wastewater Monitoring and Reporting Requirements For Users with Industrial Waste Permits	
Section 10.01. Reporting Requirements -----	34
Section 10.02. Records and Monitoring -----	34
Section 10.04. Inspection, Sampling, and Analysis -----	35
Section 10.04. Pretreatment Facility Operation B Regulation of Bypass -----	36
Section 10.05. Confidential Information ----	36
Rule 11, Terms of Payment	
Section 11.01. Bills Rendered -----	37
Section 11.02. Bills Due and Payable -----	37
Section 11.03. Bills Doubtful of Accuracy --	38
Section 11.04. Failure to Receive Bill -----	38
Section 11.05. No Waiver or Reduction of Rates Or Fees -----	38

Indicates Increase, (D) Indicates Decrease, (C) Indicates Change

TABLE OF CONTENTS

	<u>Page Number</u>
Rule 12, Extension of Service -----	38
Rule 13, Violations and Enforcement Procedures	
Section 13.01. Notice of Violation -----	38
Section 13.02. Damages -----	39
Section 13.03. Suspension of Service or Permit -----	39
Section 13.04. Publication of Industrial Users in Significant Noncompliance ---	40
Section 13.05. Legal Action -----	40
Rule 14, Protection from Damage	
Section 14.01. Damage -----	41
Section 14.02. Emergency Service Termination	41
Rule 15, Fees	
Section 15.01. Purpose -----	41
Section 15.02. Charges and Fees -----	42
Rule 16, Surcharges	
Section 16.01. Surcharges -----	42
Rule 17, Miscellaneous	
Section 17.01. Access by Company Personnel -	43
Section 17.02. Discontinuance of Service at Customer's Request -----	43
Section 17.03. Policy and Standards for Plumbing Fixtures and Fittings -----	43
Rule 18, Enactment of the Tariff	
Section 18.01. Amendments -----	45
Section 18.02. Savings Clause -----	45

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Issued: November 25, 2003

Effective: November 26, 2003

Schedule of Consumption Charges

A. Residential/Commercial (Based on Water Usage)

Service Charge per quarter: \$5.59

\$3.02 per 1,000 gallons

B. Special Rate Charges

1. Bulk Metered Usage

Caln Township, Valley Township, V.A. Hospital and West Brandywine Township - Quarterly Service Charge of \$5.59 in addition to \$2.13 per 1,000 gallons of metered water usage.

Lukens Steel - Quarterly Service Charge of \$5.59 in addition to \$1.94 per 1,000 gallons of metered water usage.

C. Unmetered Charges

1. Valley District - \$148.00 annually.

2. Parkesburg - \$55.00 per unit, in addition to the \$35.00 per quarter, per unit charge for the Parkesburg Debt Service Charge as noted on page 9 of this tariff.

3. East Fallowfield - \$57.84 per quarter, per unit.

4. All other unmetered - \$57.84 per quarter, per unit.

5. A portion of Highland Township as designated at Docket No. A-230073F0011 - \$148.00 annually. (C)

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Supplement No. 13 to Tariff

Wastewater PA P.U.C. No.3

Eleventh Revised Page 6A

Pennsylvania-American Water Company

Canceling Tenth Revised Page 6A

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Issued: September 27, 2006

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PENNSYLVANIA-AMERICAN WATER COMPANY

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PENNSYLVANIA-AMERICAN WATER COMPANY

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Schedule of Miscellaneous Fees and Charges

A. Capacity Fee

Size of Water Meter

5/8" and 3/4"	\$ 525.00
1"	1,300.00
1 1/2"	4,300.00
2"	7,700.00
3"	* (1)
4"	* (1)
6"	* (1)
8"	* (1)

- (1) Capacity fee to be established by the Company for each case. The capacity charge for all meters larger than one inch will be computed on the basis of \$1.27 for each gallon of maximum daily capacity subject to the following rules, with a minimum fee of \$7,700:
- (a) Charges for 3" meters will be based on maximum daily capacity which shall be computed at a peak day factor of 1.8 times the requested average daily capacity;
  - (b) Charges for 4", 6" and 8" meters will be based on maximum daily capacity which shall be computed at a peak day factor of 1.4 times the requested average daily capacity.
  - (c) Should the customer exceed the average daily capacity during any calendar year, a new average and maximum daily capacity will be calculated by the Company. The average daily use during the year will become the new requested average daily capacity.
  - (d) The customer will be billed for the new maximum daily capacity differential at the \$1.27 per gallon rate. Such differential is the difference between the old and new maximum daily capacity. The customer will have thirty (30) days to pay the new charge.
  - (e) Should the size of the meter be increased after service is established, a capacity fee reflecting the difference will be charged.

If a property has a multiple unit dwelling with more than one meter, but only one service line, a capacity fee will be charged according to a meter size equivalent to the service line size.

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Issued: March 30, 2001

Effective: March 22, 2001

Schedule of Miscellaneous Fees and Charges

B. Connection Fee

Charge for the Company's time involved in the inspection of a lateral tie-in to the Company's wastewater system.

<u>Size of Water Meter</u>	
5/8" and 3/4"	\$ 50.00
1"	50.00
1 1/2"	50.00
2"	50.00
3"	50.00
4"	50.00
6"	50.00
8"	50.00

C. Sludge Waste Fees

The Fee to be paid by private contractors to the Company to dispose of private wastewater in the Company's Wastewater Treatment Plant.

- The following rates shall be charged to haulers of septic waste who deliver waste between November 1 and March 31:

First daily load under 3% solids	-----\$0.0300/gallon
Second daily load under 3% solids	----- 0.0325/gallons
Third daily load under 3% solids	----- 0.0350/gallons
Fourth daily load under 3% solids	----- 0.0375/gallons

First daily load over 3% solids	-----\$0.0725/gallon
Second daily load over 3% solids	----- 0.0750/gallons
Third daily load over 3% solids	----- 0.0775/gallons
Fourth daily load over 3% solids	----- 0.0800/gallons

- The following rates shall be charged to haulers of septic waste who deliver waste between April 1 and October 31:

First daily load under 3% solids	-----\$0.0325/gallon
Second daily load under 3% solids	----- 0.0350/gallons
Third daily load under 3% solids	----- 0.0375/gallons
Fourth daily load under 3% solids	----- 0.0400/gallons

First daily load over 3% solids	-----\$0.0750/gallon
Second daily load over 3% solids	----- 0.0775/gallons
Third daily load over 3% solids	----- 0.0800/gallons
Fourth daily load over 3% solids	----- 0.0825/gallons

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**Issued: March 30, 2001**

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Schedule of Miscellaneous Fees and Charges

3. Any septic waste discharged which has a ph level less than 6.0 units or greater than 9.0 units will be charged \$0.07/gallon between November 1 and March 31, and will be charged \$0.0725/gallon between April 1 and October 31. Any septic waste discharged which has a solids content greater than 3% and a ph level less than 6.0 units or greater than 9.0 units, will be charged \$0.14/gallon between November 1 and March 31, and will be charged \$0.145/gallon between April 1 and October 31.
4. The Borough of Avondale's wastewater sludge will be charged the following rates:

Between November 1 and March 31

First daily load	-----\$0.0725/gallon
Second daily load	----- 0.0750/gallon
Third daily load	----- 0.0775/gallon
Fourth daily load	----- 0.0800/gallon

Between april 1 and October 31

First daily load	-----\$0.0750/gallon
Second daily load	----- 0.0775/gallon
Third daily load	----- 0.0800/gallon
Fourth daily load	----- 0.0825/gallon

C. Charge for Late Payment

A penalty of 1.5% per month will be added to all bills unpaid by the due date.

D. Parkesburg Area Wastewater Service District

Treatment Tapping Fee per EDU	-----\$ 525.00
Lateral Inspection Fee	----- 50.00
Special Purpose (Conveyance) Tapping Fee per EDU	
For PAWC	----- 264.63
Special Purpose (Conveyance) Tapping Fee per EDU	
For Parksburg	----- <u>1,292.00</u>
Total Fees/EDU	-----\$2,131.63

**All** wastewater customers in Parkesburg and from surrounding municipalities whose wastewater flows through the Parkesburg Pump Station shall pay (in addition to the normal customer rate per/1,000 gallons and the applicable service charge) a debt service charge of \$35.00 per quarter per Equivalent Dwelling Unit (EDU) until such time as the Parkesburg Bond Payments have been completed. Properties with multiple dwelling units shall pay multiple tapping fees and multiple debt service charges.

RULES AND REGULATIONS**RULE 1 - INTRODUCTION**

Section 1.01 - The following Rules and Regulations shall be and are hereby declared to be a part of the Rules and Regulations of Pennsylvania-American Water Company (THE COMPANY) regarding the use of the Wastewater System and the nature of wastes to be discharged into THE COMPANY's Treatment Works, either directly or indirectly.

