

Chapter 18

SEWERS AND SEWAGE DISPOSAL

Part 1
PUBLIC SANITARY SEWER SYSTEMS

§ 18-101. Definitions. [Ord. 76, 11/13/1971, § 1]

As used in this Part, the following terms shall have the meanings indicated:

AUTHORITY — Valley Township Authority as originally organized and as presently or hereafter constituted, which has been created by the Board of Supervisors of the Township and to which has been referred by the Board of Supervisors of the Township the specific project of the sewers.

OCCUPIED BUILDING — Each single dwelling unit, household unit, flat or apartment unit, store, shop, office, business or industrial unit or family unit contained within any structure erected within 150 feet from the sewer system and intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure sanitary sewerage is, or may be, discharged.

PERSON — An individual, firm, company, association, society, corporation or group.

PROPERTY ACCESSIBLE TO THE SEWER SYSTEM — Improved property which adjoins, abuts on, or is adjacent to the sewer system.

SANITARY SEWAGE — The normal water-carried household and toilet wastes from residences, business buildings, institutions and industrial establishments.

SEWER SYSTEM — The public sanitary sewer collection system, together with appurtenant facilities about to be acquired and constructed for a portion of the Township and any improvements, additions or extensions that hereafter may be made thereto by the Authority or the Township or to any part or parts of any or all thereof.

TOWNSHIP — Valley Township, Chester County, Pennsylvania or the duly constituted and elected municipal officials therefor.

§ 18-102. Occupied Buildings to be Connected to Accessible Sewers. [Ord. 76, 11/13/1971, § 2]

1. All persons owning any occupied building, now erected upon property in the Township accessible to the sewer system shall, at their own expense, connect such building with the sewer system within 60 days after written notice to such persons from the Township.
2. All persons owning any property in the Township accessible to the sewer system upon which an occupied building is hereafter erected shall, at the time of the erection of such building and at their own expense, connect the same with the sewer system.
3. All persons owning any occupied building upon property in the Township which hereafter becomes accessible to the sewer system

shall, at their own expense, connect such building with the sewer system within 60 days after notice to do so from the Township.

4. Where more than one occupied building, as hereinbefore defined, is contained in a separate structure, a single common connection to the lateral of the sewer system may be permitted for accommodating all units contained in such structure, except that separate connections shall be required for each semidetached or row-type house or structure.

§ 18-103. Unlawful Means of Discharge of Sanitary Sewage From Property Accessible to Sanitary Sewer. [Ord. 76, 11/13/1971, § 3]

It shall be unlawful for any person owning any property in the Township accessible to the sewer system to erect, construct or use or maintain or cause to be erected, constructed, used or maintained, any privy cesspool, sinkhole, septic tank or other receptacle on such premises for receiving sanitary sewage after the expiration of the particular period specified in § 102 or otherwise at any time to erect, construct, use or maintain any pipe, conduit, drain or other facility for the discharge of sanitary sewage into the gutters of the Township, the storm sewers of the Township or upon public or private property or otherwise, except into the sewer system.

§ 18-104. Nuisances Defined; Abatement Thereof. [Ord. 76, 11/13/1974, § 4]

Any person who erects, constructs, uses or maintains a privy, cesspool, sinkhole or septic tank on any property accessible to the sewer system, or otherwise erects, constructs, uses or maintains any pipe, conduit, drain or other facility for the discharge of sanitary sewage in violation of this Part, shall be deemed and shall be declared to be erecting, constructing and maintaining a nuisance, which nuisance the Township is hereby authorized and directed to abate in the manner provided by law.

§ 18-105. Manner of Making Connections. [Ord. 76, 11/13/1971, § 5]

No connections shall be made to the sewer system, except in compliance with the ordinances and resolutions, as well as such rules and regulations as may, from time to time, be enacted, adopted, approved or promulgated by the Township or the Authority.

§ 18-106. Violations and Penalties. [Ord. 76, 11/13/1971, § 7; as amended by Ord. 75-1, 4/17/1975, § 1; by Ord. 96-4, 5/7/1996, § 18; and by Ord. 97-2, 3/18/1997, § 18]

The provisions of this Part are declared to be for the health, safety and welfare of the citizens of the Township and any person or legal entity violating any provision of this Part shall be guilty of a summary offense and subject to a fine not to exceed \$1,000, together with all court costs and reasonable attorney's fees incurred by the Township in such enforcement proceeding, and may further be punished by imprisonment to the extent

allowed by law for summary offenses. Each ten-day period during which such violation shall continue, shall be deemed to be a separate offense. Each occupied building, as hereinbefore defined, whether or not the owners hereof shall be permitted to connect two or more occupied buildings or units by a single common connection to a lateral of the sewer system or shall be required to make separate connections for each occupied building or unit shall constitute a separate and distinct unit under the provisions of this Part and the persons owning occupied buildings, consisting of multiple units contained in the same structure, who violate any of the provisions of this Part, shall be subject to the aforesaid fine for each and every one of such occupied buildings or units which are in violation of the provisions of this Part.

Part 2**SEWER TAPPING OR CONNECTION FEES AND SEWER RENTALS;
SEWER USES****§ 18-201. Definitions. [Ord. 77, 11/13/1971, § 1; as amended by Ord. 86-3, 3/18/1986, § 2; and by Ord. 99-2, 1/4/1999, § 1-3]**

As used in this Part, the following terms shall have the meanings indicated:

INDUSTRIAL WASTE — Any solid, liquid or gaseous substance or waterborne wastes or form of energy rejected or escaping from any industrial, manufacturing, trade or business process or from the development, recovery or processing of natural resources, as distinct from sanitary sewage.

OWNER — Any person vested with ownership legal or equitable, sole or partial, of any property served, directly or indirectly, by the sewer system.

PERSON — Any individual, firm, company, association, society, corporation or group.

SANITARY SEWAGE — The normal water-carried household and toilet wastes from residences, business buildings, institutions, commercial and industrial establishments.

SEWER SYSTEM — All temporary and permanent facilities at any time, and from time to time, owned and operated by the Township and used or usable for, on in a connection with, the collection, treatment and disposal of sanitary sewage.

TOWNSHIP — Valley Township, Chester County, Pennsylvania, or the duly constituted and elected municipal authorities thereof.

§ 18-202. Calculation of Connection Fee, Customer Facilities Fee, and Tapping Fees. [Ord. 77, 11/13/1971, § 2; as amended by Ord. 77-4, 6/13/1977; by Ord. 85-2, 7/16/1985; by Ord. 86-4, 3/18/1986, § 1; by Ord. 2000-7, 9/5/2000; by Ord. No. 2003-04, 1/21/2003; and by Ord. No. 2005-07, 9/6/2005]

1. Background.

- A. Act 57 of 2003 (House Bill 51, Printers' Number 3049) amends Act 203 of 1990.¹ Act 57 of 2003 governs municipal authorities in the charging of fees and, by reference, fees for other local government units providing water and sewer service. Act 57 continues the imposition of three separate fees for those connecting to the distribution facilities of the Township. The three authorized fees are the connection fee, the customer facilities fee, and the tapping fees. The tapping fees are composed of four parts or components. These components are the capacity part, the distribution part, the special purpose part and the reimbursement part. The fees are

1. Editor's Note: See 53 Pa.C.S.A. § 5607

intended to allow the Township to recoup the expenditure of certain specific capital costs related to building the facilities.

- B. Act 57 has no bearing or affect on sewer bills. Sewer bills are for operating and maintaining the sewer system and to pay off related sewer revenue bonds.

Schedule Reference	
Title	Reference
Connection Fee	Schedule A
Customer Facilities Fee	Schedule B
Tapping Fee Capacity Part	Schedule C
Tapping Fee Collection Part	Schedule D
Tapping Fee Special Purpose Part	Schedule E
Tapping Fee Reimbursement Part	Schedule F

2. Schedule A: Calculation of the Connection Fee.

- A. The connection fee covers the actual cost of the facilities installed between the Township's sewer main and the property or right-of-way line of the building to be connected to the Township sanitary sewer system.
- B. Valley Township requires that this installation be performed by an approved pipe line contractor at the property owner's cost. The Township's cost to open an account, explain the regulations and issue a permit is chargeable to the property owner. The Township Engineer inspects the work and this cost is also the responsibility of the property owner.

C. Costs are broken down as follows:

Administrative costs (50 minutes at \$30 per hour)	\$25
Township Engineer	
Connection inspection (1 hour at \$65 per hour)	\$65
Surface repair inspection (1 hour at \$65 per hour)	\$65
Maximum allowable connection fee	\$155

- D. Any conditions that result in extra work by Township Administration or Township Engineer shall be charged at the cost of time and materials in addition to the above fee. This shall include PennDOT and Township road opening permits when required.

3. Schedule B: Calculation of Customer Facilities Fee.

A. The customer facilities fee covers the actual cost of the facilities installed between the right-of-way line of the property and the property owner's building to be connected to the Township sewer system.

B. Valley Township requires that this work be performed by an approved contractor and at owner's cost. The property owner must first obtain a permit as described in Schedule A. The Township Building/Plumbing Inspector inspects the work and this cost is also the responsibility of the property owner.

C. Costs are broken down as follows:

Township Building/Plumbing Inspector (1 hour at \$30 per hour)	\$30
Maximum allowable customer facilities fee	\$30

D. Any conditions that result in extra work by Township Administration or Township Inspectors shall be charged at the cost of Time and materials in addition to the above fee.

4. Schedule C: Calculation of Sanitary Sewer System Capacity Part Fee.

Valley Township average household size from 2000 census	2.66 persons
Sewer capacity required per person from Act 57 of 2003	90 GPCD
Flow per connection per day (90 GPCD X 2.66 persons)	239.40 GPD
Capacity by contract with CCA (now PAWC) December 14, 2004 ¹	1.140 MGD
Total allowable cost	\$0.917 million dollars
Unit cost (\$0.917M/1.140MGD)	\$0.804 per GPD
Maximum allowable capacity facilities tapping fee (239.40 GPD X \$0.702/GPD)	\$192.57 per connection

Note 1: CCA is the City of Coatesville Authority. PAWC is the Pennsylvania American Water Company which took over CCA.

5. Schedule D: Calculation of Collection Facilities Tapping Fee.

Valley Township average household size from 2000 census	2.66 Persons
Allowable sewage flow per person from Act 57 of 2003	90 GPCD

Flow per connection per day (90 GPCD X 2.66 persons)	239.40 GPD
Capacity by contract with CCA (now PAWC) December 14, 2004 ¹	1.140 MGD
Total allowable cost	\$2.835 Million dollars
Unit cost (\$2.835M/1.140 MGD)	\$2.487 per GPD
Maximum allowable collection facilities tapping fee (239.40 GPD X \$2.487/GPD)	\$595.35 per connection

Note 1: CCA is the City of Coatesville Authority. PAWC is the Pennsylvania American Water Company which took over CCA.

6. Schedule E: Sewer System Special Purpose Part Fee.

- A. The special purpose part is for special purpose facilities and is applicable only to a particular group of customers or for serving a particular purpose or a specific area based upon the cost of the facilities, including, but not limited to, booster pump stations, fire service facilities, water or sewer mains, pumping stations and industrial wastewater treatment facilities. Such facilities may include only those that provide existing service.
- B. This component of the tapping Fee is computed for each particular special purpose or group or area. The ultimate cost will depend on the cost elements of the special purpose component. The special purpose part tapping fee may not be collected after the cost of the special purpose part has been paid by the original design capacity number of units.
- C. The special purpose part is applicable to existing facilities only and may not be used for future facilities.
- D. There are no special purpose part tapping fees in the sanitary sewer system of Valley Township at this time. They may be included when the need arises. Calculations of the special purpose part shall be in accordance with Act 57.

Maximum allowable special purpose fees	\$0
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7. Schedule F: Sewer System Reimbursement Part Fee.

- A. The reimbursement part shall only be applicable to the users of certain specific facilities when a fee required to be collected from such users will be reimbursed to the person at whose expense the facilities were constructed as set forth in a written agreement between the Township and such person at whose expense such facilities were constructed.