Section 1.02

1. These Rules and Regulations replace all prior Rules and Regulations, and all such prior Rules and Regulations are hereby rescinded and on the effective date of these Rules and Regulations all such prior Rules and Regulations shall be null and void.
2. This Tariff may be revised, amended, supplemented and otherwise changed from time to time in accordance with the "Pennsylvania Public Utility Code," and such changes, when effective, shall have the same force and effect as the present Tariff.
3. The Tariff provisions apply to any party or parties applying for or receiving service from the Company.

**RULE 2 - PURPOSE**

Section 2.01. The purposes of these Rules and Regulations are as follows:

1. To provide the conditions of service by THE COMPANY including application and contracting for service connection to THE COMPANY facilities, rendering and payment of bills and discontinuance of service.
2. To prohibit the discharge into THE COMPANY's Treatment Works of any wastewaters that are not in compliance with any Federal standards promulgated pursuant to the Federal Water Pollution Control Act Amendments of 1972, the Clean Water Act of 1977, or any subsequent Federal legislation.
3. To require that all wastewaters discharged to and from THE COMPANY's Treatment Works are in compliance with the Federal Water Pollution Control Act Amendments of 1972, the Clean Water Act of 1977, and any subsequent amendments to this legislation.
4. To require the pretreatment of all wastewaters discharged into THE COMPANY's Treatment Works for which pretreatment standards have been promulgated pursuant to Federal or State legislation required by the

Federal General Pretreatment Regulation (40 CFR, Part 403). Provided, however, that the THE COMPANY does not represent that it is the control authority referenced in 40 CFR ' 403.12(a).

5. To prohibit the discharge of any wastewaters of a flammable or explosive nature or which may create in any way a poisonous or hazardous environment for THE COMPANY's maintenance and operating personnel or the public.
6. To prohibit the discharge of any wastewaters into the THE COMPANY's Treatment Works which may cause operational or maintenance difficulties in it as it is now constructed or as it may be modified, expanded, or improved on in the future.
7. To prohibit or require pretreatment before introduction into the THE COMPANY's Treatment Works of any wastewaters which may adversely affect the integrity, operation and/or maintenance of THE COMPANY's Treatment Works by direct or indirect chemical or physical action, or which may interfere with the treatment process.
8. To regulate excessive volumes and/or inordinate rates of discharge of any wastewaters into the THE COMPANY'S Treatment Works.
9. To regulate the discharge of any wastewaters which require the levying of a surcharge for either their discharge into, or treatment by the THE COMPANY's Treatment Works.
10. To prohibit or require pretreatment before introduction into the THE COMPANY's Treatment Works of any wastewater which may adversely affect the disposal of sludge in any manner.
11. To provide procedures for the extension of sewer service.
12. To provide violation and enforcement procedures, provide for protection against damage to the wastewater collection system or treatment works and establishment of fees and charges for use of the wastewater disposal system for both domestic and industrial wastes and other miscellaneous regulations designed to bring about the safe and efficient operation of THE COMPANY's wastewater collection and treatment system.
13. To acknowledge that the Company has, by this tariff, provided that these Rules and Regulations are a proper means of protecting public health, safety and welfare.

**RULE 3 - EFFECTIVE DATE**

Section 3.01. These Rules and Regulations shall become effective at once and shall be applicable on or after March 22, 2001, to all properties then connected to, or as soon as they respectively become connected to and have the right to use, the sewer system.

**RULE 4 - DEFINITIONS**Section 4.01. Definitions

Unless the context specifically and clearly indicates otherwise, the meaning of terms used in these Rules and Regulations shall be as follows:

1. "Company" - Pennsylvania-American Water Company (also called "THE COMPANY").
2. "Applicant" - A customer who enters into a service agreement for sewer service at a premises.
3. "Authorized Representative of a User" - An authorized representative of a user may be: (1) A principal executive officer of at least the level of vice president, if the user is a corporation; (2) A general partner or proprietor if the user is a partnership or 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.
4. "B.O.D." (Biochemical Oxygen Demand) shall mean the quantity of oxygen, expressed in milligrams per liter, utilized in the biochemical oxidation of organic matter under standard laboratory procedure for five (5) days at twenty (20) degrees Centigrade. The standard laboratory procedure shall be that found in the latest approved edition of "Standard Methods for the Examination of Water and Sewage" published by the American Public Health Association.
5. "Building Sewer" shall mean the extension from the building sewer system to THE COMPANY's sewer main.
6. "Bypass" means the intentional or negligent diversion of industrial wastewater from any portion of an industrial user's pretreatment process through which the wastewater normally passes.
7. "Categorical Standards" - A Pretreatment Standard promulgated by the EPA as provided by Section 307 of the Clean Water Act (33 USC 1317) which applies to a specific category of Industrial Users, as provided in 40 CFR Chapter I, Subchapter N, Parts 405 through 471.

8. "Chlorine Demand" shall mean the quantity of chlorine absorbed in water, wastewater or other liquids, allowing a residual of 0.1 ppm by weight after fifteen (15) minutes of contact. The standard laboratory procedure shall be that found in the latest approved edition of "Standard Methods for the Examination of Water and Sewage" published by the American Public Health Association.
9. "Composite Sample" means a sample consisting of several effluent portions collected at intervals during a specific time period and combined to make a Representative sample. When special sampling techniques are required for a particular pollutant, e.g., volatile organic compounds requiring grab samples of fixed size, or when otherwise provided by a permit, the requirement that a composite sample be a Representative sample may be waived by the Company.
10. "Connection Fee" means a fee authorized under Act 203 of 1990 to recover the Company's cost for facilities installed between the sewer mains and the property line of the property to be connected to the system.
11. "Cooling Water" means any water used for the purpose of carrying away excess heat, both direct and indirect, and which may or may not contain biocides used to control biological growth. See also "Non-contact Cooling Water" in these definitions.
12. "Customer" means any individual, firm, company, partnership, corporation, association, group or society, including the Commonwealth of Pennsylvania, and agencies, districts, commissions and political subdivisions created by or pursuant to State law, and Federal agencies, departments or instrumentalities thereof, who have executed a Service Agreement with THE COMPANY.
13. "Customer Facilities Fee" means a fee permitted under Act 203 of 1990 to recover the Company's actual cost for facilities installed between the property line and the internal plumbing of the building being connected to the system.
14. "Daily Measurement" is the result obtained for a Composite Sample, or the average of the measurements of all grab samples, taken over the course of a calendar day or a similar period reasonably representative of one day of normal operation.
15. "Department" means the Pennsylvania Department of Environmental Protection (PADEP).
16. "Discharge" means an Indirect Discharge; "To discharge" means to cause or allow the introduction of material into the Treatment Works.

17. "Domestic Wastewater" means the liquid waste or liquid borne waste (1) resulting from the non-commercial preparation, cooking, and handling of food, (2) consisting of human excrement, or (3) consisting of washwater, non-commercial laundering waters, domestic housekeeping wastewater, and similar types of wastes from sanitary uses, whether generated in residences or sanitary facilities in commercial or industrial facilities, but does not include stormwater introduced from roof leaders, sump pumps, floor drains or industrial wastewater.
18. "EPA" means the United States Environmental Protection Agency.
19. "Federal Act" means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 USC 1251, et. seq.
20. "Garbage" shall mean solid wastes resulting from preparation, cooking and dispensing of food and from handling, storage and sale of produce.
21. "Government" means the United States of America and the Commonwealth of Pennsylvania and any department or agency thereof.
22. "Grab Sample" means 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.
23. "Holding Tank Waste" means any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks and vacuum pump tank trucks.
24. "Indirect Discharge" shall mean the discharge or the introduction of non-domestic pollutants from any source regulated under section 307(b) of the Act (33 USC 1317), into the POTW (including holding tank waste discharged into the POTW).
25. "Industrial User" means any person that causes, allows, or permits an Indirect Discharge or any Discharge of Industrial Wastewater.
26. "Industrial Wastewater" shall mean the liquid waste or liquid borne waste resulting from any industrial, manufacturing, trade, or business process or activity, or in the course of developing, recovering or processing of natural resources which, whether treated or untreated, is discharged into the Treatment Works, but not Non-contact Cooling Water or Domestic Wastewater unless such wastes are mixed with Industrial Wastewater; a mixture of any other water or wastewater with Industrial Wastewater is Industrial Wastewater.
27. "Industrial Pretreatment Program" means the provisions of this Resolution and any applicable law, regulation or ordinance of any government or municipality applicable to the control of Indirect

Discharges, and such rules, policies, procedures and administrative activities adopted or carried out by THE COMPANY in furtherance of the mandates and goals of such laws, Rules and Regulations.