B. The reimbursement fee can only be charged to those who will have a direct use of the facilities. Total reimbursement may not exceed the actual cost of construction.

C. There is no reimbursement part in Valley Township at this time.

Maximum allowable reimbursement fee	\$0
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8. Summary of Maximum Allowable Fees.

Connection fee (new lateral within the public right-of-way)	\$155
Customer facilities fee (lateral from right-of-way to structure)	\$30
Capacity fee	\$192.57
Collection fee	\$595.35
Special purpose part	\$0
Total maximum allowable fee	\$972.92
Reimbursement (as of 8/2005)	\$0

§ 18-203. Connection Inspection Fees. [Ord. 77, 11/13/1971, § 2; as amended by Ord. 77-4, 6/13/1977; and by Ord. 99-5, 11/3/1999]

There is hereby imposed upon each owner of each property connecting to the sewer system a sewer connection inspection fee in an amount as established, from time to time, by resolution of the Board of Supervisors for each connection made to the sewer system.

§ 18-204. Imposition of Sewer Rent or Charge. [Ord. 77, 11/13/1971, § 3; as amended by Ord. 78-14, 4/26/1979; by Ord. 86-6, 5/27/1986; by Ord. 88-5, 11/15/1988; and by Ord. 99-2, 1/4/1999, § 4]

There is hereby imposed upon each owner of each property served by the sewer system and having the use thereof, an annual sewer rent or charge, payable quarterly as hereinafter provided, for the use, whether direct or indirect, of the sewer system, based on the schedules of classifications and rates or charges hereinafter set forth.

§ 18-205. Amount and Manner of Computation of Sewer Rentals or Charges. [Ord. 77, 11/13/1971, § 4; as amended by Ord. 77-2, 6/13/1977; by Res. 80-4, 1/1/1980; by Ord. 82-2, 3/10/1982, § 1; by Ord. 84-5, 12/18/1984; by Res. 84-9, 7/17/1984; and by Res. 86-4, 2/18/1986; by Res. 90-10, 8/21/1990; by Res. 92-2, 1/21/1992; by Ord. 92-2, 6/2/1992, §§ 1, 2; and by Ord. 99-2, 1/4/1999, §§ 5, 6]

1. The annual sewer rental or charge imposed hereby upon the owner of each property served by the sewer system, except as specified in Subsection 2 hereof, shall be \$176 per quarter per equivalent dwelling

unit according to the following schedule: **[Amended by Ord. No. 2009-04, 9/24/2009; by Ord. No. 2011-3, 1/18/2011; and by Ord. No. 2011-09, 12/20/2011]**

Unit Schedule for Sewer Rental	
Category	Sewer Rental Units
Single-family dwelling	1
Each family apartment or business suite in a multiple dwelling or office building	1
Each additional apartment or business suite	1
Each half of a double house	1
Each beauty parlor, food market, service station, garage, funeral parlor, doctor's or dentist's office	1
Each church or fire company or similar charitable organization	1
Each restaurant or tavern - 20 seats or less	2
Each additional 10 seats or portion thereof	1
Each hotel or motel - 3 rental units or less	1
Each additional 5 rooms or portion thereof	1
Each nursing home, group home, institution or hospital housing 4 beds or less	2
Each additional 2 beds or portion thereof	1
Each commercial and industrial establishment or professional office not otherwise classified which does not discharge an industrial waste, regularly occupied during business hours by less than 8 persons and for each 5 additional persons or portion thereof in regular occupancy during business hours	1
Each school regularly occupied during school hours by 10 persons or less and for each additional 10 persons or portion thereof	1
For the purpose of computing school occupancy the number of pupils to be included for each year shall be the number enrolled in the school on October 1 of each year	

2. The quarterly sewer rental or charge imposed upon users, owners and occupiers of land and buildings that are serviced by the sewer system

and either by the Valley Township or the City of Coatesville Authority water systems shall be \$143 for the first 10,000 gallons of metered water usage and \$8.60 for each additional 1,000 gallons, or fraction thereof. **[Amended by Ord. No. 2009-04, 9/24/2009; by Ord. No. 2011-3, 1/18/2011; and by Ord. No. 2011-09, 12/20/2011]**

3. Sewer rentals imposed upon owners of property served by the sewer system and discharging industrial wastes are determined by the following formula:

"Equivalent Dwelling Unit" shall be the quotient obtained by dividing the total gallons per quarter of wastewater being discharged to the sewer system by 15,000 gallons, and such wastewater shall mean equivalent sewage flow with an average of five-day BOD of 250 milligrams per liter (mg/L), an average suspended solids (SS) content of 250 mg/L and an average chlorine demand (Cld) of 10 mg/L and if samples of such industrial wastes indicate values higher than the above listed values for BOD, suspended solids or chlorine demand, then the "equivalent dwelling units" for said waste shall be adjusted for values or factors higher than those listed (without credit or reduction for lower values or factors) in accordance with the following formula:

$$EDU = \frac{\text{Flow} \times 1}{15,000} + \frac{(\text{BOD} - 250) \times 0.8}{250} + \frac{(\text{SS} - 250) \times 0.5}{250} + \frac{(\text{Cld} - 10) \times 0.2}{10}$$

4. If two or more dwellings, stores, industrial units, etc., are connected through a single lateral or if two or more types of uses are made of the same property, the sewer rent payable under the foregoing schedule shall be computed as though each such dwelling, store, industrial unit, etc., and each such type of use were a separate property or user with a separate connection to the sewer.
5. In the event that the Township is not provided, upon request, with accurate information, including supporting documentation, to determine the number of employees or pupils using any property or such other data as may be necessary to determine a user classification or rate, the Township's estimate or determination thereof shall be conclusive.
6. The Township reserves the right to change rental unit values from time to time, to add or delete property classifications and, in cases of dispute, to contract a rate or to determine the proper classification of a given property serviced by an unmetered supply of water.

§ 18-206. Commercial and Industrial Connections. [Ord. 77, 11/13/1971; as added by Ord. 92-2, 6/2/1992]

1. Effective June 1, 1992, any commercial and industrial customer that makes connection to the sewer system shall install water meter(s) on his/her/its water supply system, which meter(s) shall comply with the Valley Township water specifications.

2. Any such commercial or industrial owner or other person responsible for the payment of the sewer rental or charges for the property shall be billed on a monthly basis by the Township based on the flow of water through the meter(s) as read by the Township. The sewer charge based upon the water flow shall be as follows:

0 to 6,000 gallons	\$24
6,001 gallons to 60,000 gallons	\$1.53 per 1,000 gallons
60,001 gallons or more	\$1.35 per 1,000 gallons

§ 18-207. Exclusion of Harmful Waste. [Ord. 77, 11/13/1971, § 5; as amended by Ord. 99-2, 1/4/1999, § 7]

1. The Township reserves the right to refuse permission to connect to the sewerage system, to compel discontinuance of use of the sewer system or to compel pretreatment of wastewaters in order to prevent discharges deemed harmful or to have a deleterious effect upon any portion of the sewerage system. No waste shall be discharged to the sewerage system:
- A. Having a temperature higher than 110° F.
 - B. Containing more than 100 ppm by weight of fats, oils and grease.
 - C. Containing any gasoline, benzine, naphtha, fuel oil or other inflammable or explosive liquids, solids or gases.
 - D. Containing any garbage that has not been ground by household-type or other suitable garbage grinders.
 - E. Containing any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar plastics, wood, paunch manure or any other solid or viscous substances capable of causing obstructions or other interference with proper operation of the sewerage system.
 - F. Having a pH lower than 6 1/2 or higher than 9.0 or having any other corrosive property capable of causing damage or hazards to structures, equipment or personnel of the sewerage system.
 - G. Containing toxic or poisonous substances in sufficient quantity to injure or interfere with any sewage treatment process or constitute hazards to humans or animals or to create any hazard in waters which receive treated effluent from the City of Coatesville sewage treatment plant. Toxic wastes shall include, but not by way of limitation, wastes containing cyanide, chromium, copper and nickel ions.
 - H. Containing noxious or malodorous gases or substances capable of creating public nuisance.

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- I. Containing solids of such character and quantity that special and unusual attention is required for their handling.
 - J. Containing substances having characteristics, etc., which violate provisions of any agreement by the Township and the City of Coatesville or the City of Coatesville Authority for the treatment of sanitary sewage or industrial wastes now existing, or subsequently concluded.
2. Where required, in the opinion of the consulting engineers, the user shall provide at his expense such preliminary treatment or handling as may be necessary to modify the objectionable characteristics or control the quantities and rates of discharge of such water or wastes as necessary.

§ 18-208. Changes in Classification, Additional Classifications and Modifications. [Ord. 77, 11/13/1971, § 6; as amended by Ord. 86-6, 5/27/1986]

If the use or classification of any property should change, the difference in sewer rental, if any, will be changed or credited, as the case may be, on the bill for the succeeding month. Additional classifications and additional sewer rentals may be established by the Township from time to time.

§ 18-209. Time of Payment; Computation of Amount; Initial Billing. [Ord. 77, 11/13/1971, § 7; as amended by Ord. 77-5, 9/27/1977; and by Ord. 86-6, 5/27/1986]

1. The tapping fee or connection charge shall be due and payable at the time application is made to the Authority to make any connection to the sewer system, as provided herein, or upon the date when the Township shall connect any improved property to the sewer system at the cost and expense of the owner if such owner shall have failed to make such connection as required in the ordinance of the Township then in effect requiring such connection.
2. All sewer rental billings shall be due and payable on the first day of each month for the service provided in the month preceding. Rent for any billing period in which a connection is made shall be prorated and shall be billed in conjunction with the next regular billing or by special billing as the officials responsible for billing may elect. A 5% discount on the gross bill for sewer service will be allowed if paid within 15 days after billing date.

§ 18-210. Penalties; Delinquent Sewer Rentals and Liens. [Ord. 77, 11/13/1971, § 8; as amended by Ord. 78-14, 4/26/1979; by Ord. 86-6, 5/27/1986; by Ord. 88-5, 11/15/1988; by Ord. 92-1, 1/21/1992 §§ 1, 2; and by Ord. 99-5, 11/3/1999]

1. The charges for sewer service shall be subject to a 10% penalty if not paid within 30 days after the date of the bill. If not paid within 60 days

after the date of the bill, the bill plus the penalty shall bear interest from the due date at the rate of 10% per annum until paid and the Township shall have the right to cut off sewer service from the delinquent premises and not to restore the same until all delinquent bills against the same are paid, together with the cost of cutting off and restoring the service.

2. Payments made, as evidenced by the United States Post Office mark, on or previous to the end of the period during which the bills are payable at face, will be deemed to be a payment within such period.
3. All sewer rentals, together with all penalties and interest thereof, not paid on or before the end of six months from the date of each bill shall be deemed to be delinquent. All delinquent sewer rentals and all penalties and interest thereon, together with the Township's attorney's fees and costs incurred in connection therewith, shall be a lien on the property served and shall be entered as a lien against such property in the office of the Prothonotary of Chester County where they shall bear interest at the rate of 10% per annum, until paid.
4. The Township's attorney's fees referenced in Subsection 3, above, shall be according to a schedule as established from time to time by resolution of the Board of Supervisors, which the Board of Supervisors determines to be fair and reasonable for the service being performed.

§ 18-211. Segregation of Sewer Revenues. [Ord. 77, 11/13/1971, § 9]

The funds received by the Township from the collection of the sewer rentals and charges and all penalties and interest thereon, as herein provided for, shall be segregated and kept separate and apart from all other funds of the Township in the operation, maintenance, repair, alteration, inspection, depreciation or other expenses in relation to such sewer system and for such payments as the Township may be required to make under any lease or agreement it may enter into in connection with, or the financing of, the sewer system, in accordance with the provisions of the Act of May 2, 1945, P.L. 382, as amended.²

§ 18-212. Rules and Regulations; Violations and Penalties. [Ord. 77, 11/13/1971, § 10; as amended by Ord. 96-4, 5/7/1996, § 18; and by Ord. 97-2, 3/18/1997, § 18]

The Township reserves the right to and may, from time to time, adopt, revise, amend and readopt such rules and regulations as it deems necessary and proper for the use and operation of the sewer system and all such rules and regulations shall be and become a part of this Part. Any person, firm or corporation who shall violate any provision of this Part, including any violation of the said rules and regulations, shall be guilty of a summary

2. Editor's Note: The Municipality Authorities Act of 1945 (53 P.S. § 301 et seq.) was repealed by Act 22 of 2001 (June 19, 2001, P.L. 287, No. 22). See now the Municipality Authorities Act, 53 Pa.C.S.A. § 5601 et seq.