28. "Industrial Waste Discharge Permit" is a permit issued to industrial users as provided by RULE 9 of these Rules and Regulations.
29. "Interference" means (i) inhibiting or disrupting a treatment works system or its treatment process or operation so as to contribute to, or cause a violation of any condition of a state or federal permit or any restriction, condition, or prohibition on the discharge from the treatment works established by any government statute, regulation, or policy, or (ii) discharging industrial process wastewater which, alone or in combination with existing domestic wastewater is of such volume or strength as to exceed the treatment process capacity; or (iii) preventing the use or disposal of sludge produced by the treatment works in accordance with any State rules or regulations or Section 405 of the Federal Clean Water Act (33 USC 1345) or the regulations adopted thereunder; or any regulations or criteria or guidelines developed pursuant to the Federal Resource Conservation and Recovery Act of 1976 (42 USC 6901 et. seq.), the Federal Clean Air Act (42 USC 7401 et. seq.), or the Federal Toxic Substances Control Act (15 USC 2601 et. seq.).
30. "Local Limits" means numerical or narrative requirements respecting the allowable concentration or mass of pollutants in industrial wastewater. Local limits are adopted by the THE COMPANY to implement the provisions of the pretreatment program.
31. "Main Extension" means extension of service requiring the construction of one or more additional sewers including pumping stations and force or pressure mains.
32. "Monthly Average" shall mean the arithmetic mean of all of the daily measurements taken during a calendar month. Should only one daily measurement be obtained during the month, that result is the Monthly Average.
33. "Municipality" means any city of any class, any borough, township, municipal authority, or any other municipality other than a county or a school district.
34. "National Pollutant Discharge Elimination System" (NPDES) means the system of discharge permits (NPDES) issued by PADEP pursuant to Section 402 of the Clean Water Act (33 USC 1342).
35. "National Prohibited Standards" means prohibited discharge standards established in 40 CFR Section 403.5.

36. "Non-Contact Cooling Water" means cooling water that does not contact any raw material, intermediate or finished product or waste.
37. "Owner" means the person in whose name the deed for a property is recorded.
38. "Pass Through" means the discharge of pollutants to the waters of the State either untreated or insufficiently treated so as to cause or contribute to pollution or a violation of the NPDES permit issued to the THE COMPANY; or the concentration of pollutants in the sludge produced by the treatment plant so that the end use of the sludge results in pollution, harm to the environment, or a violation of any State or Federal sludge disposal regulation, guideline or standard.
39. "pH" means the logarithm base 10 of the reciprocal of the concentration of hydrogen ions in grams per liter of solution. Solutions with a pH greater than 7 are said to be basic; solutions with a pH less than 7 are said to be acidic; pH equal to 7 is considered neutral.
40. "Person" means an individual, partnership, company, corporation, association, corporate political body, joint ownership, or any other entity capable of functioning in the context used herein.
41. "Pollutant" means any dredged spoil, solid waste, incinerator residue, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, radioactive substance, thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal or agricultural waste or other residue, or any substance identified in these Rules and Regulations as regulated, restricted, or prohibited.
42. "Premises" means the property, building, or other site to which water service is furnished, including:
- a. A building under one roof, owned and leased by one person, and occupied as one residence or business;
  - b. Each combination of buildings owned or leased by one person, served by one service line and occupied by one family or business;
  - c. Each side of a double house or each housing unit;
  - d. Each apartment, office, or suite of offices located in a building having several such apartments, offices, or suites of offices and using in common one or more means of entrance; or
  - e. Such other situations as THE COMPANY shall deem proper and advisable.

43. "Pretreatment" means the application of physical, chemical and/or biological processes to reduce the amount of pollutants in, or alter the nature of the polluting properties of, an industrial process wastewater prior to discharging such wastewater into the Treatment Works.
44. "Pretreatment Standards and Requirements" means any applicable Federal or State rules and regulations implementing Sections 306 and 307 of the Clean Water Act (33 USC 1316 & 1317), as well as any non-conflicting standards or regulations adopted by the THE COMPANY.
45. "Publicly Owned Treatment Works" (or "POTW") defined by Section 212 of the Act (33 USC § 1292). For the purposes of these Rules and Regulations, "POTW" shall also include local collection systems of participants or other sewers that convey wastewaters to the POTW from persons outside the district who are, by contract or agreement with THE COMPANY, users of THE COMPANY's POTW.
46. "Regional Administrator" shall mean the Administrator of the applicable Region of the United States Environmental Protection Agency or his/her authorized representative.
47. "Representative Sample" means a sample obtained in such a way that the relative proportions of its constituents reliably approximates the proportions occurring in the total discharge from the facility during the course of a calendar day. A representative sample is normally obtained by means of a flow-proportioned Composite sample taken during the hours when a discharge is occurring. When sampling to determine compliance with a maximum instantaneous limit, a representative sample may be a grab sample. When conditions require, and with the approval of the THE COMPANY, a representative sample may be obtained as a series of grab samples, or using other non-proportionate methods.
48. "Service Line" means the service pipe extending from THE COMPANY's sewer main to a point immediately inside the portion of the customer's property, which abuts the street or road. Except, in cases where the customer did not dedicate to the Company the sewer service line between the main and the property line, the service line is the property of the Company.
49. "Sewer" shall mean a sewer of THE COMPANY or of the tributary sewer systems that discharge to the THE COMPANY system, which carries wastewater and to which storm, surface and groundwaters are not intentionally admitted.
50. "Sewer Connection Fee" means the "Connection Fee" as set forth in this section.

51. "Sewer Discharge Permit" means a permit issued by the THE COMPANY allowing a user to discharge wastewater to the THE COMPANY sanitary sewer system. See also, Industrial Waste Discharge Permit in these definitions.
52. "Sewer Service Application" means an application required for any customer requesting or receiving sewer service from THE COMPANY.
53. "Sewer Service Connection" means the fitting or manhole owned by THE COMPANY and installed or authorized to be installed in a THE COMPANY main by THE COMPANY, connecting a service line to a THE COMPANY sewer.
54. "Significant Industrial User" means any industrial user that discharges industrial wastewater which either (1) exceeds an average rate of 25,000 gallons per day, or (2) exceeds a BOD loading of sixty-three (63) pounds of BOD, one hundred four (104) pounds of Chemical Oxygen Demand, or sixty-three (63) pounds of TSS, (3) is regulated by Categorical Pretreatment Standards, or (4) is determined by the THE COMPANY to have the potential of adversely affecting the POTW, causing Pass Through or Interference, or of violating any Pretreatment Standard or Requirement.
55. "Slug" shall mean any discharge of water, wastewater or industrial waste which exceeds for any period of duration longer than fifteen (15) minutes, (1) more than five (5) times the average twenty-four (24) hour concentration of any constituent therein, or (2) more than five (5) times the average rate of flow(s) during normal operation.
56. "State" means the Commonwealth of Pennsylvania.
57. "State Act" means the Pennsylvania Clean Streams Law (35 P.S. 691.1-691.801).
58. "Storm Water" means any flow occurring during or immediately following any form of natural precipitation and resulting therefrom.
59. "Surcharge" shall mean the additional charge that will be levied against a user discharging wastewater whose BOD and suspended solids concentrations are in excess of the standard adopted for surcharges, or which contain constituents in concentrations for which THE COMPANY has determined an additional charge is required for their treatment.
60. "Suspended Solids" or "Total Suspended Solids (TSS)" means the Total Filterable Residue as defined by 40 CFR 136.
61. "Tapping Fee" means the fees authorized to be established by Act 203 of 1990, including four components: the Capacity Part, the Collection Part, the Special Purpose Part and the Reimbursement Component.

62. "Tenant" means a user who leases or rents premises from an owner.
63. "Toxic Pollutant" means any pollutant so designated by the EPA in accordance with the provisions of Section 307(a) of the Clean Water Act (33 USC 1317).
64. "Treatment Works" means POTW as defined herein and any device or system, whether public or private, used in the storage, treatment, recycling, or reclamation of domestic or industrial waste of a liquid nature, including: intercepting sewers, outfall sewers, systems served by the THE COMPANY, sewage collection, cooling towers and ponds, pumping, power and other equipment and their appurtenances; extensions, improvements, remodeling, additions, and alterations thereof; elements essential to provide a reliable recycling supply such as standby treatment units and clear well facilities; any other works including sites for the treatment process or for ultimate disposal of residues resulting from such treatment.
65. "Treatment Plant" means that portion of the Treatment Works designed to provide treatment to wastewater and thence to discharge treated wastewater to the environment.
66. "User" means any person, corporation or institution who discharges, causes, or permits the discharge of wastewater into the Treatment Works, either directly or indirectly.
67. "Wastewater" means the liquid and water-carried industrial or domestic wastes from dwellings, commercial facilities, industrial facilities, and institutions, together with any groundwater, surface water, and storm water that may be present, whether treated or untreated, which is discharged into or permitted to enter the THE COMPANY Treatment Works.

#### Section 4.02. Abbreviations

The following abbreviations shall have the designated meaning:

BOD	- Biochemical Oxygen Demand
THE COMPANY	- Pennsylvania-American Water Company
CFR	- Code of Federal Regulations
COD	- Chemical Oxygen Demand
EPA	- Environmental Protection Agency
L	- Liter
mg	- Milligrams

mg/L	-	Milligrams per Liter
NH3-N	-	Ammonia Nitrogen
P	-	Phosphorus
NPDES	-	National Pollutant Discharge Elimination System
PADEP	-	Pennsylvania Department of Environmental Protection
POTW	-	Publicly Owned Treatment Works
ppb	-	parts per billion
ppm	-	parts per million
SS	-	Suspended Solids
TSS	-	Total Suspended Solids
USC	-	United States Code

## **RULE 5 - SEWER SERVICE**

### Section 5.01. Sewer Service Agreements

1. An agreement for sewer service must be made and sewer discharge permit obtained where domestic wastewater is proposed to be introduced through a connection of a service line to a sewer owned and maintained by THE COMPANY and approved by THE COMPANY for introduction of new sewer service including where there is any change in ownership of property or in tenancy where tenant is the user. THE COMPANY shall have the right, upon seven (7) days notice, to discontinue existing sewer service until such a new agreement has been made and approved. If industrial waste is proposed to be introduced into any sewer system tributary to THE COMPANY's Treatment Works, whether the sewer system is owned and maintained by THE COMPANY or by any municipality or private party, the customer or user shall obtain a sewer discharge permit from THE COMPANY and enter into a sewer service agreement with THE COMPANY before commencing the discharge of such waste.
2. All agreements for sewer service are made subject to approval of THE COMPANY.
3. The agreement for sewer service must be signed by the applicant, which shall together with the Rules and Regulations of THE COMPANY, regulate and control the provision of sewer service to the premises.

4. All agreements for sewer service shall continue in force from day to day, but either party may cancel the contract by giving seven (7) days written notice that the contract shall terminate at the expiration date contained in the notice. If the minimum charge is not exceeded at the time of termination, it shall be pro-rated on a daily basis for the quarter in which sewer service is terminated.

5. For purposes of the sewer service agreement, the term Customer shall include user as defined by RULE 4 of these Rules and Regulations. Service agreements shall be made between customers and THE COMPANY and the customer will be responsible for all users tributary to a customer service line.

6. Separate agreements for sewer service must be made for:

- a. Each building under one roof owned or leased by one party, and occupied as one residence or business;
- b. Each combination of buildings owned or leased by one party in one common enclosure and occupied by one family or business;
- c. Each side of a double house having a solid vertical partition wall; or

Such other cases as THE COMPANY shall deem proper and advisable under the circumstances.

7. All sewer service provided by THE COMPANY must be entered through approved connections. Any wastewater discharged through unapproved connections to THE COMPANY sewers will cause the discontinuance of service and the imposition of penalties and other charges as described herein.

#### Section 5.02. Sewer Discharge Permits

1. Any person desiring the introduction of a new service line or lines from THE COMPANY's main into the premises must first enter into an agreement for sewer service as provided in Section 5.01 above on the form furnished by THE COMPANY. At least seven (7) days before service is required, application for sewer service must also be made. The application shall state the time when the trench to THE COMPANY's sewer will be ready for completing the connection to the THE COMPANY sewer. The applicant shall guarantee that such service will continue for at least one (1) year.

2. The agreement will not be approved until THE COMPANY receives payment of the appropriate tapping fee and connection fee, as stipulated in the Schedule of Rates and Charges and other charges stipulated by THE COMPANY in duly adopted schedules of charges.

Section 5.03. Deposits

1. Deposits may be required from customers as deemed necessary by THE COMPANY.
2. Deposits will be returned to the depositor when he has paid bills for service over a period of twelve (12) consecutive months; or upon discontinuance of service by the customer and payment of all charges due. Any customer having secured the return of a deposit will not be required to make a new deposit unless the service has been discontinued or the customer's credit standing is impaired through failure to comply with the Rules and Regulations.
3. Interest will be paid on deposits.
4. Any customer having a deposit shall pay bills for sewer service as rendered in accordance with the Rules and Regulations of THE COMPANY and the deposit shall not be considered as payment on account of a bill during the time the customer is receiving sewer service.

**RULE 6 - CONDITIONS OF INSTALLATION, DISCONNECTION AND USE**Section 6.01. Service Limited to Premises

No customer or any premises supplied with sewer service by THE COMPANY shall be allowed to supply said service to other persons or families or other premises except by written permission from THE COMPANY. Customers who violate this rule shall have their sewer service discontinued after a notice of five (5) days, and it shall remain off until THE COMPANY is satisfied that the Rules and Regulations are observed.

Section 6.02. Customer Service Connection/Disconnection

1. After a customer applies for and obtains a sewer discharge permit, pays all applicable tapping fees, connection fees, and other charges, and enters into an agreement for sewer service, the customer will construct a complete building sewer (see definition) which shall be air tested by the installer under the supervision of THE COMPANY's representative, and subsequently approved through a service line inspection form completed by said THE COMPANY representative.
2. The customer or owner is responsible for excavation, backfill, street restoration and any street opening permits at the location where the new sewer service or the disconnection of the old sewer service is made.
3. Building sewers, including all fittings, manholes, meter locations and sampling points, shall be constructed in accordance with THE COMPANY specifications.

**RULE VII - USE OF THE TREATMENT WORKS**Section 7.01. General Prohibitions on Wastewater Discharge

No person shall discharge, deposit, cause or allow to be discharged or deposited into the THE COMPANY Treatment Works any Wastewater which contributes to a violation of any of the parameters in the THE COMPANY NPDES permit, or which contains any of the following:

1. Stormwater, surface water, groundwater, roof runoff, subsurface drainage, or foundation or basement sump drainage;
2. Oils, tar, grease, combustible gases and liquids, insoluble solids of any kind, or other substances which may impair, impede, affect, interfere with or endanger the Treatment Works or any part thereof;
3. Gasoline, benzene, naphtha, paints, lacquers, fuel oil, or other flammable or explosive liquid, solid, or gas which by reason of its nature or quality may cause fire or explosion or which, in any way, may be injurious to personnel or the Treatment Works;
4. Substances of such a nature as to form noxious or malodorous gases or substances which either singularly or through interaction with other wastes or substances found in wastewater treatment processes may create a public nuisance, hazard to life, or prevent entry into any portion of the Treatment Works for operational duties, maintenance or repair;
5. Solids or viscous substances in quantities or of such size capable of causing obstruction of the flow in sewers, or other interference with the proper operation of the treatment works, such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, hair, fleshings, offal, entrails and paper products.
6. Garbage from any institutional, commercial or domestic source not properly shredded.
7. Septic tank or cesspool wastes. These wastes may, however, be accepted directly at the THE COMPANY's wastewater treatment facilities at charges and during times prescribed by the THE COMPANY. The THE COMPANY reserves the right, however, to discontinue the acceptance of such wastes without notice should such wastes result in any operational problems.
8. Wastewaters having an objectionable color which is not removable in the wastewater treatment facility.

Section 7.02. Specific Prohibitions

No person shall discharge or permit to be discharged the following

described substances, materials or wastewater, in amounts, rates, or concentrations that will or may cause or contribute to pass through, interference, risk to human health or environment, or a public or private nuisance. The prohibited substances are:

1. Any wastewater having a temperature higher than 150°F (65°C).
2. Any wastewater containing fats, wax, grease, or oils of such concentration or consistency that would cause or contribute to obstructions in the sewer, or increased removal or treatment costs at the Treatment Works. Unless shown by the discharger that a higher concentration will not violate this standard, it is presumed that a concentration of hexane extractable materials (as defined by 40 CFR Part 136) in excess of 100 mg/L is a prohibited concentration.
3. Wastewater having a pH less than 6.0 or greater than 9.0 or found to be excessively corrosive.
4. Wastewater containing any radioactive substances.
5. Wastewater having a flash point lower than 235° F (113° C) as determined by the TAG or Pensky-Martins closed cup method, as applicable.
6. All wastes containing toxic pollutants or corrosive substances in sufficient quantity or concentration to cause or contribute to injury, damage or hazard to personnel, structures or equipment, interference or pass through.
7. Any constituent in industrial wastewater in excess of the limits imposed by an industrial waste discharge permit issued by THE COMPANY, or in excess of applicable Categorical Standards.
8. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
9. Substances interfering with Sludge Management - Any substance which may cause the POTW's sludge to be unsuitable for disposal or to interfere with the reclamation process where the POTW is pursuing a reuse and reclamation program. In no case shall a substance discharged to the POTW cause the POTW to be in non-compliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Clean Water Act (33 USC 1345) including 40 CFR Section 503; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or any State statute, regulation or guideline.

Section 7.03. Local Limits and Discharge Limitations

1. Appendix A presents the local limits for certain pollutants. The local limits are the allowable wastewater discharges to the treatment works by all industrial users, including both significant industrial users and other (non-significant) industrial users.
2. Discharge limits in Industrial Waste Discharge Permits may be in terms of mass, concentration, flow volume, or a combination of these to be determined by THE COMPANY.
3. For local limits that are expressed as a total allowable mass, discharges by Significant Industrial Users shall be limited by means of Industrial Waste Discharge Permits so that the total mass of pollutants allowed to be discharged by Significant Industrial Users, plus that expected to be discharged by non-significant industrial users, shall not exceed the local limits. In such a case, the THE COMPANY may allocate the allowable mass of limited pollutants among industrial dischargers as is appropriate to reflect the nature of the industrial wastes, flow rates, and other considerations. The allocation may be changed administratively from time to time as the THE COMPANY sees fit, without action of the Company or amendment of this rule.
4. When local limits are expressed in terms of concentration, such limits shall be included in all Industrial Waste Discharge Permits, subject to the provisions of Section 7.11 of this RULE.