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offense and subject to a fine not to exceed \$1,000, together with all court costs and reasonable attorney's fees incurred by the Township in such enforcement proceeding. Each day that such violation continues shall be considered a separate offense.

§ 18-213. When Effective. [Ord. 77, 11/13/1971, § 11]

This Part and any rules and regulations hereunder shall become effective immediately and shall be applicable to all properties as soon as they become connected with and have the right to use, the sewer system. The Township reserves the right to make such changes from time to time as, in its opinion, may be desirable or beneficial and to amend this Part or to change the rates or charges in such manner and at such times, as in its opinion, may be advisable.

Part 3
PROHIBITED SEWAGE DISPOSAL FACILITIES

§ 18-301. Construction of Certain Facilities Prohibited. [Ord. 72-2, 2/9/1972, § 1]

It shall be unlawful for any person owning or occupying a property on which there is a building required to be connected to a public sewer in the Township of Valley to construct or use on such property any privy, privy vault, cesspool, septic tank or other device for the disposal of sanitary sewage and any such prohibited devices shall be filled in with clean bankrun gravel or dirt within one year following the date on which the aforesaid connection is required to be made if, after inspection by the Plumbing Inspector, said prohibited device presents a hazard or is likely to present a safety hazard in the foreseeable future.

§ 18-302. Violations and Penalties. [Ord. 72-2, 2/9/1972, § 2; as amended by Ord. 75-1, 4/17/1975, § 3; by Ord. 96-4, 5/7/1996, § 18; and by Ord. 97-2, 3/18/1997, § 18]

The provisions of this Part are declared to be for the health, safety and welfare of the citizens of the Township and any person or legal entity violating any provision of this Part shall be guilty of a summary offense and subject to a fine not to exceed \$1,000, together with all court costs and reasonable attorney's fees incurred by the Township in such enforcement proceeding, and may further be punished by imprisonment to the extent allowed by law for summary offenses. Each ten-day period during which such violation of such provisions shall continue shall be deemed to be a separate offense. Each occupied building, whether or not the owners thereof shall be permitted to connect two or more occupied buildings or units by a single common connection to a lateral of the sewer system or shall be required to make separate connections for each occupied building or unit, shall constitute a separate and distinct unit under the provisions of this Part and the persons owning occupied buildings, consisting of multiple units contained in the same structure, who violate any of the provisions of this Part, shall be subject to the aforesaid fine for each and every one of such occupied buildings or units which are in violation of the provisions of this Part.

Part 4
SEWAGE GRINDER PUMPS AND LATERALS

§ 18-401. Purpose. [Ord. No. 2007-03, 5/16/2007]

The purpose of this Part is to establish procedures for the installation, use and maintenance of sewage grinder pumps and any associated gravity or low-pressure laterals. It is hereby declared that the enactment of this Part is necessary for the protection, benefit and preservation of the health, safety and welfare of the inhabitants of Valley Township.

§ 18-402. Definitions. [Ord. No. 2007-03, 5/16/2007]

Unless the context specifically and clearly indicates otherwise, the meaning of terms used in this Part shall be as follows:

ACT 537 PLAN — A municipality's official plan as defined in the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535 (1965), No. 537, as amended, 35 P.S. §§ 750.1 through 750.20a ("Sewage Facilities Act" or "Act 537").

DEPARTMENT — The Pennsylvania Department of Environmental Protection.

GRINDER PUMP — Any electric motor driven, submersible, pump capable of macerating all material found in normal domestic sanitary sewage, including reasonable amounts of objects, such as plastics, sanitary napkins, disposable diapers, rubber and the like, to a fine slurry, and pumping this material through a small diameter discharge.

IMPROVED PROPERTY — Any property within Valley Township upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which sewage shall or may be discharged.

LATERAL — The gravity and/or pressure service sewer line that discharges wastewater from a dwelling or use permitted by the Township to the Township's collection sewer system and has no other common sewer tributary to it.

OFFICIAL PLAN REVISION — A change in the municipality's Act 537 plan to provide for additional or newly identified future or existing sewage facilities needs, as defined fully in Section 2 of the Sewage Facilities Act, 35 P.S. § 750.2.

PROPERTY OWNER — Any person vested with ownership, legal or equitable, sole or partial, of any property located in Valley Township.

SEWAGE — Any substance that contains any of the waste products or excrement or other discharge from the bodies of human beings or animals and any noxious or deleterious substance being harmful or inimical to the public health, or to animal or aquatic life or to the use of water for domestic water supply or for recreation or any substance which constitutes

pollution under the Clean Stream Law, 35 P.S. §§ 691.1 through 691.1001, as amended.

TOWNSHIP — Valley Township, Chester County, Pennsylvania.

§ 18-403. Planning Requirements. [Ord. No. 2007-03, 5/16/2007]

The connection of existing properties or proposed new land development to an existing or proposed sewerage system through the use of sewage grinder pumps and their associated gravity or low-pressure laterals shall occur only after an official plan revision to the municipality's Act 537 Plan, as approved by both the Township and the Department, designates that the proposed properties be served by such a connection.

§ 18-404. Powers of Township. [Ord. No. 2007-03, 5/16/2007]

1. Township is hereby authorized and empowered to adopt such rules and regulations concerning sewage which it may deem necessary from time to time to effect the purposes herein.
2. The Township Board of Supervisors is hereby authorized and empowered to take such other actions as are necessary, including, but not limited to, entering into agreements with property owners that assure proper operation and maintenance of sewage facilities within the Township borders, including, but not limited to, sewage grinder pumps and any associated gravity or low-pressure laterals. Exhibit A which is attached hereto is a copy of the Grinder Pump Station Operation and Maintenance Agreement to be entered into by the property owner and Township.³

§ 18-405. Duties and Responsibilities of Township. [Ord. No. 2007-03, 5/16/2007]

1. The Township shall exercise its powers and legal authority set forth herein, and under all applicable statutes, ordinances, and other laws to affect the purposes of this Part.
2. The Township will enter into an agreement with each property owner proposing to install or who has installed a sewage grinder pump or low-pressure sewage system to assure the short- and long-term operation and maintenance, use, service, repair or replacement of such systems.
3. All grinder pumps and low-pressure sewer systems (and the installation, use, operation, maintenance, service, repair and replacement thereof) shall comply with the rules and regulations of the Township in effect from time to time. Exhibit B is the sewage grinder pump installation requirements for both low-pressure sewers and gravity sewers with which the property owner shall comply.⁴

3. Editor's Note: Exhibit A is included as an attachment to this chapter.

4. Editor's Note: Exhibit B is included as an attachment to this chapter.

4. All grinder pumps and low-pressure sewer systems shall be connected to the sewage collection and conveyance system in full compliance with the rules and regulations of the Township in effect from time to time.
5. The Township shall maintain control over the type of grinder pumps used and maintain a list of licensed plumbers that have full service capability and service the Township area.
6. Township shall bear no responsibility for the purchase, installation, use, operation, maintenance, service, repair, or replacement of the grinder pump and its associated gravity or low-pressure lateral, except as otherwise set forth herein.
7. The Township will be responsible for the operation and maintenance of gravity or low- pressure collection systems that are constructed by property owners or land developers for the purpose of connecting grinder pump systems. The Township's operation and maintenance responsibilities will begin upon the collection systems being accepted for dedication.

§ 18-406. Duties and Responsibilities of Property Owner. [Ord. No. 2007-03, 5/16/2007]

1. Each property owner served by a grinder pump shall bear full responsibility for providing, installing, using, operating, maintaining, servicing, repairing and replacing his/her grinder pump and associated gravity or low-pressure lateral, unless otherwise set forth herein.
2. Each property owner served by a grinder pump shall be responsible for using the pump consistent with the manufacturer's instructions and shall avoid introducing into the sewerage system materials that may damage the impellers on the pump, including, but not limited to, items designated as biodegradable in septic tanks.
3. Each property owner served by a grinder pump shall close the sewage system and cease operations during any period when the grinder pump and/or low-pressure system serving a property is inoperable for more than one day.

§ 18-407. Abatement of Nuisances. [Ord. No. 2007-03, 5/16/2007]

In addition to any other remedies provided in this Part, any violation of §§ 18-405 and 18-406 above shall constitute a nuisance and shall be abated by the Township either seeking mitigation of the nuisance or appropriate equitable or legal relief from a court of competent jurisdiction.

§ 18-408. Rules and Regulations to be in Conformity with Applicable Law. [Ord. No. 2007-03, 5/16/2007]

All such rules and regulations adopted by the Township to effectuate this Part shall be in conformity with the provisions herein, all other ordinances

§ 18-408

VALLEY CODE

§ 18-412

of the Township and all applicable laws, rules and regulations of administrative agencies of the Commonwealth of Pennsylvania.

§ 18-409. Repealer. [Ord. No. 2007-03, 5/16/2007]

All ordinances or resolutions or parts of ordinances or resolutions, insofar as they are inconsistent herewith, are hereby repealed.

§ 18-410. Violations and Penalties. [Ord. No. 2007-03, 5/16/2007]

Any property owner who shall violate any provision of this Part shall be subject to prosecution enforced through an action brought before a District Justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, and punishable by a fine not to exceed \$1,000 and/or a term of imprisonment not to exceed 90 days. A separate offense shall arise for each day or portion thereof in which a violation is found to exist or for each section of this Part which is found to have been violated.

§ 18-411. Severability. [Ord. No. 2007-03, 5/16/2007]

If any sentence, clause, section or part of this Part is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Part, it being the intent of the Board of Supervisors that such remainder shall be and remain in full force and effect.

§ 18-412. When Effective. [Ord. No. 2007-03, 5/16/2007]

This Part shall become effective five days after enactment.

Part 5
INSPECTION AND REQUIRED MAINTENANCE OF ON-LOT
SUBSURFACE SEWAGE DISPOSAL FACILITIES

§ 18-501. Short Title; Introduction; Purpose. [Ord. No. 2008-01, 2/5/2008]

1. This Part shall be known and may be cited as "An Ordinance Providing for a Sewage Management Program for Valley Township."
2. In accordance with municipal codes, the Clean Streams Law (Act of June 27, 1937, P.L. 1987, No. 394, as amended, 35 P.S. §§ 691.1 to 691.1001), and the Pennsylvania Sewage Facilities Act (Act of January 24, 1966, P.L. 1535, as amended, 35 P.S. § 750.1 et seq., known as "Act 537"), it is the power and the duty of Valley Township to provide for adequate sewage treatment facilities and for the protection of the public health by preventing the discharge of untreated or inadequately treated sewage. The official sewage facilities plan for Valley Township indicates that it is necessary to formulate and implement a sewage management program to effectively prevent and abate water pollution and hazards to the public health caused by improper treatment and disposal of sewage.
3. The purpose of this Part is to provide for the regulation, inspection, maintenance and rehabilitation of on-lot sewage disposal systems; and to provide for intervention in situations which may constitute a public nuisance or hazard to the public health; and to establish penalties and appeal procedures necessary for the proper administration of a sewage management program.

§ 18-502. Definitions. [Ord. No. 2008-01, 2/5/2008]

1. As used in this Part, the following terms shall have the meanings indicated:

AUTHORIZED AGENT — A qualified or licensed person who is authorized to function within specified limits as an agent of Valley Township to administer or enforce the provisions of this Part.

BOARD — The Board of Supervisors, Valley Township, Chester County, Pennsylvania.

COMMUNITY SEWAGE SYSTEM — Any system, whether publicly or privately owned, for the collection of sewage from two or more lots, and the treatment and/or disposal of the sewage on one or more lots or at any other site.

DEPARTMENT — The Department of Environmental Protection of the Commonwealth of Pennsylvania (DEP).

INDIVIDUAL SEWAGE SYSTEM — A system of piping, tanks or other facilities serving a single lot and collecting and disposing of sewage in whole or in part into the soil or into any waters of this commonwealth.

LOCAL AGENCY — A municipality, county, county department of health or joint county department of health. Where used or referred to in this Part, the local agency shall be the Chester County Department of Health.

MALFUNCTION — A condition which occurs when an on-lot sewage disposal system discharges sewage onto the surface of the ground, into groundwaters of this commonwealth, into surface waters of this commonwealth, backs up into a building connected to the system or in any manner causes a nuisance or hazard to the public health or pollution of groundwater or surface water or contamination of public or private drinking water wells. Systems shall be considered to be malfunctioning if any condition noted above occurs for any length of time during any period of the year.

OFFICIAL SEWAGE FACILITIES PLAN — A comprehensive plan for the provision of adequate sewage disposal systems, adopted by the Board and approved by the Pennsylvania Department of Environmental Protection (DEP), pursuant to the Pennsylvania Sewage Facilities Act.

ON-LOT SEWAGE DISPOSAL SYSTEM — Any system for disposal of domestic sewage involving pretreatment and subsequent disposal of the clarified sewage into a subsurface soil absorption area or retaining tank; this term includes both individual sewage systems and community sewage systems.

PERSON — Any individual, association, public or private corporation for profit or not for profit, partnership, firm, trust, estate, department, board, bureau or agency of the commonwealth, political subdivision, municipality, district, authority, or any other legal entity whatsoever which is recognized by law as the subject of rights and duties. Whenever used in any clause prescribing and imposing a penalty or imposing a fine or imprisonment, the term "person" shall include the members of an association, partnership or firm and the officers of any local agency or municipal, public or private corporation for profit or not for profit.

REHABILITATION — Work done to modify, alter, repair, enlarge or replace an existing on-lot sewage disposal system.

SEWAGE — Any substance that contains any of the waste products or excrement or other discharge from the bodies of human beings or animals and any noxious or deleterious substances being harmful or inimical to the public health, or to animal or aquatic life, or to the use of water for domestic water supply or for recreation or which constitutes pollution under the Act of June 22, 1937 (P.L. 1987, No. 394), known as "The Clean Streams Law," as amended.

SEWAGE ENFORCEMENT OFFICER (SEO) — A person certified by DEP who is employed by Chester County Health Department. Such person authorized to conduct investigations and inspections, review permit applications, issue or deny permits and do all other activities as may be provided for such person in the Sewage Facilities Act, the

rules and regulations promulgated thereunder and this or any other ordinance adopted by Valley Township.

SEWAGE MANAGEMENT DISTRICT — Any area or areas of Valley Township designated in the official sewage facilities plan adopted by Valley Township as an area for which a sewage management program is to be implemented.

SEWAGE MANAGEMENT PROGRAM — A comprehensive set of legal and administrative requirements encompassing the requirements of this Part, the Sewage Facilities Act, the Clean Streams Law, the regulations promulgated thereunder and such other requirements adopted by the Board of Supervisors to effectively enforce and administer this Part.

SUBDIVISION — The division or redivision of a lot, tract or other parcel of land into two or more lots, tracts, parcels or other divisions of land, including changes in existing lot lines. The enumerating of lots shall include as a lot that portion of the original tract or tracts remaining after other lots have been subdivided therefrom.

TOWNSHIP — The Township of Valley, Chester County, Pennsylvania.

2. For the purposes of this Part, any term which is not defined herein shall have that meaning attributed to it under the Sewage Facilities Act and the regulations promulgated thereto.

§ 18-503. Applicability. [Ord. No. 2008-01, 2/5/2008]

From the effective date of this Part, its provisions shall apply in any portion of Valley Township identified in the official sewage facilities plan as a sewage management district. Within such an area or areas, the provisions of this Part shall apply to all persons owning any property serviced by an on-lot sewage disposal system and to all persons installing or rehabilitating on-lot sewage disposal systems.

§ 18-504. Permit Requirements. [Ord. No. 2008-01, 2/5/2008]

1. No person shall install, construct, or alter an individual sewage system or a community sewage system, or install or occupy any building or structure for which an individual sewage system or community sewage system is to be installed without first obtaining a permit from the Chester County Health Department (local agency). The properly issued permit shall indicate that the site, and the plans and specifications of such system are in compliance with the provisions of the Clean Streams Law and the Pennsylvania Sewage Facilities Act and the regulations adopted pursuant to those Acts.
2. No system or structure designed to provide individual or community sewage disposal shall be covered from view until approval to cover the same has been given by a sewage enforcement officer employed by and authorized by the local agency. If 72 hours have elapsed, excepting Sundays and holidays, since the sewage enforcement officer issuing the

permit received notification of completion of construction, the applicant may cover said system or structure unless permission has been specifically refused by the sewage enforcement officer.

3. Applicant with a valid on-lot sewage permit is required to notify, in writing, the local agency and Valley Township of the schedule for construction of the permitted on-lot sewage disposal system. This notification must be made so that inspection(s), in addition to the final inspection required by the Sewage Facilities Act, may be scheduled and performed by a sewage enforcement officer from the local agency.
4. No building permit shall be issued for a new building which will contain sewage-generating facilities until a valid sewage permit has been obtained. No occupancy permit shall be issued for a new building being served by an on-lot sewage disposal system until the system has been installed and approved by the local agency.
5. No building or occupancy permits shall be issued and no work shall begin on any alteration or conversion of any existing structure if said alteration or conversion will result in the increase or potential increase in sewage flows from the structure, until either the structure's owner receives a permit for alteration or replacement of the existing sewage disposal system or until the structure's owner and the appropriate officials of the Township receive written notification from a sewage enforcement officer that such a permit will not be required. The local agency shall determine whether the proposed alteration or conversion of the structure will result in increased sewage flows. The municipality shall verify that the information supplied to the local agency SEO, for the purpose of making an addition or alteration to a property, is correct.
6. Sewage permits may be issued only by the Chester County Health Department.

§ 18-505. Inspections by Valley Township. [Ord. No. 2008-01, 2/5/2008]

1. Any on-lot sewage disposal system may be inspected by an authorized agent of Valley Township at any reasonable time.
2. Such inspection may include a physical tour of the property, the taking of samples from surface water, wells, other groundwater sources, the sampling of the contents of the sewage disposal system itself and/or the introduction of a traceable substance into the interior plumbing of the structure served to ascertain the path and ultimate destination of wastewater generated in the structure.
3. An authorized agent shall have the right to enter upon land for the purposes of inspections described in this section.
4. An initial inspection shall be conducted by an authorized agent within one year of the effective date of this Part for the purpose of determining the type and functional status of each sewage disposal system in the

sewage management district. A written report shall be furnished to the owner of each property inspected and a copy of said report shall be maintained in the Township records.

5. A schedule of routine inspections shall be established to assure the proper functioning of the sewage systems in the sewage management district.
6. An authorized agent shall inspect systems known to be, or alleged to be, malfunctioning. Should said inspections reveal that the system is indeed malfunctioning, the authorized agent shall contact the Chester County Health Department to order action to be taken to correct the malfunction. If total correction cannot be done in accordance with the regulations of DEP, including, but not limited to, those outlined in Chapter 73 of Title 25 of the Pennsylvania Code or is not technically or financially feasible in the opinion of the authorized agent and a representative of DEP, then action by the property owner to mitigate the malfunction shall be required.
7. There may arise geographic areas where numerous on-lot sewage disposal systems are malfunctioning. A resolution of these area-wide problems may necessitate detailed planning and a revision to the portion of the sewage facilities plan pertaining to areas affected by such malfunctions. When a DEP authorized official sewage facilities plan revision has been undertaken, mandatory repair or replacement of individual malfunctioning sewage disposal systems within the area affected by the revision may be delayed, pending the outcome of the plan revision process. However, immediate corrective action may be compelled whenever a malfunction, as determined by Valley Township officials, Chester County Health Department and/or the Department, represents a serious public health or environmental threat.

§ 18-506. Operation. [Ord. No. 2008-01, 2/5/2008]

1. Only normal domestic wastes shall be discharged into any on-lot sewage disposal system. The following shall not be discharged into the system.
 - A. Industrial waste.
 - B. Automobile oil and other nondomestic oil.
 - C. Toxic or hazardous substances or chemicals, including, but not limited to, pesticides, disinfectants (excluding household cleaners), acids, paints, paint thinners, herbicides, gasoline and other solvents.
 - D. Clean surface water or groundwater, including water from roof or cellar drains, springs, basement sump pumps and french drains.

§ 18-507. Maintenance. [Ord. No. 2008-01, 2/5/2008]

1. Each person owning a building served by an on-lot sewage disposal system which contains a septic tank shall have the septic tank pumped by a qualified pumper/hauler within six months of the effective date of this Part. Thereafter that person shall have the tank pumped at least once every three years or whenever an inspection reveals that the septic tank is filled with solids or with scum in excess of 1/3 of the liquid depth of the tank. Receipts from the pumper/hauler shall be submitted to the Township within the prescribed six months and three-year pumping periods.
2. The required pumping frequency may be increased at the discretion of an authorized agent if the septic tank is undersized, if solids buildup in the tank is above average, if the hydraulic load on the system increases significantly above average, if a garbage grinder is used in the building, if the system malfunctions or for other good cause shown. If any person can prove that such person's septic tank had been pumped within three years of the six-month anniversary of the effective date of this Part, then that person's initial required pumping may be delayed to conform to the general three-year frequency requirement except where an inspection reveals a need for more frequent pumping frequency.
3. Any person owning a property served by a septic tank shall submit, with each required pumping receipt, a written statement, from the pumper/hauler or from any other qualified individual acceptable to the Township, that the baffles in the septic tank have been inspected and found to be in good working order. Any person whose septic tank baffles are determined to require repair or replacement shall first contact the local agency for approval of the necessary repair.
4. Any person owning a building served by an on-lot sewage disposal system, which contains an aerobic treatment tank, shall follow the operation and maintenance recommendations of the equipment manufacturer. A copy of the manufacturer's recommendations and a copy of the service agreement shall be submitted to the Township within six months of the effective date of this Part. Thereafter, service receipts shall be submitted to the Township at the intervals specified by the manufacturer's recommendations. In no case may the service or pumping intervals for aerobic treatment tanks exceed those required for septic tanks.
5. Any person owning a building served by a cesspool or dry well in an area of numerous malfunctions or in an area where a repair is not technically feasible shall have that system pumped according to the schedule prescribed for septic tanks to mitigate potential pollution. As an alternative to this scheduled pumping of the cesspool or dry well, and pending any scheduled replacement of the substandard system as identified in the official sewage facilities plan, the owner may apply for a sewage permit from the Chester County Health Department for a septic tank to be installed preceding the cesspool or dry well. For this interim repair system consisting of a cesspool or dry well proceeded by

an approved septic tank, only the septic tank must be pumped at the prescribed interval.

6. Additional maintenance activity may be required as needed, including, but not necessarily limited to, cleaning and unclogging of piping, servicing and the repair of mechanical equipment, leveling of distribution boxes, tanks and lines, removal of obstructing roots or trees, the diversion of surface water away from the disposal area, etc.
7. All septage originating within Valley Township shall be disposed of in accordance with the requirements of the Solid Waste Management Act (Act 97 of 1980, 35 P.S. §§ 6018.101 et seq.), the regulations of the Chester County Health Department and all other applicable laws and at sites or facilities approved by DEP. Approved sites or facilities shall include septage treatment facilities, wastewater treatment pollutant composting sites, and approved farmlands.
8. Pumper/haulers of septage operating within the sewage management district shall operate in a manner consistent with the provisions of the Pennsylvania Solid Waste Management Act (Act 97 of 1980, 35 P.S. §§ 6018.101 to 6018.1003) and all other applicable laws.