Section 7.04. Federal Categorical Pretreatment Standards

1. Upon the effective date of the Federal Categorical Pretreatment Standard for a particular industrial subcategory, the Federal Standard, if more stringent than limitations imposed under these Rules and Regulations for sources in that subcategory, shall become the industrial wastewater discharge standard for any industrial user subject to the standard.
2. THE COMPANY shall endeavor to notify all affected users of the applicable reporting requirements in 40 CFR, Section 403.12. Whether notified or not, any industrial user subject to national pretreatment standards shall be responsible for compliance with all such standards and associated national reporting requirements, and failure or inadequacy of notice by THE COMPANY shall not be reason for any non-compliance by the industrial user, nor grounds for a claim at law or in equity against THE COMPANY.
3. THE COMPANY is not the "Control authority" for purposes of industrial user reporting under the provisions of 40 CFR Section 403.12, and industrial users subject to Categorical Pretreatment Standards shall submit required reports to EPA, as provided in Section 10.01 of these Rules and Regulations.

Section 7.05. State Requirements

State requirements and limitations on discharges shall apply in any case where they are more stringent than Federal requirements and limitations or those in these Rules and Regulations.

Section 7.06. THE COMPANY's Right of Revision

THE COMPANY reserves the right to establish more stringent limitations or requirements on discharges to the Treatment Works if deemed necessary by THE COMPANY to comply with objectives of these Rules and Regulations.

Section 7.07. Excessive Discharge

No user shall ever increase the use of process water or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations for adequate treatment, to achieve compliance with the limitations contained in the Federal Categorical Pretreatment Standards, or to achieve compliance with any other pollutant-specific limitation developed by the State or THE COMPANY.

Section 7.08. Unacceptable Wastes

If any wastewaters are discharged, or are proposed to be discharged to the Treatment Works which wastewaters contain the substances or possess the characteristics enumerated or referred to in Section 7.01 or 7.02 of this RULE, THE COMPANY will exercise one or more of the following options:

1. Reject the wastes permanently, in which case any discharge of the wastewater to the POTW is a violation of this resolution for which THE COMPANY may take such actions as are allowed by law to abate.
2. Reject the wastes and bar the discharge of the rejected wastes until such time as the discharger of such wastes provides a detailed report (prepared by a professional engineer registered in the Commonwealth of Pennsylvania with recognized expertise in the treatment of industrial wastes) containing recommendations as to the method of pretreatment and acceptability of such wastes into the Treatment Works. Upon the THE COMPANY'S acceptance of said report, said wastes may be accepted on a trial basis under such terms and conditions as THE COMPANY may impose, and subject to termination by THE COMPANY for any reason.
3. Require pretreatment to an acceptable condition for discharge to the Treatment Works.

4. Require control over the quantities, rates and times of discharge.
5. Accept the wastes as provided in Section 7.11 of this RULE.

Section 7.09. Design of Pretreatment Facilities

If THE COMPANY permits the pretreatment or equalization of discharge of wastes which are to be accepted in the Treatment Works, the design and installation of the pretreatment facilities shall be reviewed and approved by THE COMPANY, and are subject to the requirements of the Pretreatment Standards and all other applicable codes, ordinances and laws. Such review and approval of proposed pretreatment facilities shall not be an endorsement or warranty of the effectiveness, efficiency or capability of such pretreatment facilities, and shall not act as a waiver of any applicable Pretreatment Standard or Requirement.

Section 7.10. Maintenance of Pretreatment Facilities

Where pretreatment or flow equalization or time of discharge control facilities are provided for any wastewaters discharged to the Treatment Works, it shall be maintained continuously in satisfactory and effective operation by the user or the Owner, as appropriate, at the expense of said user or owner.

Section 7.11. High Strength Wastes

No statement contained in this RULE shall be construed as preventing any special agreement or arrangement between THE COMPANY and any user whereby a wastewater with high BOD or suspended solids concentrations, a high chlorine demand or with unusual strength or characteristics may be accepted by THE COMPANY for treatment at an additional charge, provided THE COMPANY has determined, at the expense of the user, that the wastewater can be adequately conveyed and treated by the Treatment works without any deleterious effects, and provided further that such waste discharges do not violate any State or National Pretreatment Standards, including National Prohibited Standards and applicable Categorical Pretreatment Standards.

**RULE VIII - NOTIFICATION, INSPECTION, TESTING AND CONTROL FOR INDUSTRIAL WASTES**

Section 8.01. Industrial Waste Analysis

All users desiring to discharge industrial wastes to the THE COMPANY Treatment Works must file with THE COMPANY a complete physical and chemical analysis of the wastes proposed to be discharged into the Treatment Works. This information shall be filed on forms prescribed by THE COMPANY.

Section 8.02. Notification of Change

Any industry which is connected to the Treatment Works, either directly or indirectly, and is discharging industrial wastes thereto, which shall change its method of operation so as to alter the nature of the wastes previously discharged, either in quality or quantity, shall notify the THE COMPANY at least thirty (30) days in advance of any such change, if such a change is planned, otherwise, immediately upon becoming aware of such a change. The industrial user shall report on the expected changes in the waste, and shall sample and analyze the waste for any substances expected to be found therein, or as directed by the THE COMPANY. The THE COMPANY may require that the industry apply for an Industrial Waste Discharge Permit or for an amendment of an existing permit, as provided in RULE 9 of these Rules and Regulations.

Section 8.03. Admission to Property

Whenever it shall be necessary for the purposes of implementing the requirements of these Rules and Regulations, any duly authorized employees or representatives of THE COMPANY, upon the presentation of credentials and identification, shall at any time be permitted to enter all properties to inspect, observe, measure, sample, test or monitor any discharge of wastewater to the Treatment Works or records thereof, in accordance with the provisions of these Rules and Regulations.

Section 8.04. User Held Harmless

While performing the necessary work on private properties referred to in Section 8.03, duly authorized employees or representatives of THE COMPANY shall observe all reasonable safety rules applicable to the premises established by the user or owner of which employees or representatives have been provided notice.

Section 8.05. Control Manhole

When required by the THE COMPANY, the user shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer as may be approved by THE COMPANY to facilitate observation, sampling, and measurement of the wastewater. Such manhole or other appurtenances, when required, shall be accessibly and safety located, and shall be constructed in accordance with plans approved by the THE COMPANY. The control manhole shall be installed by the user at his expense, and shall be maintained by him so as to be safe and accessible to THE COMPANY representatives at all times. If the user does not maintain the control manhole and the equipment in it in a satisfactory condition as determined by THE COMPANY, THE COMPANY shall maintain them at the user's expense.

Section 8.06. Measurements and Tests

All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in these Rules and Regulations shall be determined in accordance with Section 10.03 of these Regulations and shall be determined at the control manholes provided. In the event that no special control 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 standard test methods in the waste treatment industry, to reflect the effect of constituents upon the Treatment Works and to determine the existence of hazards to life, limb and property.

Section 8.07. Submission of Plans

Where pretreatment or equalization of wastewater flows or control of time of discharge prior to discharge into any part of the Treatment Works is required, the user shall notify the THE COMPANY, and plans, specifications, and other pertinent data prepared by an Engineer licensed in the Commonwealth of Pennsylvania or information relating to such pretreatment or flow-control facilities shall be submitted by the user to the THE COMPANY for review and approval. Such approval shall not exempt the discharge of such facilities from compliance with any applicable code, ordinance, rule, regulation or order of any governmental authority. Any subsequent modifications to such pretreatment or flow-control facilities shall not be made without due notice to and prior approval of THE COMPANY.

Section 8.08. Pretreatment Facilities Operations

Pretreatment facilities shall be maintained in good working order and operated efficiently by the user at his/her own costs and expense, subject to the requirements of these Rules and Regulations and all other applicable local, State and Federal codes, ordinances, and laws.

Section 8.09. Accidental Discharges

Each user shall provide protection from accidental discharge of prohibited materials or other substances regulated by these Rules and Regulations to the Treatment Works. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the user's own expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to THE COMPANY for review and shall be approved prior to construction of the facility. All existing users shall complete such a plan at least sixty (60) days before scheduled start of construction of the facility. If any pretreatment or control facilities are in existence when these Regulations are adopted, the user shall submit drawings along with the plan mentioned above. No user who commences contribution to the Treatment Works after the effective date of

these Rules and Regulations shall be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the THE COMPANY. Review and approval of such plans and operating procedures shall not relieve the user from the responsibility of modifying the facility as necessary to meet the requirements of these Rules and Regulations.

1. Telephone Notice: In the case of an accidental discharge to the THE COMPANY Treatment Works or, if for any reason a user does not comply, or will be unable to comply, with any prohibition or limitation in these Rules or Regulations, the user responsible for such discharge shall immediately telephone and notify THE COMPANY of the incident or non-compliance. (See telephone numbers and addresses in Appendix B). The notification shall include location of discharge, type of waste, concentration and volume. Furthermore, such user shall take immediate action to prevent interference with the treatment process or damage to the Treatment Works.
2. Written Notice: Within five (5) days following an accidental or non-complying discharge to the THE COMPANY Treatment Works, the user shall submit to THE COMPANY a detailed written report describing the date, time and cause of the discharge, the quantity and characteristics of the discharge and corrective action taken at the time of the discharge, and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the Treatment Works, fish kills, or any other damage to person or property; nor shall such notification relieve the user of any fines, civil penalties, or other liability which may be imposed by this RULE or other applicable law.
3. Notice to Employees: A notice shall be permanently posted on the user's bulletin board or other prominent place advising user's employees whom to call in the event of a dangerous discharge to the THE COMPANY Treatment Works. Employers shall insure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure.

## **RULE 9 - DISCHARGE PERMIT SYSTEM**

### Section 9.01. Permitted Discharges

No significant industrial user shall discharge industrial wastes into the Treatment Works without first obtaining an Industrial Waste Discharge Permit from THE COMPANY. Issuance or denial of an Industrial Waste Discharge Permit shall be a final administrative action of the THE COMPANY.

Section 9.02. New Users

New users which desire to discharge industrial wastewater into the Treatment Works or existing industrial users which desire to commence operations of a new facility or a new or different process that will affect the characteristics of the industrial wastewater discharging into the Treatment Works, shall notify THE COMPANY prior to the commencement of the new or different operations at the facility and provide such other information regarding the proposed discharge as THE COMPANY may request, including an application for an Industrial Waste Discharge Permit when deemed necessary.

Section 9.03. Compliance with Permit Conditions

Any user issued an Industrial Waste Discharge Permit or other permit provided for by these Rules and Regulations shall abide by all of the provisions, conditions and terms of the permit, and a violation thereof shall be a violation of these Rules and Regulations. If a user objects to any term or condition of a permit it may appeal the specific terms and conditions to the THE COMPANY as provided in RULE 13 of these Rules and Regulations.

Section 9.04. Types of Permits

THE COMPANY may issue wastewater discharge permits other than Industrial Waste Discharge Permits to special classes of dischargers in order to regulate the wastewater characteristics, duration, time of discharge, or other things necessary to achieve the purposes of these Rules and Regulations. The terms and conditions of such permits may be determined by THE COMPANY at its sole discretion. These special permits may be denoted by any appropriate caption except "sewer discharge permit" or "Industrial Waste Discharge Permit" so as to distinguish them from these types of permits. Issuance of a special permit under this section shall be a final administrative action; denial of a special permit shall not be a final administrative action and a user may, upon such a denial, apply for an Industrial Waste Discharge Permit. When determined to be appropriate or necessary, THE COMPANY may, in lieu of issuing a permit, enter into a contract or agreement with a discharger for the control of the discharge. Special permits shall not be issued to Significant Industrial Users.

Section 9.05. Renewal of Industrial Waste Discharge Permit

1. If a permittee wishes to continue discharging Industrial Wastewater to the Treatment Works, it shall request a renewal of its Industrial Waste Discharge Permit no less than three (3) months prior to the expiration

date of the permit then in force. The request shall be contained in a form prepared by THE COMPANY. Renewal of the permit shall be contingent upon the permittee having complied with the terms and conditions of the expired permit. Renewal or denial of renewal of a permit is a final administrative action.

2. If a request for renewal is timely made and complete, and the permit is not renewed by the expiration date by reason of delay caused by THE COMPANY, then the existing permit shall continue in full force and effect until THE COMPANY issues a new permit or notifies the user that the permit has expired and will not be renewed. Failure to timely renew an Industrial Waste Discharge Permit is not a final administrative action.

#### Section 9.06. Duration of Industrial Waste Discharge Permits

The Permit expiration date will be as indicated in the permit. Permits will not be issued for a term of more than five (5) years. Except as provided in Section 9.05 (relating to extension of permits upon delay in renewal), upon expiration of a permit the right to discharge industrial wastewater ceases and such a discharge is a violation of these Rules and Regulations as if the permit had not been obtained. Expiration of a permit is not a final administrative action.

#### Section 9.07. Changes to Industrial Waste Discharge Permits

Any user that proposes to make any changes in its facility or processing which significantly affects either the quality or quantity of its discharge to the Treatment Works shall notify THE COMPANY as provided in Section 8.02 of these rules. Upon notice from THE COMPANY, the user shall apply for an amended permit. Forms may be procured from THE COMPANY.

#### Section 9.08. Transfer of Industrial Waste Discharge Permits

Industrial Waste Discharge Permits are issued to a specific user for a specific operation and are not transferable. An Industrial Waste Discharge Permit shall not be reassigned or transferred or sold to a new user, or a new or changed operation. The permittee shall notify THE COMPANY of any plans to transfer a facility to a new owner or operator, and shall notify the new owner or operator of the existence of an Industrial Waste Discharge Permit and the requirements of this resolution. The new user shall be governed by the provisions of Section 9.02 of this RULE.

#### Section 9.09. Procedure for Obtaining an Industrial Waste Discharge Permit

Persons required to obtain an Industrial Waste Discharge Permit shall complete a THE COMPANY application form and forward it to THE COMPANY. The application shall be approved if the THE COMPANY, in its sole judgment,

determines that applicant has complied with all applicable requirements of these Rules and Regulations and furnished to THE COMPANY all requested information, and if THE COMPANY determines that there is adequate hydraulic and/or treatment capacity in the Treatment Works to convey, treat and dispose of the wastes. An application submitted shall be signed by an Authorized Representative of a user. An application signed by an individual other than an Authorized Representative shall include a corporate resolution or other evidence of authorization satisfactory to THE COMPANY granting the individual the authority to make the application on behalf of the user and to commit to compliance with the Rules and Regulations.

#### Section 9.10. Industrial Waste Discharge Permit Conditions

Discharge permits shall be issued with the following applicable conditions:

1. Monitoring requirement for surcharge;
2. Monitoring requirements for pretreatment;
3. Monitoring requirements for flow;
4. Prohibitions and limitations on wastewaters discharged to the sewer (including pretreatment requirements);
5. Compliance schedules;
6. Reporting requirements;
7. Management requirements and responsibilities;
8. Special conditions applicable to users on a case-by-case basis.

The terms and conditions of the permit may be subject to modification and change by THE COMPANY during the life of the permit, as limitations or requirements as identified in Section 7.04 are modified and changed. The user shall be informed of any proposed changes in his permit at least thirty (30) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

#### Section 9.11. Suspension or Revocation of Permits

THE COMPANY may suspend or revoke a Sewer Discharge Permit or an Industrial Waste Discharge Permit in accordance with RULE 13, Violation and Enforcement Procedures, of these Rules and Regulations.

**RULE X WASTEWATER MONITORING AND REPORTING REQUIREMENTS FOR USERS WITH INDUSTRIAL WASTE DISCHARGE PERMITS**Section 10.01. Reporting Requirements

1. All users subject to pretreatment standards and requirements shall comply with the applicable reporting requirements contained in 40 CFR 403.
2. Compliance Reports for Industrial Users Subject to Categorical Standards. Any user subject to Categorical pretreatment standards shall submit to THE COMPANY and to EPA the reports required by 40 CFR Section 403.12, including a baseline monitoring report and a report on compliance with the Categorical Standard deadline. For purposes of reporting compliance with Categorical Pretreatment Standards, EPA is the "Control authority" described in the Federal regulations, but copies of all such reports shall be provided to THE COMPANY.
3. Periodic Discharge Reports. Every Significant Industrial User shall submit a periodic discharge report to THE COMPANY during the months of June and December, unless required more frequently in a pretreatment standard or by THE COMPANY. At the discretion of THE COMPANY and in consideration of such factors as local high or low flow rates, holidays, budget cycles, and similar matters, THE COMPANY may alter the months during which the above reports are to be submitted. THE COMPANY may require any other industrial users discharging or proposing to discharge into the treatment works to file such periodic reports. The discharge report shall include such information regarding the operation of the facility, quality and quantity of discharge, permit compliance status, planned changes in the process or operation, and other information as THE COMPANY may require. THE COMPANY shall provide a form for use in submitting periodic reports.

Section 10.02. Records and Monitoring

1. All users who discharge or propose to discharge Industrial Wastewater to the Treatment Works shall maintain such records of production and related factors, effluent flows, and pollutant amounts or concentrations as are necessary to demonstrate compliance with the requirements of these Rules and Regulations and any applicable State or Federal pretreatment standards and requirements.
2. Such records shall be made available upon request by THE COMPANY. All such records relating to compliance with pretreatment standards shall be made available to officials of the Department and the EPA upon demand. A summary of such data indicating the user's compliance with

these Rules and Regulations shall be prepared and submitted to THE COMPANY. All records shall be retained for a minimum of three (3) years.