§ 18-508. System Rehabilitation. [Ord. No. 2008-01, 2/5/2008]

1. No person shall maintain or operate a sewage disposal system in a manner inconsistent with the original design. All liquid wastes, including kitchen and laundry wastes and water softener backwash, shall be discharged to a treatment tank. No sewage system shall discharge untreated or partially treated sewage to the surface of the ground or into the waters of the commonwealth unless a permit for such discharge has been obtained from DEP. Any system modification must be preapproved by the Chester County Health Department.
2. A written notice of violation shall be issued by the Chester County Health Department to any person who is the owner of any property which is found to be served by a malfunctioning on-lot sewage disposal system or a system that was constructed without obtaining a permit from the Chester County Health Department.
3. Within seven days of notification by the Chester County Health Department that a malfunction has been identified, the property owner shall make application to the sewage enforcement officer for a permit to repair or replace the malfunctioning system. Within 30 days of initial notification, construction of the permitted repair or replacement shall commence. Within 60 days of the original notification, the construction shall be completed unless seasonal or unique conditions mandate a longer period, in which case an extended completion date may be established.
4. A sewage enforcement officer shall have the authority to require the repair of any malfunction by the following methods: cleaning, repair or

replacement of components of the existing system, adding capacity or otherwise altering or replacing the system's treatment tank, expanding the existing disposal area, replacing the existing disposal area, replacing a gravity distribution system with a pressurized system, replacing the system with a holding tank, or any other alternative appropriate for the specific site.

5. In lieu of, or in combination with, the remedies described in Subsection 4 above, a sewage enforcement officer, in cooperation with the municipality, may require the installation of water conservation equipment and the institution of water conservation practices in structures served. Water-using devices and appliances in the structure may be required to be retrofitted with water-saving appurtenances or they may be required to be replaced by water-conserving devices in accordance with Pennsylvania Statewide Building Codes adopted in 1999.
6. In the event that the rehabilitation measures in Subsections 1 through 5 above are not feasible or effective, the owner may be required to apply to the Chester County Health Department for a permit to install a holding tank. Upon receipt of said permit, the owner shall complete construction of the system within 30 days, unless seasonal or unique conditions mandate a longer period, in which case the sewage enforcement officer shall set an extended completion date.
7. Should none of the remedies described in this section be totally effective in eliminating the malfunction of an existing on-lot sewage disposal system, the property owner is not absolved of responsibility for that malfunction. The Township may require whatever action is necessary to lessen or mitigate the malfunction to the extent necessary.

§ 18-509. Administration. [Ord. No. 2008-01, 2/5/2008]

1. The Township shall fully utilize those powers it possesses through enabling statutes and ordinances to effect the purposes of this Part.
2. The Township shall employ qualified individuals to carry out the provisions of this Part. Those employees may include a knowledgeable inspector and may include an administrator and such other persons as may be necessary. The Township may also contract with private qualified persons or firms as necessary to carry out the provisions of this Part.
3. All permits, records, reports, files and other written material relating to the installation, operation and maintenance and malfunction of on-lot sewage disposal systems in the sewage management district shall be maintained by the Township. These files shall be available for public inspection during regular business hours at the official office of the Township, with prior written request addressed to the Township Secretary.

4. The Township Board of Supervisors shall establish all administrative procedures necessary to properly carry out the provisions of this Part.
5. The Township Board of Supervisors may establish a fee schedule, and authorize the collection of fees, to cover the cost to the Township of administering this program.

§ 18-510. Violations and Penalties. [Ord. No. 2008-01, 2/5/2008]

Any person failing to comply with any provision of this Part shall be subject to a fine of not more than \$1,000 together with court costs and reasonable attorney's fees.

§ 18-511. Liens. [Ord. No. 2008-01, 2/5/2008]

The Township, upon written notice from a sewage enforcement officer that an imminent health hazard exists due to failure of a property owner to maintain, repair or replace an on-lot sewage disposal system as provided under the terms of this Part, shall have the authority to perform, or contract to have performed, the work required by the sewage enforcement officer. The owner shall be charged for the work performed and, if necessary, a lien shall be entered therefor in accordance with law.

§ 18-512. Appeals. [Ord. No. 2008-01, 2/5/2008]

1. Appeals from final decisions of the Township or any of its authorized agents under this Part shall be made to the Township Board of Supervisors in writing within 30 days from the date of written notification of the decision in question.
2. The appellant shall, upon payment of the required fees, be entitled to a hearing before the Township Board of Supervisors at its next regularly scheduled meetings if a written appeal is received at least 14 days prior to that meeting. The municipality shall thereafter affirm, modify, or reverse the aforesaid decision. The hearing may be postponed for a good cause shown by the appellant or the Township. Additional evidence may be introduced at the hearing, provided that it is submitted with the written notice of appeal. Fees for appeal hearings shall be as adopted from time to time by the Board of Supervisors.
3. A decision shall be rendered in writing within 30 days of the date of the hearing.

§ 18-513. Repealer. [Ord. No. 2008-01, 2/5/2008]

All ordinances or parts of ordinances inconsistent with the provisions of this Part are hereby repealed to the extent of such inconsistency.

§ 18-514. Severability. [Ord. No. 2008-01, 2/5/2008]

If any section or clause of this Part shall be adjudged invalid, such adjudication shall not affect the validity of the remaining provisions which shall be deemed severable therefrom.

VALLEY TOWNSHIP
SANITARY SEWER USE RULES AND REGULATIONS

ADOPTED MARCH 3, 1992
AT A PUBLIC MEETING
BY
THE BOARD OF SUPERVISORS
OF
VALLEY TOWNSHIP

PENNONI ASSOCIATES INC.
110 SOUTH POPLAR ST.
WILMINGTON, DE 19899

Revised:
FEBRUARY 2000
JULY 2002

VALLEY TOWNSHIP SANITARY SEWER USE RULES AND REGULATIONS**INDEX**

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VALLEY TOWNSHIP

SEWER USE RULES AND REGULATIONS

ARTICLE I

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 Valley Township regarding the use of the Sewer System and the nature of wastes to be discharged into Valley Township's Sewage collection System, either directly or indirectly.

The sanitary sewer system in Valley Township is a collection system and is wholly owned by Valley Township. The sewage collected is transported to a Privately Owned Treatment Works (POTW) owned and operated by the) where it is treated under an agreement between Valley Township and the Pennsylvania American Water Company. It is the intent that these Rules and Regulations are compatible with the Rules and Regulations for sewer use adopted by PAWCo.

ARTICLE II

PURPOSE

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

1. To provide the conditions of service by Valley Township including application and contracting for service connection to the Valley Township facilities, rendering and payment of bills and discontinuance of service.
2. To prohibit the discharge into the Township's sewer system of any wastewater 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 the pretreatment of all wastewater discharged into Valley Township's sewer system for which pretreatment standards have been promulgated pursuant to Federal or State legislation required by the Federal General Pretreatment Regulation (40CFR, Part 403).
4. To prohibit the discharge of any wastewater of a flammable or explosive nature or which may create in any way a poisonous or hazardous environment for Valley Township's maintenance and operating personnel or the public.

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5. To prohibit the discharge of any wastewater into the Township's sewer system and subsequently into the PAWCo 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.
6. To prohibit or require pretreatment before introduction into the Township's sewer system of any wastewater which may adversely affect the integrity, operation and/or maintenance of the Township's system by direct or indirect chemical or physical action, or which may interfere with the treatment process of PAWCo.
7. To regulate excessive volumes and/or inordinate rates of discharge of any wastewater's into Valley Township's Sewer System.
8. To regulate the discharge of any wastewater which would require the levying of a surcharge for either their discharge into, or treatment by the PAWCo's Treatment Works.
9. To prohibit or require pretreatment before introduction into the Valley Township Sewer System of any wastewater which may adversely affect the disposal of sludge in any manner at PAWCo Treatment Works.
10. To provide procedures for the extension of sewer service.
11. 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 regulation designed to bring about the safe and efficient operation of Valley Township's wastewater collection system.

ARTICLE III

EFFECTIVE DATE

Section 3.01. These Rules and Regulations shall become effective at once and shall be applicable on or after March 17, 1992, to all properties then connected to, or hereafter connected to the collection system. Valley Township reserves the right to amend these Rules and Regulations or to change the rates or charges in such manner and at such times as, in its opinion, may be advisable.

ARTICLE IV

DEFINITIONS

Section 4.01. Unless the context specifically and clearly indicates otherwise, the meaning of terms used in these Rules and Regulations shall be as follows:

1. "PAWCo" – Pennsylvania American Water Company
2. "Applicant" - A customer who requests to enter 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; (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 discharge originates.
4. "B.O.D." (Biochemical Oxygen Demand) - The term to express 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 edition of "Standard Methods for the Examination of Water and Sewage" published by the American Public Health Association.
5. "Building Sewer" - The extension from the building sewer system to Valley Township's sewer main.
6. "Categorical Standards" - A Pretreatment Standard specifying quantities or concentrations of pollutants or pollutant properties which may be discharged or introduced into a POTW by existing or new Industrial users in specific industrial subcategories.
7. "Chlorine Demand" - The quantity of chlorine absorbed in water, wastewater or

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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 edition of "Standard Methods for the Examination of Water and Sewage" published by the American Public Health Association.

8. "Collection System" - The sewage collection system of Valley Township including but not limited to pipe mains, manholes, pumping stations, etc.
9. "Company" - Any private corporation formed under the laws of the Commonwealth of Pennsylvania or any other state, or registered to do business in the Commonwealth.
10. "Compatible Pollutant" - Biochemical oxygen demand, suspended solids, pH, fecal coliform bacteria, phosphorous, ammonia, nitrogen, fluoride and such additional pollutants as are now or may be in the future specified and controlled in PAWCo's PaDER permits, where the POTW is designed to treat such pollutants and, in fact, does treat such pollutants to the degree required by the PaDER permit.
11. "Composite Sample" - A sample consisting of several effluent portions collected at intervals during a specific time period and combined to make a representative sample.
12. "Cooling Water" - 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.
13. "Customer" - 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 Valley Township.
14. "Department" - The Pennsylvania Department of Environmental Resources (PaDER).
15. "Director" - The Board of Supervisors of Valley Township.
16. "Domestic Wastewater" - The liquid waste or liquid borne waste (1) resulting from the non-commercial preparation, cooking and handling of food and/or (2) consisting of human excrement, washwater and similar wastes from sanitary conveniences.
17. "EPA" - The United States Environmental Protection Agency.
18. "Federal Act" - The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et. seq.

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19. "Garbage" - Solid wastes resulting from preparation, cooking, and dispensing of food and from handling, storage and sale of produce.
20. "Government" - The United States of America, or any department or agency thereof.
21. "Grab Sample" - A sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.
22. "Holding Tank Waste" - Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.
23. "Incompatible Pollutant" - Any pollutant which is not a "Compatible Pollutant" as defined in this section.
24. "Indirect Discharge" - The discharge or the introduction of nondomestic pollutants from any source regulated under section 307(b) or (c) of the Act, (33 U.S.C. 1317), into the Valley Township Sewer System (including holding tank waste discharged into the system).
25. "Industrial User" - Any user or users identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented under one of the following divisions:
 - Division A. Agriculture, Forestry, and Fishing
 - Division B. Mining
 - Division D. Manufacturing
 - Division E. Transportation, Communications,
Electric, Gas, and Sanitary Services
 - Division I. Services.
26. "Industrial Wastewater" - The liquid waste or liquid borne waste resulting from the processing employed by an Industrial user which, whether treated or untreated, is discharged into the Treatment Works.

"Interference" - The (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 and/or Valley Township Sewer Use Rules and Regulations under which the collection system operates; or (ii) discharging industrial process wastewater which, in combination with existing domestic flows are of such volume and/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 section 405 of the Federal Clean Water Act of 1977 (33 U.S.C. 1251 et. seq.) and the Guidelines for the Utilization and Disposal of Municipal and Industrial Sludges and Septage; or any regulations or criteria or guidelines developed pursuant to the Federal Resource Conservation and Recovery Act of 1976 (42 U.S.C. 3251 et. seq.), the Federal Clean Air Act (42 U.S.C. 7401 et. seq.), and the Federal Toxic Substances Control Act (15 U.S.C. 2601 et. seq.). Pursuant to 40 CFR 403.3(h), pollutants in the effluent from an industrial user shall not be considered to cause interference where the

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industrial user is in compliance with specific prohibitions or standards developed by Federal or State governments or Valley Township and/or its participants.