3. Any user discharging Industrial Wastewater into the treatment works shall install at the user's own cost and expense suitable monitoring equipment to facilitate the accurate observation, sampling, and measurement of wastewater, as required. Such equipment shall be maintained in proper working order and kept safe and accessible at all times. THE COMPANY shall determine what, if any, equipment is required.
4. Whether constructed on public or private property, the monitoring facilities shall be constructed in accordance with THE COMPANY requirements and all applicable construction standards and specifications. Plans and specifications for all such work will be submitted to THE COMPANY for approval prior to construction.

#### Section 10.03. Inspection, Sampling and Analysis

1. Representative Sampling Point. All users proposing to discharge or intending to continue to discharge industrial wastewater to any part of the Treatment Works must make available a sampling point representative of the discharge, which is acceptable to, and approved by, THE COMPANY. This point must be available to THE COMPANY, the Department, or EPA for purposes of conducting sampling inspections, compliance monitoring and/or metering operations.
2. Compliance Determination. Compliance determinations by THE COMPANY with respect to RULE 7 of these Rules and Regulations shall be made on the basis of representative samples obtained and analyzed as provided by these Rules and Regulations and the Industrial Waste Discharge Permit. THE COMPANY may obtain the necessary samples or may, by means of a requirement in an Industrial Waste Discharge Permit or other permit, require an industrial user to obtain samples and report the results.
3. Analysis of Industrial Wastewaters. Sampling, sample handling and preservation, and laboratory analyses of industrial wastewater samples shall be performed in accordance with EPA regulations in 40 CFR Part 136. Analysis of those pollutants not provided for in the EPA rules shall be performed in accordance with procedures approved by THE COMPANY.
4. Sampling Frequency. Sampling of industrial wastewater for the purpose of compliance determinations with respect to RULE 7 of these Rules and Regulations will be done at such intervals as THE COMPANY may designate. Sampling to determine compliance with Categorical

Pretreatment Standards shall be performed as required by the applicable standard. However, it is the intention of THE COMPANY to conduct compliance sampling or to cause such sampling to be conducted for all significant industrial users at least once in every calendar year.

Section 10.04. Pretreatment; Facility Operation; Regulation of Bypasses

1. Users shall provide necessary wastewater pretreatment as required to comply with these Rules and Regulations and shall achieve compliance with all applicable Federal Categorical Pretreatment Standards within the time limitations as specified by the Federal Pretreatment Regulations. Any facilities required to pretreat wastewater to a level acceptable to THE COMPANY shall be provided, operated and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be provided as prescribed by Section 8.07 of these Regulations. The review of such plans and operating procedures by THE COMPANY will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to THE COMPANY under the provisions of these Rules and Regulations. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to THE COMPANY prior to the user's initiation of the changes.
2. If pretreatment facilities are necessary to achieve the limitations imposed by an industrial wastewater discharge permit, such facilities shall be properly operated at all times, and Bypass of a pretreatment system that will result in a violation of any Pretreatment Standard or Requirement is prohibited unless the Bypass is necessary to protect or preserve human life, or to avoid severe property damage. If such a Bypass occurs, the reporting requirements for an accidental spill, set forth in Section 8.09 of these Rules and Regulations shall be followed.
3. A Bypass is not permitted for maintenance or repair purposes, unless:
  - a. the Industrial Waste discharged during the period of Bypass will continue to meet all applicable requirements and limitations, and
  - b. The planned Bypass is reported to THE COMPANY at least three (3) calendar days prior to the activity, and observation and sampling of the discharge is provided by the user as may be requested by THE COMPANY.

Section 10.05. Confidential Information

Information and data on a user obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public or other governmental agency without restriction unless the user specifically requests and is able to demonstrate to the satisfaction of THE COMPANY that the release of such

information would divulge information, processes or methods of production entitled to protection as trade secrets of the user. When requested by the person furnishing a report, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available upon written request to the EPA and/or the Department for uses related to these Rules and Regulations, the National Pollutant Discharge Elimination System (NPDES) and the State or Federal Pretreatment Programs; provided, however, that, such portions of a report shall be available for use by the State in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information. Information accepted by THE COMPANY as confidential shall not be transmitted to any governmental agency by THE COMPANY until and unless a ten-day notification is given to the user. Provided, however, that in no event shall THE COMPANY be required to maintain any information received from a user as confidential if THE COMPANY shall be required by law, ruling, court order, statute or other legal authority to disclose such information.

#### **RULE 11 - TERMS OF PAYMENT**

1. All bills will be rendered quarterly for the period immediately preceding the date of the bill. Bills shall be determined according to the rates in the Schedule of Rates and Charges based upon metered water consumption or in the case of municipal interconnections as mutually agreed upon. In every case where a meter fails to register, a bill will be rendered based on average consumption for the previous twelve (12) months, or average consumption for the total period of service, whichever is shorter.
2. Bills for new services and final bills will be computed for the initial or final period of water use according to the Schedule of Rates and Charges on the actual consumption or a pro-rated minimum, whichever is greater. The minimum charge shall be pro-rated on a daily basis for the quarter in which service is established or terminated.
3. Where special service rates are fixed, or cost of service of any kind is estimated, payment must be made at the time application is submitted and before the service is granted.

#### Section 11.02. Bills Due and Payable

1. All sewer bills must be paid within thirty (30) days of the date of the bill.
2. Charges for connections, uses, and special services shall be payable on demand.

3. A penalty of 1.5 percent will be added to all bills unpaid by the due date.
4. The use of sewer service by the same customer in different premises or localities will not be combined and each installation shall be billed separately.

#### Section 11.03. Bills of Doubtful Accuracy

Any customer, upon receipt of any bill, having reason to doubt its accuracy, shall bring or mail such bill, within seven (7) days of its date, to THE COMPANY's office for investigation. THE COMPANY will thereupon check the billing in question and either confirm the original billing or issue a corrected bill. In either case, the due date will be adjusted by the time required to check and re-issue the bill.

#### Section 11.04. Failure to Receive Bill

Failure to receive a bill shall not exempt any customer from the obligation to pay the bill.

#### Section 11.05. No Waiver or Reduction of Rates or Fees

THE COMPANY will not waive or reduce any rate or fee set forth in its Schedule of Rates and Charges as established now or in the future unless such waiver or reduction is necessitated by an act for which THE COMPANY has direct responsibility.

### **RULE 12 - EXTENSION OF SERVICE**

(RESERVED)

### **RULE 13 - VIOLATIONS AND ENFORCEMENT PROCEDURES**

#### Section 13.01. Notice of Violation

Whenever THE COMPANY finds that any user has violated or is violating these Rules and Regulations, or any prohibition, limitation or requirement contained herein or in an Industrial Waste Discharge Permit, THE COMPANY may serve upon such user a written notice stating the nature of the violation and providing a reasonable time for the satisfactory correction thereof. The requirements and conditions of such a notice shall be a

pretreatment requirement under these Rules and Regulations, and shall be subject to such enforcement action as allowed by law for the enforcement of the pretreatment program. Issuance of a notice of violation shall be final administrative action of THE COMPANY when it requires action on the part of the user.

#### Section 13.02. Damages

Any user violating any of the provisions of these Rules and Regulations shall become liable to THE COMPANY for any expense, loss, or damage occasioned by THE COMPANY by reason of such violation, whether incidental or consequential.

#### Section 13.03. Suspension of Service or Permit

1. THE COMPANY may suspend the wastewater treatment service, an Industrial Waste Discharge Permit, or the sewer discharge permit of a user where:
  - a. The user neglects to make payments of any charges against the property.
  - b. In the opinion of THE COMPANY it is necessary to stop an actual or threatened discharge which:
    - (1) presents, or may present, an imminent or substantial endangerment to the health, safety or welfare of any person, including THE COMPANY personnel, any property, or to the environment;
    - (2) causes or contributes to any Interference or Pass Through;  
or
    - (3) causes, or could cause, THE COMPANY to violate any condition of its NPDES permit.
  - c. The user fails to factually report the wastewater constituents and characteristics of its discharge;
  - d. The user fails to report significant changes in its operations, or wastewater constituents and characteristics;
  - e. The user fails to provide reasonable access to its premises for the purpose of inspection or monitoring; or,
  - f. There is a violation of provisions of these Rules and Regulations or applicable Federal or State regulations pertaining to the reporting, discharging, treatment or pretreatment of wastewater.The suspension shall be a final administrative action

2. Any user notified of a suspension of its wastewater treatment service and/or a discharge permit shall immediately stop or eliminate the endangering discharge or otherwise correct the violation which prompted the suspension. In the event of a failure of a person to comply voluntarily to correct the violation, THE COMPANY shall take such steps as deemed necessary, including severance of the sewer connection without prior notice, to prevent or minimize damage to the POTW system or endangerment to the health, safety or welfare of any persons. THE COMPANY shall reinstate the suspended permit and/or the wastewater treatment service upon proof of the elimination of the non-complying discharge. A detailed written statement submitted by the user describing the causes of the harmful discharge and the measures taken to prevent any future occurrence shall be submitted to THE COMPANY prior to reinstatement.