28. Lateral – The pipe connecting the sewage system of the building to the Township’s sanitary sewer main in the adjacent street or right-of-way. The physical connection of this lateral (service line) is a part thereof.
29. "Main Extension" - Extension of service requiring the construction of one or more additional sewers including pumping stations and force or pressure mains.
30. "Municipality" - Any city of any class, any borough, township, municipal authority, or any other municipality other than a county or a school district, located within or without the System Service Area.
31. "National Pollutant Discharge Elimination System" (NPDES) - The Pennsylvania system for the issuing, modifying, suspending, revoking and reissuing, terminating, monitoring, and enforcing, of discharge permits (NPDES) issued pursuant to section 402 of the Clean Water Act of 1977 (33 U.S.C. 1251 et. seq.).
32. "Owner" - The person in whose name the deed for a property is recorded. The Owner is responsible for payment of sewer service charges **and maintenance of the service line from the Township’s main to and including the sewer piping in the building.**
01/04/99
33. "pH" - 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.
34. "Person" - An individual, partnership, company, corporation, association, corporate political body, joint ownership, or any other entity capable of functioning in the context used herein.
35. "Pollutant" - 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 discharged into the waters of the State.
36. "Premises" - The property, building, or other site to which sewer service is furnished, including:
 - a. A building under one roof, owned or leased by one or more persons, 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;

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- 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 Township shall deem proper and advisable.
-
- 37. "Pretreatment" - 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 Valley Township Sanitary Sewer System.
 - 38. "Pretreatment Standards" - Any applicable Federal or State rules and regulations implementing section 307 of the Clean Water Act of 1977 (33 U.S.C . 1251 et. seq.), as well as any non-conflicting standards or regulations, the more stringent thereof shall be applied.
 - 39. "Publicly Owned Treatment Works (POTW)" - A treatment works as defined by section 212 of the Act, (33 U.S.C. 1292). For the purposes of these Rules and Regulations, "POTW" shall also include Valley Township's Sanitary Sewer System or other sewers that convey wastewaters to the POTW from persons out side the Township who are, by contract or agreement with CCA, users of CCA's POTW.
 - 40. "Regional Administrator" shall mean the Administrator of Region III of the United States Environmental Protection Agency or his/her authorized representative.
 - 41. "Secretary" - The Secretary of the Pennsylvania Department of Environmental Resources or his/her authorized representative.
 - 42. "Service Line" - The service pipe (lateral)extending from Valley Township's sewer, to the customer's building including: the service connection on the main, cleanouts, manholes, meter manhole if required, sampling point, and any other fittings deemed appropriate by Valley Township. **The service line (lateral) is owned by the property owner, and maintenance thereof is the responsibility of the property owner.**
01/04/00
 - 43. "Sewer" - A sewer of Valley Township or of the tributary sewer systems that discharge to the Township's system, which carries wastewater and to which storm, surface, and groundwaters shall not be intentionally admitted.
 - 44. "Sewer Connection Fee" - Reimbursement to Valley Township for the labor and materials required to inspect the connection of the service line to a Township sewer to accept wastewater into its collection system.
 - 45. "Sewer Discharge Permit" - A permit issued by Valley Township allowing a user to discharge wastewater to the Township's sanitary sewer system. (Not applicable to residential connections)

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46. "Sewer Service Application" - An application required for any customer requesting or receiving sewer service from the Township. (Not applicable for residential connections.)
47. "Sewer Service Connection" - The fitting or manhole owned by the Township and installed or authorized to be installed in a Township main by the Township, connecting a service line to a Township sewer.
48. "Significant Industrial User" - Any user who discharges into the Valley Township sewer system, industrial process wastewater which either (1) exceeds 25,000 gallons per day, or (2) exceeds the mass equivalent of 25,000 gallons per day of waste based upon a BOD of 300 mg/l, a COD of 500 mg/l or Suspended Solids of 300 mg/l, or (3) exceeds five percent of the average daily flow of the POTW to which the collection system is connected, or (4) contributes five percent or more of the daily mass loading of any of the pollutants listed in Table I and/or in Appendix A-1 and A-2 which are entering the POTW.
49. "Slug" - Any discharge of water, wastewater, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration of flows during normal operation.
50. "State" - The Commonwealth of Pennsylvania.
51. "State Act" - The Pennsylvania Clean Streams Law (35 P.S. 691.1-691.801).
52. "Standard Industrial Classification (SIC)" - A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972 and any amendments thereto.
53. "Storm Water" - Any flow occurring during or immediately following any form of natural precipitation and resulting therefrom.
54. "Surcharge" - The additional charge that will be levied against a Participant or a person discharging wastewater whose BOD and suspended solids concentrations are in excess of 250 ppm, or which contain constituents in concentrations for which Valley Township has determined an additional charge is required for their treatment.
55. "Suspended Solids" - The Total Filterable Residue as defined by 40 CFR 136.
56. "Tenant" - A user who leases or rents premises from an owner. There is no relationship between the Township and a "Tenant". The Owner of the property is responsible for sewer service charges.
57. "Township" - The Township of Valley, Chester County, PA
58. "Toxic Pollutants" - Any pollutant in amounts exceeding standards promulgated by the Administrator of the EPA pursuant to section 307(a) of the Clean Water Act of 1977, including, but not limited to, those listed in Table I, Appendices A-1 and A-2 and those

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chemical elements or compounds, phenols or other taste or odor-producing substances, or any other substances normally not found in unpolluted waters which are not susceptible to treatment or which may interfere with the biological processes or efficiency of the Treatment Works or which will pass through the system;

59. "Treatment Works" - The POTW, as defined in Item 37 of these definitions 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 Township or CCA, 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. Additionally, "Treatment Works" means any other method or system for preventing, abating, reducing, storing, treating, separating, or disposing of pollutants, including storm water runoff, or industrial waste in combined or separate storm water and sanitary sewer systems.
60. "Treatment Works Plant" - That portion of the treatment works designed to provide treatment to wastewater (does not include collection system).
61. "User" - Any person, corporation or institution who discharges, causes, or permits the discharge of wastewater into the Valley Township collection system, either directly or indirectly.
62. "Wastewater" - 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 Valley Township sewer system.

Section 4.02. Abbreviations

The following abbreviations shall have the designated meaning:

- BOD - Biochemical Oxygen Demand.
- CFR - Code of Federal Regulations.
- COD - Chemical Oxygen Demand.
- EPA - Environmental Protection Agency.
- l - Liter.
- mg - Milligrams.
- mg/l - Milligrams per liter.
- NH₃-N - Ammonia Nitrogen.
- P - Phosphorus.
- NPDES - National Pollutant Discharge Elimination System.
- PADER - Pennsylvania Department of Environmental Resources
- POTW - Privately Owned Treatment Works.
- ppb - parts per billion.

ppm - parts per million.
SIC - Standard Industrial Classification.
SS - Suspended Solids.
USC - United States Code.

ARTICLE V

SEWER SERVICE

Section 5.01. Sewer Service Agreements.

DOMESTIC CUSTOMERS

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 Valley Township and approved by Valley Township for introduction of new sewer service including where there is any change in ownership of property or in tenancy where tenant is the user. Valley Township shall have the right, upon seven (7) days notice, to discontinue existing sewer service until such a new agreement has been made and approved.

2. **INDUSTRIAL/COMMERCIAL CUSTOMERS**

If industrial waste is proposed to be introduced into the Valley Township sewage collection system, the customer or user shall obtain a Sewer Discharge Permit from the Township and enter into a sewer service agreement with the Township before commencing the discharge of such industrial waste.

3. All agreements for sewer service are made subject to approval of Valley Township.
4. The agreement for sewer service must be signed by the **owner/applicant**, which shall together with the Rules and Regulations of Valley Township, regulate and control the provision of sewer service to the premises.
5. A tenant may not enter into an agreement for sewer service.
6. 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. The minimum charge is not pro-rated on a daily basis for the month in which sewer service is terminated, but is payable in full for that month.
7. For purposes of the sewer service agreement, the term customer shall include user as defined by Article IV of these Rules and Regulations. Service agreements shall be made between customers and Valley Township and the customer will be responsible for all users tributary to a customer service line.
8. 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

d. Such other cases as to Valley Township shall seem proper and advisable under the circumstances.

- 9 All sewer service provided by Valley Township must be entered through approved connections. Any wastewater discharged through unapproved connections to Valley Township sewers will cause the discontinuance of service and the imposition of penalties and other charges as described here in.

Section 5.02. Sewer Discharge Permits.

1. **Any commercial/industrial applicant** for the introduction of a new service line from his/its premises to a Valley Township sewer main must first enter into an agreement for sewer service as provided in Section 5.01 above on the form furnished by Valley Township. 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 Township's sewer main will be ready **for inspection, and completing the connection to the Township sewer main including air testing as required.** The applicant shall guarantee that such service will continue for at least one (1) year. (applicable to industrial and/or commercial customers only)
2. The agreement will not be approved until the Township 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 Township in duly adopted schedules of charges.

Section 5.03. Deposits.

1. Deposits may be required from customers as deemed necessary by the Township.
2. Deposits shall 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. No 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 Township and the deposit shall not be considered as payment-on-account of a bill during the time the customer is receiving sewer service.
5. A deposit will be required from Industrial customers where it is anticipated by laboratory testing that the proposed waste yields levels of B.O.D., total suspended solids, amonia/nitrogen, and phosphorus that are in excess of the allowable levels given herein. The amount of the deposit shall be calculated based on the formula given as:

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$$\text{IWTF} = \text{BOD}/250 \times .35 + \text{TSS}/250 \times .30 + \text{AN}/25 \times .175 + \text{P}/4.5 \times .175$$

$$\text{DEPOSIT} = (\text{IWTF} - 1) \times \frac{\text{Monthly flow from Customer}}{\text{Total Valley Twp Quarterly Flow}} \times \text{Twp Quarterly Bill (from CCA)}$$

IWTF = Industrial Waste Treatment Factor

B.O.D. = Biochemical Oxygen Demand

AN = Amonia/Nitrogen

P = Phosphorus as P

TSS = Total Suspended Solids

ARTICLE VI

CONDITIONS OF INSTALLATION, DISCONNECTION AND USE

Section 6.01. Service Limited to Premises Only.

1. No customer or any premises supplied with sewer service by the Township shall be allowed to supply said service to other persons or families or other premises. 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 Township is satisfied that **these Rules and Regulations will be** observed.

Section 6.02. Customer Service Connection/Disconnection.

1. After a customer applies for and obtains a sewer discharge permit, and pays all applicable tapping fees, connection fees, and other charges, and enters into an agreement for sewer service, the customer will construct a complete customer service line (see definition) which shall be air tested by the installer under the supervision of the Township's representative, and subsequently approved through a service line inspection form completed by said Township 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. Sewer service lines including all fittings, manholes, meter locations and sampling points shall be constructed in accordance with Valley Township Sanitary Sewer Specifications latest revision.
4. **If, after a written notice which will provide 30 days to repair a leaking or malfunctioning sanitary service line (lateral), the property owner has not taken steps to repair the lateral, the Township reserves the right to enter the property and to make, or have the necessary repairs made by others, and invoice the property owner for all costs involved with taking such action.** (01/04/00)

ARTICLE VII

USE OF THE COLLECTION SYSTEM AND TREATMENT WORKS

Section 7.01. Prohibitions on Wastewater Discharges.

No person shall discharge, deposit, cause or allow to be discharged or deposited into the Valley Township sewer system any wastewater which contributes to a violation of any of the parameters in the PAWCo PaDEP permit, or which contains any of the following:

1. Stormwater, surface water, groundwater, roof runoff, swimming pool water, 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 Valley Township Collection System or PAWCo 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 Valley Township Collection System or PAWCo 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 PAWCo's 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 PAWCo's wastewater treatment facilities at charges and during times prescribed by PAWCo. PAWCo has reserved the right; however, to discontinue the acceptance of such wastes without notice should such wastes result in any operational problems.