Section 13.04 Publication of Industrial Users in Significant Non-compliance

THE COMPANY may, at its discretion, annually publish in the largest newspaper published in THE COMPANY's service area, or in such other public forums as may be appropriate, a list of the users which, during the previous twelve (12) months, were in significant non-compliance, as defined by 40 CFR ' 403.8(f)(2)(vii).

Section 13.05. Legal Action

Any user violating any of the provisions of these Rules and Regulations or falsifying any information required by THE COMPANY of the user pursuant to these Rules and Regulations shall be subject to the following actions:

1. A civil suit may be instituted in the Court of Common Pleas of Chester County for injunctive or other equitable relief to prohibit and prevent such violation; or
2. A penalty may be collected in a civil action by summary proceeding under the laws of the City of Coatesville or the Commonwealth of Pennsylvania.

**RULE 14 - PROTECTION FROM DAMAGE**Section 14.01. Damage

No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewer system. THE COMPANY will take appropriate action against any person violating this provision.

Section 14.02. Emergency Termination of Service

If a violation consists of the discharge of an explosive or flammable material or any other material which is highly toxic or creates a toxic gas so that there is imminent danger to the personnel, property or treatment process of THE COMPANY, or to the public or the environment, then THE COMPANY shall take whatever action is necessary to halt service and to protect life and property.

**RULE 15 - FEES**Section 15.01. Purpose

It is the purpose of this section to establish fees for users of THE COMPANY's wastewater treatment and sludge disposal system and to provide for the recovery of costs associated with the implementation. The applicable charges or fees shall be set forth in THE COMPANY's Schedule of Charges and Fees.

Section 15.02. Charges and Fees

THE COMPANY may adopt charges and fees, which may include:

1. Fees for reviewing accidental discharge procedures and construction;
2. Fees for permit applications;
3. Tapping fees;
4. Connection fees;
5. Fees to compensate THE COMPANY for the cost of testing, monitoring and/or inspection required at the user's property;
6. Other fees as THE COMPANY may deem necessary to carry out the requirements contained herein.

These fees relate solely to the matters covered by these Rules and Regulations and are separate from all other fees chargeable by THE COMPANY.

**RULE XVI - SURCHARGES**Section 16.01. Surcharges

1. Any user discharging wastewater into the Treatment Works in which the concentrations of any of the substances listed in this section shall be greater than the indicated value when measured at the user's metering station(s) or at the user's control manhole, shall be subject to a Surcharge for the acceptance and treatment of such wastewater. In addition, THE COMPANY may establish concentration limits for the Surcharge of any other constituent, which requires special or excessive expenditures by THE COMPANY to adequately accept or treat.
2. The amount of the Surcharge for each constituent shall be as determined by THE COMPANY, taking into account the flow and concentration of the constituent in the wastewater and the costs of treatment, solids handling, pumping, energy, manpower and other costs associated with the acceptance and treatment of the constituents in excess of the Surcharge concentration limit. The Surcharge for the acceptance, conveyance, and treatment of the Wastewater shall be in addition to any other charges and fees billed to the user and shall be included in the total bill for the billing period.

3. Surcharge Limits. Surcharges shall be imposed for the following:
  - a. BOD - 400 mg/L
  - b. TSS - 400 mg/L
  - c. Ammonia-nitrogen - 35 mg/L
  - d. Phosphorus - 8 mg/L

#### **RULE XVII - MISCELLANEOUS**

##### Section 17.01. Access by THE COMPANY Personnel

Any authorized employee of THE COMPANY, upon presentation of credentials, shall be provided with access at all reasonable hours to any premises supplied with sewer service, for the purpose of reading meters, making inspections or repairs and securing such other information as may be deemed necessary by THE COMPANY. Upon neglect or refusal on the part of the customer to provide such access to the premises, service may be discontinued, and in that case, THE COMPANY will not be liable for any damages or inconveniences suffered by the customer.

##### Section 17.02. Discontinuance of Service at Customer's Request

1. When the premises are vacated, the customer must make a written request to THE COMPANY for discontinuance of sewer service. The customer will be responsible for payment of all sewer charges until the water service is disconnected. THE COMPANY has the right to require installation of such valves at the customer's expense before discontinuing service. When service is discontinued, the water meter will be removed. Meters will be re-installed upon the completion of a new contract for water and sewer service for the premises involved.
2. The customer may request a temporary discontinuance of sewer service without removal of meter at no charge but the monthly minimum sewer service charge shall continue during the period of discontinuance. The customer may request the removal of the water meter and discontinuance of sewer service in order to suspend minimum charges during the period of discontinuance in accordance with THE COMPANY Rules and Regulations relating to water service.

##### Section 17.03. Policy and Standards for Plumbing Fixtures and Fittings

1. General Policy. No public sewer service shall be provided to, supplied to, or utilized for internal or external use to or by any residential, commercial, industrial, agricultural, recreational, governmental, or public building or structure of any kind or nature whatsoever, which are, constructed or remodeled and in which plumbing, water piping or

water fixtures are to be installed, extended or altered in any way, and for which a permit for such construction or remodeling is to be obtained from a municipality served by THE COMPANY (or for public or governmental agencies) unless the new, extended or altered plumbing, water piping and/or other water using fixtures therein conform to the requirements and standards set forth herein.

2. Water Conservation and Performance Standards for Plumbing Fixtures and Fittings
  - a. Toilets, Water Closets, and Associated Flushing Mechanisms. The water consumption of toilets, water closets, and/or other associated flushing mechanisms shall not exceed an average of 1.6 gallons per flush cycle over a range of test pressures from 20 to 80 psi, and, in addition, all such fixtures shall perform in accordance with the test requirements of the American National Standards Institute (ANSI) A112.19.2M and ANSI A112.19.6M.
  - b. Urinals and Associated Flushing Mechanisms. The water consumption of urinals and associated flushing mechanisms shall not exceed an average 1.5 gallons per flush cycle over a range of test pressures from 20 to 80 psi. The fixtures shall perform in accordance with the requirements of ANSI A 112.19.2M and ANSI A112.19.6M.
  - c. Shower Heads. The maximum discharge rate of shower heads shall not exceed 3.0 gallons of water per minute over a range of test pressures from 20 to 80 psi. The fixtures shall perform in accordance with the test requirements of ANSI A112.18.1 M.
  - d. Faucets. Sink and lavatory faucet discharge rates shall not exceed 3.0 gallons of water per minute over a range of test pressures from 20 to 80 psi. The fixtures shall perform in accordance with the test requirements of ANSI A112.18.1 M.
3. Special Provisions. These performance standards, shall not apply to fixtures and fittings for emergency purposes, including but not limited to emergency showers, aspirator faucets, blowout fixtures, etc., which, in order to perform a specialized function, cannot meet the standards specified above.
4. Exemptions. Any person or entity (through its duly authorized agent or representative) may apply in writing to THE COMPANY for an exemption from any provision herein, which said exemption may, but need not be, granted by THE COMPANY upon proper proof that some other device, system or procedure will save as much (or more) water as those set forth herein, or that compliance with those set forth herein cannot be effectuated without undue hardship. No exemption shall be granted unless the municipality having jurisdiction over the applicant has first granted the same exemption from its ordinance.

5. Certifications. The plumbing fixtures and fittings required by this Resolution shall be certified and labeled by the manufacturer as meeting the Water Conservation Performance Standards of this Resolution. All certifications shall be based on independent test results and plumbing fixtures and fittings shall be labeled in accordance with ANSI A112.18.1 M and ANSI A112.19.2M.
6. Municipal Compliance by Ordinance. Municipalities provided public sewer service by THE COMPANY shall document that regulations consistent with the above standards have been adopted with their jurisdictions. Such documentation shall be a condition for continued service, sewer service contract extension, or increased sewer treatment allocation. Reference to this Policy and these Standards shall be included in all sewer service agreements to which THE COMPANY is a party.

## **RULE 18 - ENACTMENT OF THIS RESOLUTION**

### Section 18.01. Amendments

THE COMPANY reserves the right to amend these Rules and Regulations or to adopt additional Rules and Regulations from time to time as it shall deem necessary for the operation, maintenance and protection of the sewer system, for meeting revised standards of influent or effluent quality of any regulatory agencies having jurisdiction in this regard, or for any other reason THE COMPANY deems is desirable or necessary for performing its functions. Any such amendments or additions shall become effective within fifteen (15) days of their issuance by THE COMPANY or as may specifically be required by any Federal or State regulatory agency having jurisdiction.

### Section 18.02. Savings Clause

In the event that any provisions, section, sentence, clause or part of these Rules and Regulations shall be held to be invalid, such invalidity shall not affect or impair any remaining provisions, section, sentence, clause or part of these Rules and Regulations, it being the intent of THE COMPANY that such remainder shall be and shall remain in full force and effect.