8. Wastewater having an objectionable color which is not removable in the wastewater treatment facility.

Section 7.02. No user shall discharge or permit to be discharged from his/its facility the following described substances, materials or wastewater, if it appears likely in the opinion of the Township or PAWCO that such discharges can impair, impede, affect, interfere with the efficiency of operation. The prohibited substances are:

1. Any wastewater having a temperature higher than **150F (65C)**.
2. Any wastewater containing fats, wax, grease, or oils, whether emulsified or not, in excess of **100 mg/l** or containing substances which may solidify or become viscous at temperature between 32F and 150F (0C and 65C).
3. Wastewater containing phenolic compounds over **1.0 mg/l** expressed as phenol.
4. Wastewater having a **pH less than 5.5 or greater than 9.5** or found to be excessively corrosive.
5. Wastewater containing any radioactive substances.
6. Wastewater having a flash point lower than 235F (113C) as determined by the TAG or Pensky-Martins closed cup method, as applicable.
7. Wastewater with parameter greater than the value given below unless specifically approved and surcharge paid:

BOD	-	300 mg/l
SS	-	300 mg/l
NH3N	-	25 mg/l
P	-	6.0 mg/l

8. All wastes containing corrosive, toxic or poisonous substances in sufficient quantity and/or concentration to cause injury, damage or hazard to personnel, structures or equipment, or interfere with the Treatment Works, or any portion of the liquid or solids treatment or handling processes, or that will pass through the treatment facilities in such condition that it will not achieve State, Federal or other existing requirements for the effluent or for the receiving waters or for solids disposal, including but not limited to those parameters given in Appendix A.
9. Unusual volume of flow or concentration of wastes constituting "slugs" as herein above defined.

10. Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes presently provided in the PAWCO Treatment Works, or are amenable to treatment only to such degree that the treated effluent cannot meet the requirements of other agencies having jurisdiction over the discharge to the receiving waters.
11. 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 may a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or the "Pennsylvania Guidelines for the Utilization and Disposal of Municipal and Industrial Sludges and Septage".

Section 7.03. Limitations on Sulfide Discharges.

In order for the sanitary sewerage system of Valley Township or tributary systems to operate properly and to avoid any detrimental effects, particularly in pump/lift stations, no user may discharge into the System sewage which contains any total or dissolved sulfides exceeding the following concentrations:

1. 0.2 ppm where the user's connection to the sewerage system is a gravity sewer line;
2. 0.4 ppm where the user's connection to the system is a pressure or force main.

Section 7.04. Limitations on Wastewater Discharges.

Appendix A presents the maximum concentrations of certain pollutants allowable in wastewater discharges to the treatment works by any user. Dilution of any wastewater discharge for the purpose of satisfying these requirements shall be considered a violation of these Rules and Regulations.

The limits on certain pesticides, benzidine, and PCB's in Appendix A are in conformance with the Final Toxic Effluent Standards published in the Federal Register (40 CFR 129).

Section 7.05. Federal Categorical Pretreatment Standards.

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 notify all affected users of the applicable reporting requirements required by 40 CFR, Section 403.12.

Section 7.06. 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 7.07. Valley Township's Right of Revision.

Valley Township reserves the right to establish by rules and regulations more stringent limitations or requirements on discharges to the Valley Township Sewer System and the PAWCO Treatment Works if deemed necessary by the Township or PAWCO to comply with objectives of these Rules and Regulations.

Section 7.08. 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 PAWCO.

Section 7.09. Unacceptable Wastes.

If any wastewater are discharged, or are proposed to be discharged to the Valley Township Collection System which contain the substances or possess the characteristics enumerated or referred to in Section 4.02 of this Article, and which in the judgment of Valley Township, may have a deleterious effect upon the Township's Collections System or the PAWCO Treatment Works, receiving waters, life, or constitute a public nuisance, the Township may exercise one or more of the following options:

1. Reject the wastes permanently.
2. Reject the wastes until such time as the discharger of such wastes provides a detailed report (prepared by a professional engineer licensed 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 Township's Collection System or the PAWCO Treatment Works. Upon Valley Township's and PAWCO's acceptance of said report and the implementation by the discharger of any recommended

corrective measurers, said wastes may again be accepted on a trial basis.

3. Require pretreatment prior to entering the Valley Township System to an acceptable condition for discharge to the PAWCO Treatment Works.
4. Require control over the quantities, rates and time of discharge.

Section 7.10. Design of Pretreatment Facilities.

If the Township and PAWCO permit the pretreatment or equalization of discharge during approved hours 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 Township and PAWCO, and are subject to the requirements of the Pretreatment Standards and all other applicable codes, ordinances, and laws.

Section 7.11. Maintenance of Pretreatment Facilities.

Where pretreatment or flow-equalizing or time of discharge control facilities are provided for any wastewater discharged to Valley Township's Collection System and the Treatment Works, they shall be utilized and maintained by the user at his/its expense in a manner acceptable to both the Township and PAWCO.

Section 7.12. High Strength Wastes.

No statement contained in this Article shall be construed as preventing any special agreement or arrangement between Valley Township or PAWCO and any user whereby a wastewater with high BOD or suspended solids values, a high chlorine demand or with unusual strength or characteristics may be accepted by the Township or PAWCO for treatment at an additional charge, provided PAWCO has determined, at the expense of the user, that the wastewater can be adequately treated by the Treatment Works without any deleterious effects.

ARTICLE VIII

NOTIFICATION, INSPECTION, TESTING AND

CONTROL FOR INDUSTRIAL WASTES

Section 8.01. Industrial Waste Analysis.

All users desiring to discharge industrial wastes to the Valley Township's collection system and subsequently to the PAWCo Treatment Works must file with the Township and PAWCo 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 Township and PAWCo prior to discharge, which form is included in Appendix A.

Section 8.02. Notification of Change.

Any industry which is connected to Valley Township's collection system and 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 type of wastes previously discharged, shall notify the Township and PAWCo so that PAWCo's representatives can sample and determine whether or not the new waste can be accepted in the Treatment Works.

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 Township or PAWCo, 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 Township and PAWCo shall observe all safety rules applicable to the premises established by the user and the user shall be held harmless by the Township and PAWCo for injury or death to Township or PAWCo employees or representatives and the Township and PAWCo shall indemnify the user against loss and demands for personal injury or property damage asserted against the user and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the user to maintain safe conditions as required in Section 8.05.

Section 8.05. Control Manhole.

When required by the Township and/or PAWCo, 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 Township and PAWCo to facilitate observation, sampling, and measurement of the wastewater. Such manhole or other appurtenances, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the Township and PAWCo. 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 Township and PAWCO 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 Township or PAWCo, either may 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 (3) 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 customarily accepted methods 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 PAWCO, 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 Township and PAWCO 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 Township and PAWCo.

Section 8.08. Pretreatment Facilities Operations.

Pretreatment facilities shall be maintained in good working order and operated efficiently by the user at his/its own costs and expense, subject to the requirements of these Rules and Regulations and all other applicable 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 Collection System and 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 Township and PAWCo for review, and shall be approved prior to construction of the facility. All existing users shall complete such a plan by sixty (60) days before scheduled start of construction of any new facility discharging into the system. 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 Valley Township's sewer system 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 Township and PAWCo. Review and approval of such plans and operating procedures shall not relieve the user from the responsibility of modifying his/its facility as necessary to meet the requirements of these Rules and Regulations.

1. Telephone Notice: In the case of an accidental discharge to the Valley Township sewer system 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 Valley Township and/or PAWCo of the incident. (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 and/or damage to the Treatment Works.

2. Written Notice: Within five (5) days following an accidental or non-complying discharge to the Township sewer system, the user shall submit to the Township 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 Township's Collection System or PAWCO 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 article 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 Township's Collection system. Employers shall insure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure.

ARTICLE IX

DISCHARGE PERMIT SYSTEM

Section 9.01. Permitted Discharges.

Except as provided in Section 9.03, no user discharging other than domestic waste shall discharge, or cause to be discharged, any wastes either directly or indirectly, into the Township's Collection System without first obtaining a sewer discharge permit from the Township and PAWCo.

Section 9.02. New Users.

Any new user proposing to discharge other than domestic waste into the Township's Collection system or an existing user discharging other than domestic waste and proposing to commence operations at a new facility that will discharge into the Township's Collection system, shall apply for and receive a discharge permit prior to the commencement of operations at the new facility.

Section 9.03. Existing Users.

Any user discharging other than domestic waste directly or indirectly to the Township's Collection system prior to the effective date of these Rules and Regulations is hereby granted temporary authority to continue discharging these wastes. This temporary authority shall expire on March 17, 1992, unless prior to that date the discharger has filed an application for discharge permit pursuant to Sections 9.01, 9.04 and 9.09 of these Rules and Regulations. In such case, this temporary order shall expire on the date the discharge permit is issued. Any person or entity discharging pursuant to the temporary authority provided for hereby is subject to all the provisions of these Rules and Regulations and such authority may be suspended or revoked in accordance with the terms and provisions set forth in Section 9.11 of these Rules and Regulations.

Section 9.04. Types of Permits

Depending on the discharge, one of the following types of permits will be issued by the Township to users who discharge wastewater into the treatment works.

1. Industrial (e.g. industrial firms discharging industrial wastewater)
2. Light industrial (e.g. industrial firms discharging sanitary wastewater)
3. Utility (e.g. water treatment plants, landfills)
4. Commercial (e.g. gas stations, laundromats, restaurants)

The Township, barring Federal or State requirements, shall be the sole judge in determining whether a user requires a permit and the type of permit required.

Section 9.05. Renewal of Permit.

If a permittee wishes to continue discharging other than domestic wastewater to the Township's sewer system, it shall request a renewal of its discharge permit no less than 3 months prior to the expiration date of the permit then in force. Failure to make a timely application may result in the suspension or revocation of the permit. The request shall be contained in a form prepared by the Township. Renewal of the permit shall be contingent upon the permittee having complied with the terms and conditions of the expired permit.

Section 9.06. Duration of Permits.

The permit expiration date will be as indicated in the permit. Renewal of the permit will be dependent upon compliance with the terms and conditions included in Section 9.05.

Section 9.07. Changes to Permits.

Any user who 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 apply for an amended Permit. Forms may be procured from the Township.

Section 9.08. Transfer of Permits.

Discharge permits are issued to a specific user for a specific operation and are not transferable. A permit shall not be reassigned or transferred or sold to a new user, or a new or changed operation. The permittee shall notify the Township at least 14 days in advance of any change in ownership or corporate structure.

Section 9.09. Procedure for Obtaining a Discharge Permit.

Persons requiring a permit to discharge shall complete a Valley Township application form and forward it to the Township Office.

The application shall be approved if the Township, in its sole judgment, determines that applicant has complied with all applicable requirements of these Rules and Regulations and furnished to the Township all requested information, and if the Township determines that there is adequate hydraulic and/or treatment capacity in the collection system to convey, 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 a corporate officer shall include a corporate resolution granting the individual the authority to make the application on behalf of the user.

Section 9.10. 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 wastewater 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 Township 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 (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 a Discharge Permit.

The Township may suspend or revoke a Discharge Permit in accordance with Article XIII, Violation and Enforcement Procedures, of these Rules and Regulations.

ARTICLE X

WASTEWATER MONITORING AND REPORTING REQUIREMENTS

FOR USERS WITH SEWER DISCHARGE PERMITS

Section 10.01. Reporting Requirements

1. All users subject to pretreatment regulations and/or users issued sewer discharge permits as identified by PAWCo shall, at a minimum, comply with the reporting requirements contained in 40 CFR 403.12 including the submission of a compliance schedule.

2. Compliance Data Report

Within ninety (90) days following the date for final compliance with applicable Pretreatment Standards or, in the case of new source, following commencement of the discharge of wastewater to the Township Collection System, any user subject to pretreatment standards shall submit to the Township a report indicating the average and maximum daily flows and the nature and concentration of all pollutants discharged from the process units which are regulated by such pretreatment standards. The report shall state whether the applicable pretreatment standards are being met on a consistent basis and, if not, what additional operation and maintenance (O&M) work and/or pretreatment is necessary to bring the user into compliance with the applicable pretreatment standards. This statement shall be signed by an authorized representative of the user, and certified to by a qualified professional engineer licensed in the Commonwealth of Pennsylvania.

3. Periodic Discharge Reports

Every significant Industrial user shall submit a periodic discharge report to the Township and PAWCo during the months of June and December, unless required more frequently by a pretreatment standard or by the Township and PAWCo. At the discretion of the Township and PAWCo and in consideration of such factors as local high or low flow rates, holidays, budget cycles, and similar matters, the Township and PAWCo may agree to alter the months during which the above reports are to be submitted. The Township and PAWCo 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, but not be limited to: nature of process, volume, rates of flow, concentrations of incompatible pollutants, total mass of each incompatible pollutant discharged, hours of operation, and other information which relates to the generation of waste. Such reports may also include the chemical constituents and quality of liquid materials stored on site even though they are not normally discharged. In addition to discharge reports, the Township and PAWCo may require information in the form of sewer

discharge permit applications and self-monitoring reports.

Section 10.02. Records and Monitoring

1. All users who discharge or propose to discharge Industrial Wastewater to the Township's Collection System, 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 or requirements.
2. Such records shall be made available upon request by the Township and/or PAWCo. 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 Township and PAWCo. All records shall be retained for a minimum of three (3) years.
3. Any user discharging Industrial Wastewater into the Township's Sewer System 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 Township and PAWCo 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 Township requirements and all applicable construction standards and specifications. Plans and specifications for all such work will be submitted to the Township and PAWCo 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 Township's Collection System must make available a sampling point representative of the discharge which is acceptable to, and approved by the Township and PAWCo. This point must be available to the Township, PAWCo, the Department, or EPA for purposes of conducting sampling inspections, compliance monitoring and/or metering operations.
2. Compliance Determination. Compliance determinations by the Township, PAWCO, the Department, and/or the EPA, with respect to Article VII of these Rules and Regulations, shall be made on the basis of either instantaneous grab samples or 24 hour composite samples of the industrial wastewater, or as otherwise may be determined by the Township, PAWCo, the Department, and/or the EPA.

3. Analysis of Industrial Wastewaters. Laboratory analyses of industrial wastewater samples shall be performed in accordance with EPA "Guidelines Establishing Test Procedures for the Analysis of Pollutants," published in the Federal Register, Volume 41, No. 232, 12/1/76 and subsequent revisions. Analysis of those pollutants not covered by the publications referred to therein shall be performed in accordance with procedures approved by the Township and PAWCo.
4. Sampling Frequency. Sampling of industrial wastewater for the purpose of compliance determinations with respect to Article VII of these Rules and Regulations will be done at such intervals as PAWCo, the Department, and/or the EPA may designate. However, it is the intention of the Township and PAWCo to conduct compliance sampling or to cause such sampling to be conducted for all significant industrial users at least once in every one year period.

Section 10.04. Pretreatment

Users shall provide necessary wastewater pretreatment as required to comply with these Rules and Regulations and shall achieve compliance with all 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 Township and PAWCo 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 the Regulations. The review of such plans and operating procedures by the Township and PAWCo will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the Township and PAWCo 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 Township and PAWCo prior to the user's initiation of the changes.

The Township or PAWCo shall annually publish in the largest newspaper published in the district and such other newspapers as determined by the either a list of the users which, during the previous twelve (12) months, were significantly violating (as defined by 40 CFR 403.8(f) (2) (vii) applicable Categorical Pretreatment Standards or other pretreatment requirements. The notification shall also summarize any enforcement actions taken against the user(s) during the same twelve (12) months.

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 PAWCo 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/or 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 Township and/or PAWCo as confidential, shall not be transmitted to any governmental agency by the Township or PAWCo until and unless a ten-day notification is given to the user.

ARTICLE XI

TERMS OF PAYMENT

Section 11.01. Bills Rendered.

1. All bills will be rendered monthly 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 unmetered connections on the basis of a monthly charge for sewer service as determined by the Township. In every instance where a meter fails to register, a bill will be rendered based on average use for the previous twelve (12) months, or average use 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. The minimum charge shall be applicable for the month 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 30 days of the date of the bill.
2. Charges for connections, uses, and special services shall be payable on demand
3. Payment must be received by the Township by the end of the period during which bills are payable in order to be deemed to be a payment within such a period. Payments received after the due date shall be subject to a 10 percent penalty.
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.

1. 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 Township Office for investigation. The Township 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.

1. Failure to receive a bill shall not exempt any customer from the obligation to pay the bill. The presentation of a bill to the customer is only a matter of accommodation.

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

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

SECTION XII

EXTENSION OF SERVICE

(TO BE SUPPLIED AT A LATER DATE)

ARTICLE XIII

VIOLATIONS AND ENFORCEMENT PROCEDURES

Section 13.01 Notice of Violation

1. If the Township determines, by measurements at any selected point for a particular user, that the user is in violation of any provisions of these Rules and Regulations or the Sewer Discharge Permit issued pursuant to Article IX hereof, the Township shall serve written notice to the user stating the nature of the violation and provide a time limit for the satisfactory correction thereof. The user shall, within the period of time stated in such notice, cause the correction of all violations.
2. Any cost incurred by the Township as a result of the violation shall be added to the sewer use bill and collectible in accordance with payment requirements associated therewith.

Section 13.02. Damages

Any user violating any of the provisions of these Rules and Regulations shall become liable to the Township and/or PAWCo for any expense, loss, or damage occasioned by reason of such violation.

Section 13.03. Suspension of Service or Sewer Discharge Permit

1. The Township may suspend the wastewater treatment service and/or sewer discharge permit of a user where:
 - a. He/it has failed to make payments of any charges against the property.
 - b. In the opinion of Township 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 Township/PAWCo personnel, any property, or to the environment;
 - (2) causes any interference to the POTW; or
 - (3) causes, or would cause, PAWCo to violate any condition of its NPDES permit.

- 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.
2. Any user notified of a suspension of its wastewater treatment service and/or the sewer 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 Township and/or PAWCo may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW system or endangerment to the health, safety or welfare of any individuals. The Township shall reinstate the sewer discharge 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 Township upon reinstatement of the sewer discharge permit.

Section 13.04. Termination of Service or Revocation of Permit

Failure to correct violation within the time specified in the notice from the Township to the user, or within a reasonable time if no time limit is specified, of the nature of the violation and the corrective measures required may subject a user to the termination of its wastewater treatment service and/or the revocation of its discharge permit.

Section 13.05. Legal Action

In addition to the suspension, termination or revocation of its wastewater treatment service or its sewer discharge permit, any user violating any of the provisions of these Rules and Regulations or falsifying any information required by the Township or PAWCo of the user pursuant to these Rules and Regulations shall be subject to the following actions or penalties which are authorized by law to be taken by the Township or PAWCo jointly or severally or with any appropriate Federal or State regulatory agency:

1. A civil suit may be instituted in the Court of Common Pleas of Chester County for injunctive relief to prohibit and prevent such violation and the said court may proceed in a summary manner; and
2. A penalty may be collected in a civil action by summary proceeding under the laws of the Commonwealth of Pennsylvania.
3. The Township may take such steps as may be necessary to seal or close off the discharge of industrial and/or harmful wastewater until adequate measures have been taken to prevent the reoccurrence of such violation.

ARTICLE XIV

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 Collection system. The Township may 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 Township or PAWCo, then the Township or PAWCo may take whatever action is necessary to halt service and to protect life and property.

ARTICLE XV

FEES

Section 15.01. Purpose

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

Section 15.02. Charges and Fees

The Township 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;

Connection fees;

5. Capacity fees;
6. Fees to compensate the Township or PAWCo for the cost of testing, monitoring and/or inspection required at the user's property.
7. Other fees as the Township 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 Township.

ARTICLE XVI

SURCHARGES

Section 16.01. Surcharges

Any user discharging Wastewater into the Treatment Works whose BOD and/or suspended solids concentrations exceed 250 ppm when measured at the user's metering station(s) or at the user's control manhole, shall be subject to a Surcharge for the treatment of such Wastewater. The Surcharge for the treatment of Wastewater shall be in addition to any other billings charged to the user for the treatment of their Wastewater. (see Section 5.03.5)

ARTICLE XVII

MISCELLANEOUS

Section 17.01. Access by Township and PAWCO Personnel.

Any authorized employee of the Township or PAWCO, 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 Township or PAWCo. 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, neither the Township nor PAWCo will 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 Township for discontinuance of sewer service. The customer will be responsible for payment of all sewer charges until the water service is disconnected. The Township has the right to require installation of such valves at the customer's expense before discontinuing service. When service is discontinued, the water meter, if on the Township water system, will be removed. Meters will be reinstalled 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 Township Rules and Regulations relating to water service.
3. When a premises that is serviced by an on-site water supply is vacated, the owner or other person responsible for the payment of the sewage bill must make a written request to the Township for the discontinuance of sewer service to the premises. As conditions to the discontinuance of sewer service, the owner or other person responsible for payment will be required (1) to hire a plumber licensed to do business in the Township to excavate the sewer lateral and have it capped, (2) to have the capping inspected by the Township plumbing inspector prior to its being backfilled, surface repair to original condition is required as a part of this work, and (3) to pay all fees and costs that may be due the Township pertaining to the disconnection, including the fee of the plumbing inspector. The Township shall suspend the sewer charges to the premises during any period when the lateral is capped.

Prior to the premises being occupied in the future, the owner or other person responsible for payment will be required (1) to hire a plumber licensed to do business in the Township to excavate the sewer lateral to the Township sewer main and to thereafter backfill the trench, all of which shall be done pursuant to Township and/or Township Authority standards, subject to inspection and approval by the Township plumbing inspector, surface repair to original condition is required as a part of this work, and (3) to pay all fees and costs that may be due the Township pertaining to the reconnection, including the fee of the plumbing inspector.

Section 17.03. Amendments.

The Township 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 Township 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 Township or as may specifically be required by any Federal and/or State regulatory agency having jurisdiction.

Section 17.04. Saving 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 Township that such remainder shall be and shall remain in full force and effect.

Section 17.05. Policy and Standards for Plumbing Fixtures and Fittings

See Ordinance 89-5 Adopted September 19, 1989 which mandates the installation of water-saving plumbing fixtures and fittings for all new construction or the replacement of existing fixtures and/or fittings.

END

APPENDIX A

LIMITATIONS ON USER WASTEWATER DISCHARGE

<u>PARAMETER</u>	<u>LIMITATION</u> Micrograms/liter (ug/l)
<u>Inorganics</u>	
Antimony	5000
Arsenic	200
Barium	
Beryllium	0
Cadmium	20
Chromium	100
Copper	60
Cyanide	100
Lead	40
Mercury	0
Nickel	20
Selenium	210
Silver	20
Thallium	
Zinc	230
Total Toxic Organics	2130
<u>Volatile Organics</u>	
Acrolein	1510
Acrylonitrile	2130
Benzene	134
Bromodichloromethane	60
Bromoform	60
Bromomethane	60
Carbon tetrachloride	380
Chlorodibromomethane	60
2-Chloroethylvinyl ether	2130
Chlorobenzene	2130
Chloroethane	2130
Chloroform	10
Chloromethane/Methyl Chloride	10
1,1-Dichloroethane	2130
1,2-Dichloroethane	120
1,1-Dichloroethene	2130

VALLEY TOWNSHIP

SEWER USE RULES AND REGULATIONS

APPENDIX B

Refer to SECTION 8.09 Accidental Discharges.

Article 1. Telephone Notice

In the event of an accidental discharge the following offices (people) must be contacted. Please have information regarding the discharge available if possible.

DO NOT DELAY NOTIFICATION IF ANY OR ALL OF THE FOLLOWING INFORMATION IS NOT KNOWN

- 1. Location of Discharge**
- 2. Time of Occurrence**
- 3. Nature of Discharge - Chemical name etc.**
- 4. Quantity of Discharge - Gallons**

Valley Township

Township Secretary

Phone (610) 384-5751

OR

Emergency Management Coordinator

Phone (610) (610) 318-5432

Pennsylvania American Water
Company

Richard Lutz, Waste Water
Operations Superintendent

Phone (610) 384-2872

OR

Wayne G. "Ted" Reed, Executive
Director

Phone (610) 384-6657